

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON COMMERCE AND ECONOMIC
DEVELOPMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, May 22, 2018
1:30 p.m.

PRESENT:

COUNCILMAN CURTIS JONES, JR., CHAIR
COUNCILMAN ALLAN DOMB
COUNCILMAN DEREK S. GREEN
COUNCILMAN BOBBY HENON
COUNCILWOMAN CHERELLE L. PARKER
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN AL TAUBENBERGER

BILL 180133 - An ordinance amending Chapter
17-104 of The Philadelphia Code, entitled
"Prerequisites to the Execution of City
Contracts"...

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2 COUNCILMAN JONES: So good
3 afternoon, everyone. This is a hearing
4 being called to order. This is a public
5 hearing on City Council's Committee on
6 Commerce and Economic Development. The
7 purpose of this public hearing is to hear
8 testimony on Bill No. 180133.

9 I recognize the presence of a
10 quorum with Councilman Henon, Councilman
11 Green, Councilwoman Reynolds Brown, the
12 author, and Councilwoman Parker and also
13 Councilman Taubenberger.

14 Will the Clerk please read the
15 title of the bill.

16 THE CLERK: Bill No. 180133, an
17 ordinance amending Chapter 17-104 of The
18 Philadelphia Code, entitled
19 "Prerequisites to the Execution of City
20 Contracts," by requiring contractors
21 seeking to do business with the City to
22 disclose certain demographic information
23 regarding individuals serving as board
24 members and executive officers; all under
25 certain terms and conditions.

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2 COUNCILMAN JONES: Thank you,
3 Ms. Williams.

4 I'd like to recognize the bill
5 sponsor, Ms. Blondell Reynolds Brown, for
6 remarks.

7 COUNCILWOMAN BROWN: Thank you
8 very much, Mr. Chairman and to members of
9 the Committee.

10 I would be remiss first not to
11 offer a special thank you to the
12 Administration for the partnership my
13 staff has enjoyed with the Mayor's policy
14 team, the Office of Economic Opportunity,
15 and of course the Philadelphia Law
16 Department.

17 Let me begin first by saying
18 that I will continue to be an
19 unapologetic advocate for a platform that
20 gives women and minorities a seat
21 literally at the executive table.

22 On February 22nd, 2018, I
23 introduced legislation that would require
24 contractors seeking to do business with
25 the City to disclose the number of

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2 minorities serving on their boards and
3 executive team. This legislation is an
4 extension of the women on boards bill
5 that I introduced and successfully passed
6 five years ago in 2013. Under this
7 proposed legislation, bid conditions,
8 request for proposals, and all other
9 specifications for contracts, those
10 seeking to do business with the City
11 must, A, disclose the current percentage
12 of minority executive officers in that
13 company, the company's aspirational goals
14 for the inclusion of minorities in
15 executive positions and on the executive
16 and full boards, and the intended efforts
17 by the contractor to achieve those
18 aspirational goals.

19 The significance of Bill No.
20 180133 is another step forward in this
21 continuous battle to provide a pathway
22 for meaningful and substantive
23 opportunities for women and minorities to
24 participate in executive and leadership
25 positions.

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2 What are the facts? Sixty-five
3 percent of Fortune 100 boards have
4 greater than 30 percent board diversity
5 compared to Fortune 500 boards where that
6 percentage drops to under 50 percent of
7 boards. Still today, women of color make
8 up less than 1 percent of women on
9 corporate boards.

10 In closing, goals are vital to
11 this process, but they only represent the
12 beginning. Simply focusing on hiring
13 minorities, black and brown people and
14 women, is simply not enough. When you
15 take a close look at the definition of
16 diversity and inclusion, you cannot have
17 one without the other. Diversity must be
18 present not only in the workplace but
19 clearly apparent on the boards of
20 directors and in executive offices.

21 When companies bring women and
22 people of color to the table for major
23 decisions, research tells us that the
24 conversation changes, and research
25 suggests further that companies have

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2 better outcomes. Different but equally
3 valuable issues rise to the surface.

4 Bottom line, board diversity
5 must become imperative to businesses and
6 should become an expectation of City
7 government.

8 Thank you again to my staff,
9 Chairman Jones, members of the
10 Administration, and those who believe
11 that diversity and inclusion matters.

12 Thank you, Mr. Chairman.

13 COUNCILMAN JONES: Thank you,
14 Councilwoman. You've long been a
15 proponent of breaking glass ceilings and
16 holding all entities, whether public or
17 private, that do business with the City
18 of Philadelphia accountable. So we thank
19 you for your consistency and laser-beam
20 focus, to quote you, on this issue.

21 Ms. Williams, can you -- are
22 there any other comments from members of
23 the Committee?

24 (No response.)

25 COUNCILMAN JONES: Seeing none,

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2 can we have the panel to testify.

3 THE CLERK: Yvonne Farrell and
4 Trevor Day.

5 (Witnesses approached witness
6 table.)

7 COUNCILMAN JONES: Thank you
8 both. Thank you for your patience.
9 Please have a seat. State your name for
10 the record and, in any order, begin your
11 testimony.

12 MS. FARRELL: Yvonne Farrell.
13 Good afternoon, Chairman Curtis
14 Jones and members of the Committee on
15 Commerce and Economic Development. My
16 name is Yvonne Farrell, Senior Director
17 within the Office of Economic
18 Opportunity. I am here this morning to
19 testify on behalf of Iola Harper, Deputy
20 Director for the Office of Economic
21 Opportunity, regarding Bill No. 180133
22 and to answer any questions that the
23 Chair or Committee may have pertaining to
24 our current data collection process as it
25 pertains to women on boards and executive

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2 staff.

3 Annually the Office of Economic
4 Opportunity reviews disclosure documents
5 submitted to the Procurement Department
6 for bid consideration on public works and
7 service, supply, and equipment contracts.
8 The purpose of OEO's review is to share
9 data pertaining to the percentage of
10 women on executive boards and executive
11 staff, as well as the percentage of
12 contractors with aspirational goals to
13 increase the representation of women on
14 boards and executive staff. A
15 summarization of the data is shared in
16 OEO's annual report.

17 OEO supports Chapter 17-104 of
18 The Philadelphia Code to expand a
19 contractor's disclosure obligation to
20 include minorities as identified in
21 Section 17-1608 of the Code. OEO's
22 leadership believes that this bill will
23 help to increase transparency and
24 accountability and will ultimately make
25 the Office of Economic Opportunity more

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2 effective both in terms of data
3 collection as well as oversight.

4 Thank you for the opportunity
5 to testify. I'm happy to answer any
6 questions that you may have at this time.

7 Thank you.

8 COUNCILMAN JONES: Thank you.

9 And for the record, Councilman
10 Domb has joined us. Thank you.

11 We're going to hold questions
12 until the panel testifies, if that's okay
13 with everyone. Thank you.

14 Good afternoon.

15 COMMISSIONER DAY: Good
16 afternoon, Chairperson Jones and members
17 of the Commerce and Economic Development
18 Committee. My name is Trevor Day and I
19 am the Procurement Commissioner for the
20 City of Philadelphia. I am pleased to
21 provide testimony in support of Bill No.
22 180133, which would require contractors
23 seeking to do business with the City to
24 disclose certain demographic information
25 regarding individuals serving as board

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2 members and executive officers.

3 Bill No. 180133 will amend the
4 requirements of Section 17-104 of The
5 Philadelphia Code to require bidders to
6 disclose the number of women and
7 minorities serving as board members and
8 executive staff. Presently, bidders
9 seeking to respond to bids issued by the
10 Procurement Department must disclose the
11 number of women serving as board members
12 and executive staff. This information is
13 collected by Procurement and reported out
14 by the Office of Economic Opportunity.
15 The new requirement proposed by Bill No.
16 180133 would expand this disclosure
17 requirement to include minorities serving
18 in these roles. The Procurement
19 Department can implement the new
20 requirement as part of the current
21 disclosure form submitted by bidders and
22 supports the new requirements set forth
23 by Bill No. 180133.

24 This concludes my testimony.
25 I'm happy to answer any questions from

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2 the Committee.

3 COUNCILMAN JONES: Thank you,
4 Commissioner.

5 Are there any questions?

6 Councilwoman Brown.

7 COUNCILWOMAN BROWN: Yes. Good
8 afternoon, Administration. You say that
9 presently bidders seeking to respond to
10 bids issued by the Procurement Department
11 must disclose the number of women serving
12 on boards and in the executive staff. So
13 the good news is that the information is
14 indeed collected. Who is watching the
15 trends of those businesses that are doing
16 business with the City when it comes to
17 this particular information?

18 COMMISSIONER DAY: So the
19 Procurement Department collects the
20 information and then we submit it over to
21 OEO and they report out on it on an
22 annual basis.

23 MS. FARRELL: In our annual
24 report.

25 COUNCILWOMAN BROWN: Forgive

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2 me?

3 MS. FARRELL: We do report on
4 it in our annual report.

5 COUNCILWOMAN BROWN: And so how
6 long have you been collecting that
7 information?

8 MS. FARRELL: To the best of my
9 knowledge, it's about four years.

10 COUNCILWOMAN BROWN: And so
11 what are the trends?

12 MS. FARRELL: Well, I did get a
13 chance to look at the data compared to
14 '16 to '17.

15 COUNCILWOMAN BROWN: Yes.

16 MS. FARRELL: And my findings
17 were that in terms of public works, there
18 was an increase in the number of women on
19 boards by 9 percent for public works
20 between '16 and '17. With regard to
21 service, equipment, and supply, there was
22 a 2 percent increase on women on boards
23 from '16 to '17.

24 COUNCILWOMAN BROWN: In what
25 category did you say that was?

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2 MS. FARRELL: This was supply,
3 service, and equipment. The FY16 was 42
4 percent of women on boards. For FY17 it
5 was 44 percent.

6 COUNCILWOMAN BROWN: Okay. So
7 we can be assured that this practice is a
8 new protocol within OEO that happens on
9 an annual basis with that particular
10 OEO's annual report?

11 MS. FARRELL: Yes.

12 COUNCILWOMAN BROWN: Okay. So
13 Mr. Procurement Commissioner, talk to me
14 about Staples. They too would be
15 required to submit this information,
16 correct?

17 COMMISSIONER DAY: Yes. That's
18 correct.

19 COUNCILWOMAN BROWN: And so you
20 may not have this today, but might you
21 know what Staples' board looks like since
22 they are one of the biggest contractors
23 with the City of Philadelphia?

24 COMMISSIONER DAY: Okay. We
25 can supply that information to you. I

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2 don't have that offhand, but we can --

3 COUNCILWOMAN BROWN: How soon
4 can we get that?

5 COMMISSIONER DAY: I can look
6 and see if we have it on file, and if we
7 have it accessible, I can send it over to
8 you this week.

9 COUNCILWOMAN BROWN: Okay. All
10 right. I'm going to bounce the ball to a
11 couple other members and then come back.

12 COUNCILMAN JONES: Question, in
13 another life I dealt with the Minority
14 Business Enterprise Council. It was the
15 precursor to OEO, and a part of that
16 responsibility was certification. And I
17 know we don't directly certify anymore,
18 but in that certification process, there
19 was a standard of evaluation called
20 ownership and then control. Ownership
21 was defined by 51 percent or more, which
22 would give the minority and/or female
23 classification, and if I understand this
24 legislation, this is more a deeper dive
25 into the composition of the boards, which

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2 again kind of ownership and control would
3 still apply there. So other entities now
4 do your certification; is that correct?

5 MS. FARRELL: Would you repeat
6 that, please?

7 COUNCILMAN JONES: So other
8 entities such as SEPTA or others do the
9 actual gathering of the information and
10 designation of certifying these entities?

11 MS. FARRELL: Yes.

12 COUNCILMAN JONES: So do you
13 work with them to take a look at those
14 compositions of boards, and how does that
15 work?

16 MS. FARRELL: According to my
17 knowledge, we do make sure that they
18 follow the stipulation, the 51 percent.
19 They follow the same stipulation that
20 MBEC would in terms of who they identify
21 as minority.

22 COUNCILMAN JONES: So in that
23 process, is there an annual sampling
24 where you might call upon them to give
25 you 25 files and you would second-guess

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2 or at least audit what the determining
3 factors were to do a sample to make sure
4 that the quality of that certification
5 was done? Because there have been times
6 when we had strict scrutiny of those
7 documents and there were other times you
8 could self-certify, which meant we're
9 going to take your word for it. If you
10 say you control, we're going to go with
11 it.

12 So I would suggest from time to
13 time take 20 or so files and then act as
14 if you were the certifying entity to make
15 sure the audit of those files was
16 consistent with the mandate of the law.

17 MS. FARRELL: Okay.

18 COUNCILMAN JONES: Just as a
19 thought.

20 COUNCILWOMAN BROWN: Please.

21 What penalties exist, if any,
22 for companies who do not provide this
23 information? What becomes the baseline
24 parameter where a contractor is
25 disqualified or not offered the

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2 opportunity to do business because of
3 lack of information?

4 COMMISSIONER DAY: So currently
5 the way that the legislation is written,
6 there's no sort of ramification for not
7 submitting the form. However, it does
8 impact any opportunity that we put out as
9 best value or another sort of opportunity
10 where we can take that into
11 consideration.

12 COUNCILWOMAN BROWN: We can
13 take what into consideration?

14 COMMISSIONER DAY: We can take
15 into consideration that they haven't
16 filed the form with us.

17 COUNCILWOMAN BROWN: So have
18 you disqualified anybody over the last
19 year for any reason?

20 COMMISSIONER DAY: Over the
21 last year for any reason have we
22 disqualified?

23 COUNCILWOMAN BROWN: Any
24 contractor, sub or prime, for anything,
25 for any reason.

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2 COMMISSIONER DAY: Yes, we
3 have.

4 COUNCILWOMAN BROWN: How many?

5 COMMISSIONER DAY: It's been
6 three, to my knowledge. There have been
7 people that have withdrawn their
8 responses. So that's probably in the
9 10's of 20's, but there are a number.

10 COUNCILWOMAN BROWN: So now I'm
11 going to shift the discussion to a term
12 I've learned over the last couple of
13 weeks. Talk to us about cooperative
14 partnering or cooperative processing.

15 COMMISSIONER DAY: So
16 cooperative contracting is essentially
17 the ability for the City of Philadelphia
18 to use another government agency's
19 contract so the competitive process has
20 been followed. There's really four
21 criteria that we need to meet. One, that
22 there's a competitive process and it's
23 followed the sort of legislation under
24 that entity's sort of processes. It's
25 been advertised along with that. We have

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2 to explain that it's likely to lead to a
3 lower total cost.

4 COUNCILWOMAN BROWN: A lower?

5 COMMISSIONER DAY: Total cost.

6 COUNCILWOMAN BROWN: A lower
7 total cost for the contractor?

8 COMMISSIONER DAY: For what the
9 City is paying.

10 COUNCILWOMAN BROWN: Okay.

11 COMMISSIONER DAY: There is the
12 OEO requirement that it does not impact
13 the OEO goals that are set by the City.
14 And then four is really we can't use
15 cooperative contracting for professional
16 services.

17 COUNCILWOMAN BROWN: Okay. All
18 right. So what are the advantages for
19 the City to use that particular tool?

20 COMMISSIONER DAY: If we have a
21 commodity that we're looking to put out
22 for bid, we historically have low
23 competition, and there's another
24 government contract, that's an
25 opportunity for the City to look at a

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2 cooperative contract and say, hey, here's
3 an opportunity for us, we've historically
4 gotten one bidder or two bidders. So we
5 would look at that.

6 COUNCILWOMAN BROWN: What's a
7 disadvantage for subs out there who might
8 want to participate with these major
9 prime big guys?

10 COMMISSIONER DAY: I mean, I
11 think that's to your point, there are
12 disadvantages, but it's also -- we can
13 bring the vendor in and we can talk with
14 them and say, this is our priorities, our
15 goals, and we would like you to increase
16 your participation or explain to us your
17 participation on your contract. And it's
18 more of a dialogue.

19 COUNCILWOMAN BROWN: So what
20 has been the clawbacks for Staples who's
21 actually defaulted on deals that they've
22 done with some of the smaller MBE/WBES in
23 the City?

24 COMMISSIONER DAY: So I think
25 Staples had a subcontractor that they

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2 were using for a number of years, and my
3 understanding is that subcontractor and
4 Staples had a falling out and Staples has
5 replaced that subcontractor with another
6 certified subcontractor.

7 COUNCILWOMAN BROWN: Another?

8 COMMISSIONER DAY: Certified
9 subcontractor.

10 COUNCILWOMAN BROWN: So that's
11 to suggest that Procurement does not get
12 in the middle of those type of
13 disagreements to see where the true flaw
14 really lies?

15 COMMISSIONER DAY: Right. So
16 we would get involved in a sense that
17 like here's an issue, what's your plan
18 for rectifying that issue.

19 COUNCILWOMAN BROWN: Especially
20 if Staples submitted a document ensuring
21 the City that they were going to use this
22 particular sub to win the bid.

23 COMMISSIONER DAY: Yes. So, I
24 mean, there are market-driven things that
25 happen that we don't know -- I don't know

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2 what drove this subcontractor and Staples
3 to separate, but it seems like it was a
4 disagreeable relationship on both sides.

5 COUNCILWOMAN BROWN: So it's
6 okay then for a sub or a prime to
7 discontinue a relationship in the middle
8 of a contract with the City of
9 Philadelphia when the City of
10 Philadelphia makes a decision based on
11 the partners in that particular
12 agreement?

13 COMMISSIONER DAY: So if they
14 replace it with another prime or
15 subcontractor that is a certified
16 subcontractor, yes.

17 COUNCILWOMAN BROWN: Then it's
18 satisfied?

19 COMMISSIONER DAY: Yes.

20 COUNCILWOMAN BROWN: Got it.

21 Do you receive any pushback
22 from firms when requesting the
23 information on board composition and, if
24 so, what does it look like? What does it
25 sound like?

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2 COMMISSIONER DAY: We don't
3 typically get pushback on that.

4 COUNCILWOMAN BROWN: Okay.
5 OE0?

6 MS. FARRELL: No. Usually when
7 I review the forms, they are completing
8 the forms.

9 COUNCILWOMAN BROWN: Okay. How
10 would you articulate the Mayor's
11 long-term goals for MBE/WBE involvement,
12 engagement, and what do you see as the
13 trends given your leadership in the
14 Administration, what are the trends in
15 those two departments?

16 MS. FARRELL: With regard to
17 women on boards, I would say that in
18 terms of their responsiveness and in
19 identifying aspirations, they are
20 responsive, and the trend is going up.
21 Where I would comment on is perhaps when
22 asking for what are those efforts to
23 achieve that aspiration, I think they are
24 not as responsive as they could be.

25 COUNCILWOMAN BROWN: Okay.

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2 Should we, are we equipped, is it our
3 role to provide technical assistance
4 towards that end, towards how to increase
5 diversity on boards? I'm asking. I
6 don't even know that that's a role for
7 us. I'm simply asking the question.

8 MS. FARRELL: I dare not speak
9 for my Director, but I think that it's
10 something she would consider limited
11 assistance as to how to increase -- what
12 are some of the strategies to increase
13 participation.

14 COUNCILWOMAN BROWN: All right,
15 then.

16 Please, Commissioner.

17 COMMISSIONER DAY: I was going
18 to say that I don't think it's
19 necessarily our role, but we can
20 influence sort of and point to if you
21 have a diverse board, you're asking
22 questions or you have people who are on
23 that board that are asking different
24 questions that are going to bring value
25 back to your company. So I think it's

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2 information that we can provide.

3 COUNCILWOMAN BROWN: Okay. My
4 final question would be to provide to the
5 Chair a list of all of those cooperative
6 contracting agreements that the City has
7 in this fiscal year.

8 COMMISSIONER DAY: Sure.

9 COUNCILWOMAN BROWN: For our
10 look-see.

11 COMMISSIONER DAY: Our
12 contracts are all posted. I can send
13 that to you this afternoon, but I can
14 definitely send that to you.

15 COUNCILWOMAN BROWN: Yeah, if
16 you could send that, because in the midst
17 of the mirage of --

18 COMMISSIONER DAY: Yes. I hear
19 you.

20 COUNCILWOMAN BROWN: Appreciate
21 it. Thank you very, very much.

22 Thank you both for your
23 testimony.

24 COUNCILMAN JONES: Thank you,
25 Councilwoman.

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2 If I understood the exchange a
3 little bit, I just want to ask a couple
4 of points on that. Are we tending to do
5 bigger requirements contracts for
6 cost-savings purposes, like with Staples?

7 COMMISSIONER DAY: I would say
8 we look at commodities that we have low
9 competition on, and if we have low
10 competition, then we may choose to use a
11 cooperative contract for those
12 commodities.

13 COUNCILMAN JONES: So that's
14 where the diversity end of the board
15 allows access to subcontractors or joint
16 venture partners to take advantage,
17 because I'm familiar -- is it called a
18 value-added reseller or something like
19 that?

20 COMMISSIONER DAY: Yeah.

21 COUNCILMAN JONES: See, that
22 comes from my procurement days. And it
23 allows companies, smaller companies, to
24 piggyback off of the purchasing power of
25 the larger and, therefore, develop supply

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2 lines that might serve them in the
3 future.

4 COMMISSIONER DAY: Yes.

5 COUNCILMAN JONES: So the
6 reason why this is valuable is to make
7 sure that component of it is adhered to,
8 thus giving our opportunity to smaller
9 people.

10 COMMISSIONER DAY: Yes.

11 COUNCILMAN JONES: I think I
12 got it.

13 COUNCILWOMAN BROWN: I'm
14 envious of your days in that role,
15 Councilman, because had I come here with
16 that kind of expertise, we'd be years,
17 light years, down the road.

18 Can you also provide to the
19 Chair then, and I quote, commodities with
20 low competition, that list, so that we
21 can see what that looks like?

22 COMMISSIONER DAY: Sure.

23 COUNCILWOMAN BROWN: And I
24 didn't hear you answer the question --
25 give the answer to the question how would

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2 you articulate the Mayor's long-term
3 goals for MBE/WBE activity in your role
4 as Procurement Commissioner. What are
5 the trends as you see them?

6 COMMISSIONER DAY: So I
7 wouldn't say that -- as Procurement
8 Commissioner, I have adopted the
9 Administration's focus on sort of
10 minority and women-owned contracts and
11 subcontractors. We believe that this is
12 important, that there are opportunities
13 out there. We're working hand in hand
14 with OEO. We meet with them every two
15 weeks.

16 COUNCILWOMAN BROWN: Is that
17 right?

18 MS. FARRELL: Yes.

19 COMMISSIONER DAY: Yeah. And
20 that is a goal that we're working towards
21 and creating -- I mean, I think there's a
22 lot of improvements around contracting
23 that can be done, and part of that is
24 transparency and making things more
25 available and also getting out into the

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2 sort of neighborhoods. We've gone to
3 several events at The Enterprise Center
4 where we attempt really to market the
5 City as best as we can to local and women
6 and minority-owned vendors.

7 COUNCILWOMAN BROWN: It's still
8 very much a mystery process to far too
9 many women and minority-owned businesses.
10 It is good news to hear that every two
11 weeks there is an intentional effort to
12 look at this, which is unprecedented as
13 well. So that needs to be acknowledged.
14 So I will look in June at that report to
15 see where we were a year ago with the
16 advent of this new effort by the Mayor
17 and where we are, because talk is cheap.
18 At the end of the day, folks measure you
19 on product and end result. And so the
20 intentional discussion is helpful, but
21 ultimately we're measured by work
22 product.

23 So just list for me the top two
24 barriers you continue to see, Procurement
25 Commissioner, for this type of

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2 initiative.

3 COMMISSIONER DAY: I mean, I
4 think Iola will speak about this, but, I
5 mean, when we talk about the
6 participation, we talk about the
7 registry, and the registry is -- so there
8 are vendors and there are commodities
9 that we don't have a lot of vendors
10 registered for. So I think she's working
11 towards a solution of that, but I think
12 that is very limiting.

13 I'm trying to think of another.
14 And I also think just adoption throughout
15 the City. There are people within
16 departments, within Procurement that have
17 not sort of --

18 COUNCILWOMAN BROWN: Embraced.

19 COMMISSIONER DAY: -- embraced
20 this goal and this focus. And I'm
21 finding contracts, not often, but I'm
22 finding contracts that have
23 participation. I'm like, well, did this
24 go over to OEO. And it had best and good
25 faith efforts, but I'm finding, no, it

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2 didn't. I'm like, well, it needs to.
3 Like that's part of your responsibility.
4 And so that does happen, and so really
5 teaching and training people about what
6 their responsibility is in contracting.

7 COUNCILWOMAN BROWN: Well,
8 ultimately it takes leadership. So we
9 will continue to look to you and Iola to
10 walk on water for us.

11 Thank you very much.

12 COUNCILMAN JONES: Thank you,
13 Councilwoman.

14 Channeling my inner Councilman
15 Domb, do you from time to time do price
16 check reviews for requirement contracts
17 that you may have had for consecutive
18 years and then say, are we still getting
19 value, pricing, quantity, quality-wise?
20 So if we bought salt from the same vendor
21 for four years, is there a time where you
22 check the marketplace to say, oh, the
23 Ukraine is offering a sale on salt, maybe
24 we should freshen up this requirement
25 contract and review it? How does that

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2 process work for you?

3 COMMISSIONER DAY: Sure. So --

4 COUNCILMAN JONES: That's my
5 inner Domb.

6 COMMISSIONER DAY: It really
7 depends on sort of what the commodity is.
8 If we take salt, for instance, I think we
9 actually have three contracts for salt,
10 because guaranteed we will go through a
11 season where there's going to be a
12 limited number of -- limited supply, and
13 so we need sort of three contracts. And
14 are they all the same price? No. And
15 are the departments going to use the one
16 that's the cheapest? Yes. But if the
17 cheaper one does not have the supply,
18 they're going to go to the next one. So
19 we're constantly working with departments
20 to analyze our contracts and evaluate
21 them.

22 COUNCILMAN JONES: So one of
23 the things that purchasers and people who
24 do procurement and people who do
25 contracting do, they get comfortable with

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2 a vendor. This vendor fills out the
3 appropriate paperwork in a timely
4 fashion. I don't have to do a lot of
5 work to monitor them. They know what we
6 need. They deliver on time. And there's
7 a comfort that settles in, and that's
8 right when the time people start jacking
9 up price. So that constant red flag
10 review is something that we would look
11 forward to you doing, and I'll end on
12 that.

13 Councilman Domb.

14 COUNCILMAN TAUBENBERGER:

15 Taubenberger.

16 COUNCILMAN JONES: I'm sorry.

17 COUNCILMAN TAUBENBERGER: I'm
18 going to speak about my inner Council
19 Taubenberger.

20 COUNCILMAN JONES: Okay.

21 COUNCILMAN TAUBENBERGER: And
22 it's really just a comment. This is
23 important. I make a little bit of a
24 humor. We sit here a lot. But I really
25 want to thank you for your testimony and,

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2 more importantly, I want to thank
3 Councilmember Reynolds Brown for her
4 leadership on this. This is an important
5 issue, because many times many people
6 make a lot of promises and in the end,
7 ain't nothing there. And I think this is
8 going to bring that to a successful
9 fruition where our people, meaning the
10 citizens of Philadelphia, will benefit by
11 it.

12 We're a big customer of a lot
13 of things and we want fairness, and I
14 think this bill helps with that. So I
15 thank you very much. I thank
16 Councilmember Reynolds Brown.

17 COUNCILMAN JONES: I think we
18 still have a quorum, if it's okay. Are
19 there any other questions for this panel?

20 (No response.)

21 COUNCILMAN JONES: Seeing none,
22 thank you for your testimony and
23 particularly your answers. Thank you so
24 much.

25 COMMISSIONER DAY: Thank you.

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2 COUNCILMAN JONES: Are there
3 any others to testify on this bill?

4 (No response.)

5 COUNCILMAN JONES: Seeing none,
6 this concludes the hearing on this bill,
7 and we will now go into our public
8 meeting.

9 I do not see Councilwoman
10 Parker, who is my Vice Chair, so could I
11 call on Councilman Green to make a motion
12 on this bill.

13 COUNCILMAN GREEN: Thank you,
14 Mr. Chair. I move that Bill No. 180133
15 be reported from this Committee with a
16 favorable recommendation and further move
17 that the rules of Council be suspended so
18 that that will permit first reading of
19 this bill at the next session of Council.

20 (Duly seconded.)

21 COUNCILMAN JONES: It's been
22 moved and properly seconded that this
23 bill be moved from Committee.

24 All those in favor?

25 (Aye.)

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2 COUNCILMAN JONES: All those
3 opposed?

4 (No response.)

5 COUNCILMAN JONES: The ayes
6 have it and the motion carries. Bill No.
7 180133 will be reported from this
8 Committee with a favorable recommendation
9 and with a request that the rules of
10 Council be suspended to permit first
11 reading at our next session of Council.

12 This concludes the business of
13 the Committee on Commerce and Economic
14 Development.

15 Thank you all very much for
16 your attendance.

17 (Committee on Commerce and
18 Economic Development concluded at 2:05
19 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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