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2 COUNCIL OF THE CITY OF PHILADELPHIA
3 COMMITTEE ON TECHNOLOGY AND
4 INFORMATION SERVICES
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7 Room 400, City Hall
Philadelphia, Pennsylvania
8 Thursday, December 9, 2010
9:35 a.m.
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PRESENT:

11 COUNCILMAN BRIAN J. O'NEILL, CHAIR
COUNCIL PRESIDENT ANNA C. VERNA
12 COUNCILMAN FRANK DiCICCO
COUNCILMAN CURTIS JONES, JR.
13 COUNCILMAN FRANK RIZZO, JR.
14

BILL 100843 - An ordinance authorizing the
15 City Solicitor, on behalf of the City, to
enter into a multi-year contract with a
16 provider of codification, editing, and
marketing services to produce printed and
17 electronic versions of the 10th edition of The
Philadelphia Code and the 2011 Reprint of the
18 Philadelphia Home Rule Charter, with periodic
supplements to each, all under certain terms
19 and conditions.
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2 COUNCILMAN O'NEILL: I'd like
3 to call this meeting to order of the
4 Committee on Technology and Information
5 Services for Bill No. 100843.

6 We have established a quorum.
7 To my left is Councilman Rizzo. To my
8 right is Councilman DiCicco and
9 Councilman Jones and Council President
10 Verna.

11 I'd like to call up any
12 witnesses for this bill.

13 (Witness approached witness
14 table.)

15 COUNCILMAN O'NEILL: Could you
16 identify yourself, spell your name and
17 proceed.

18 MR. FEDER: Thank you, Chairman
19 O'Neill.

20 Good morning, Chairman O'Neill
21 and members of the Committee. I'm Richie
22 Feder, Chief Deputy City Solicitor for
23 Appeals and Legislation. I'm here to
24 testify in support of Bill No. 100843,
25 which will allow the Law Department to

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continue its practice of entering into four-year contracts with an outside code publishing company to produce regular updates of The Philadelphia Code and the Home Rule Charter. And I have samples here, if anybody would like to see them.

Since 1985, the Law Department has been producing new editions of the Code on a four-year cycle with three annual updates or supplements during each four-year period. Since 1998, we have been entering into arrangements with various code publishing companies to place the Code on the Internet for free public use and to produce a CD-ROM with sophisticated search capabilities for more intensive users, including all City users, as well as to produce traditional hard copies of the Code. In recent years, we've also begun including an update to the Charter with each new edition of the Code, given the increasing frequency with which the voters have been amending the Charter.

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2 Our current four-year contract
3 with American Legal Publishing Company
4 expires this year, and we recently posted
5 a request for proposals for a new
6 four-year contract. Under the Charter,
7 any contract for more than four years
8 requires Council authorization. This
9 Council most recently approved our
10 current four-year contract through Bill
11 No. 060335. The current bill would renew
12 this authorization for another four-year
13 contract.

14 In recent years, the Code
15 publishing contract has cost the City
16 almost nothing. The current contract
17 expiring this year provides that American
18 Legal keeps whatever profits it makes
19 selling hard copies and CD-ROMs of the
20 Code and the City only has to pay for
21 whatever books the various departments of
22 the City purchase, as well as a nominal
23 fee for production of three annual hard
24 copy supplements. I cannot promise you
25 that the proposals we receive in response

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2 to the current RFP will provide for the
3 same pricing structure, but I do not
4 anticipate any substantial costs to the
5 City as a result of this contract.

6 Personnel throughout City
7 government, including, of course,
8 Councilmembers and their staff, as well
9 as private attorneys, court personnel and
10 members of the public, all rely on access
11 to up-to-date and accurate editions of
12 our Charter and Code. The City has a
13 strong record of publishing these
14 materials, along with regular
15 supplements, on a consistent and
16 predictable schedule. This bill will
17 allow us to continue that effort.

18 I, therefore, respectfully
19 request that the Committee report out
20 Bill No. 100843 with a favorable
21 recommendation. Finally, we hope to be
22 in a position to execute the anticipated
23 four-year contract before Council returns
24 from its winter recess. So I would ask
25 for a suspension of the rules so as to

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2 allow first reading later today and final
3 passage next week.

4 Thank you for your time
5 attention, and thank you to the Chairman
6 in particular for working with us to get
7 this through at a very busy time.

8 COUNCILMAN O'NEILL: Mr. Feder,
9 first, I'd like to thank you publicly for
10 all the service, excellent service, and
11 quick response time you give all
12 Councilmembers, including myself. You
13 made it very easy for me to make a
14 decision to try to squeeze this in --

15 MR. FEDER: Thank you,
16 Mr. Chairman.

17 COUNCILMAN O'NEILL: -- before
18 the recess.

19 I just wanted to mention one
20 item. It's not a problem with this, but
21 it's something that a lot of people are
22 hoping happens within the next year and,
23 that is, the Zoning Code change, the new
24 Zoning Code. How will that fit into
25 this? That would be something people

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2 might be interested in buying actually
3 because it will be brand new, if it
4 happens, and I'm hoping it happens. So
5 could you just comment on that?

6 MR. FEDER: Sure. We've been
7 talking with staff of the Commission, and
8 we're anticipating that possibility and I
9 would very much expect that whatever --
10 although it won't be in the -- it's not
11 in the RFP itself right now, but I would
12 anticipate entering into a supplement to
13 that contract with the code publishing
14 company, but probably separate volume of
15 the Zoning Code, because I do expect that
16 will be a popular piece of literature.

17 COUNCILMAN O'NEILL: Okay. Any
18 other questions from the Committee?

19 COUNCILMAN JONES: Just real
20 quick. We had a public comment last week
21 about the reduction of paper, and just to
22 underscore your testimony, is it going to
23 save us a couple of dollars?

24 MR. FEDER: I'm anticipating
25 the contract will cost us almost nothing.

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2 The only books that are produced are
3 books that individual departments want to
4 purchase, and, frankly, every four-year
5 cycle, departments purchase fewer books
6 and rely much more on the electronic
7 versions, but there are still some
8 departments that do like the feel of the
9 hardcover books.

10 COUNCILMAN JONES: We're moving
11 in the right direction, I think.

12 MR. FEDER: Yes, Councilman, I
13 would agree.

14 COUNCILMAN JONES: Thank you.

15 COUNCILMAN O'NEILL: Mr. Feder,
16 what you're asking a contractor to
17 provide does represent a continuation of
18 what the City currently receives under
19 the soon-to-expire contract. Is there
20 anything being enhanced going forward or
21 is it pretty much exactly the same thing?
22 And to put it another way, are taxpayers
23 or anyone else who uses the Code or
24 Charter getting any additional services?

25 MR. FEDER: It will depend on

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2 the nature of the proposals we get to the
3 RFP. We encourage in the RFP the
4 proposers to submit new and creative
5 ideas, because they're the best ones who
6 would know how these are done throughout
7 the country.

8 COUNCILMAN O'NEILL: So the
9 marketplace will dictate what --

10 MR. FEDER: Yes. Every four
11 years, there's always some enhancement,
12 more frequent updates. It depends on
13 what the vendors propose.

14 COUNCILMAN O'NEILL: Okay. And
15 why are we doing again a four-year
16 contract rather than one-year with
17 three-year renewals?

18 MR. FEDER: Because the Code
19 publisher we feel wants the certainty to
20 know that in order to lay the upfront
21 cost of producing the big volume
22 initially, each year when they produce
23 the supplement, they want to know that
24 they're going to get some money for it.

25 COUNCILMAN O'NEILL: Okay.

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2 MR. FEDER: Again, that money
3 comes from purchasers of the Code,
4 whoever that may be.

5 COUNCILMAN O'NEILL: I
6 understand that the RFP for this contract
7 opportunity was posted on eContract
8 Philly on December 1st and that the
9 closing date is December 21st?

10 MR. FEDER: That sounds
11 correct, yes.

12 COUNCILMAN O'NEILL: Do you
13 anticipate that you will receive one or
14 more suitable responses given this
15 timeframe?

16 MR. FEDER: In past years,
17 we've received -- there are four
18 high-quality publishers throughout the
19 area, and we received good proposals from
20 all of them using this exact same
21 timeframe.

22 COUNCILMAN O'NEILL: Okay. I
23 see from the RFP that part of the
24 requirement is The Philadelphia Code and
25 Charter be published on a website that

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2 people can access through a link on the
3 City's website. What browsers will be
4 supported? For example, will I be able
5 to view the Code and Charter using
6 Firefox or Google's Chrome, or am I
7 limited to Internet Explorer? I've heard
8 reports that not all browsers work
9 equally well on the City's website.

10 MR. FEDER: I access at home
11 The Philadelphia Code and Charter on the
12 Internet through Firefox and Safari
13 without any problem. I anticipate that
14 the next contract would provide the same.

15 COUNCILMAN O'NEILL: We're in
16 pretty good shape on that.

17 Any other questions?

18 (No response.)

19 COUNCILMAN O'NEILL: Hearing
20 none, the Committee hearing is adjourned.
21 We'll go into a public meeting.

22 I call on Councilman DiCicco to
23 make a motion -- you do want a rules
24 suspension, correct?

25 MR. FEDER: Yes, Mr. Chairman.

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2 I would appreciate that.

3 COUNCILMAN O'NEILL: --

4 (continued) for a motion on Bill No.

5 100843.

6 COUNCILMAN DiCICCO: Thank you,

7 Mr. Chairman. I move that Bill No.

8 100843 be reported out of this Committees

9 with a favorable recommendation and that

10 the rules of Council be suspended so as

11 to permit first reading today, which is

12 our next meeting of City Council.

13 (Duly seconded.)

14 COUNCILMAN O'NEILL: All in

15 favor voting aye?

16 (Aye.)

17 COUNCILMAN O'NEILL: Councilman

18 Rizzo also.

19 The ayes have it. It's

20 unanimous, and the bill will be reported

21 out today at the City Council meeting

22 with a favorable recommendation.

23 Thank you.

24 And a suspension of the rules.

25 Thank you.

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2 (Committee on Technology and

3 Information Services concluded at 9:45

4 a.m.)

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1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on December 9, 2010, and that
8 this is a true and correct transcript of same.

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13 -----
14 MICHELE L. MURPHY
15 RPR-Notary Public
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20 transcript does not apply to any reproduction
21 of the same by any means, unless under the
22 direct control and/or supervision of the
23 certifying reporter.)
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