



City of Philadelphia



Neighborhood Transformation Initiative (NTI) Prime Contractor Qualification Application for Demolition Projects

Dear Sir/Madam:

I would like to take this opportunity to thank you for your interest in the City of Philadelphia’s Neighborhood Transformation Initiative (NTI). The NTI, launched by Mayor John F. Street in May 2000, among many programs, solicits bids from prime contractors for targeted demolitions of dangerous residential buildings.

In order to participate in this program, you must be qualified to perform demolition work. In order to be qualified, you must complete and submit this qualification application. Once your application has been received and reviewed and you have been determined to be qualified, your qualification status will remain in effect for the duration of the current fiscal year. The fiscal year for the City of Philadelphia begins on July 1st and ends on June 30th. If you are qualified prior to the time a bid is due, your final qualification will be based on your current bonding capacity and outstanding projects workload.

This package contains a Questionnaire and Financial Statement for Prime Contractors for NTI Demolition Projects (pp. 2-6) to be completed and submitted. For informational purposes the following documents are also included:

1. Neighborhood Transformation Initiative Economic Opportunity Planpp. 7-10
2. Minority Business Enterprise Council (MBEC) – Anti-discrimination Policy – Disadvantaged Minority, Women and Disabled Owned Business Enterprisepp. 11-14
3. Description of the Wrap-up Insurance Program.....p. 15
4. Contractor Safety Plan (Specification Section 01324)pp. 16-17

The above documents will also be provided in the bid package in substantially the same form as they appear herein.

I encourage your participation in this significant program and look forward to receiving your submission.

Very Truly Yours,

Janet Hagan
Acting Procurement Commissioner

It is mandatory that all items be completed and submitted in order for your application to be processed. Your application will not be reviewed until all questions have been fully answered (please type or print in ink) and all required items have been submitted to the Hill International, Inc., One Penn Square West, 30 South 15th Street, Suite 1300, Philadelphia, PA 19102. For questions please call (215) 557-3240.

If Bidder is a Joint Venture or Bidder intends to submit a bid as a Joint Venture, each partner must submit the required information for qualification.

Please check box indicating required information is attached.

- This cover sheet with all check boxes filled in.
- Completed Questionnaire and Financial Statement for Qualifying Prime Bidders for NTI Demolition Projects.
- Evidence of insurability for demolition activities by providing a Certificate of Insurance indicating current coverages for General Liability, Automobile Liability, Excess Liability, Worker’s Compensation and Employer’s Liability.
- Letter from your surety indicating your total bonding capacity and currently available bonding capacity.
- Sample Safety Plan in accordance with item four (4) above.

City of Philadelphia

QUESTIONNAIRE AND FINANCIAL STATEMENT FOR QUALIFYING PRIME BIDDERS FOR NTI DEMOLITION PROJECTS

- * All information provided by a Contractor in this questionnaire shall be used by the City in determining and assessing a Contractor's qualifications and responsibility.
- * The City reserves the right to investigate any statement made herein, by means of information included in, but not limited to, that contained in this questionnaire. Any misrepresentation of fact, as determined by the City, may result in the disqualification of a Contractor.
- * Any material change in the financial, corporate or business status of a Contractor that occurs subsequent to the time of the Contractor's submission of this application must be forwarded to the Procurement Commissioner immediately. Failure to do so, without limiting other remedies available to the City, may result in the disqualification of the Contractor from award(s) on the NTI Demolition Program.

DATE SUBMITTED	FEDERAL EIN NUMBER	CITY BUSINESS TAX IDENTIFICATION #
SUBMITTED BY (PLEASE CIRCLE) INDIVIDUAL CORPORATION PARTNERSHIP JOINT VENTURE		
PRINCIPAL OFFICE ADDRESS		M-DBE: <input type="checkbox"/> W-DBE: <input type="checkbox"/> DS-DBE: <input type="checkbox"/>
		MBEC CERTIFICATION NUMBER
PRINCIPAL OFFICE TELEPHONE NUMBER	PRINCIPAL OFFICE FAX NUMBER	E-MAIL ADDRESS
CORPORATION		PARTNERSHIP/JOINT VENTURE*
DATE OF INCORPORATION	STATE	CAPITALIZATION
		DATE OF ORGANIZATION
		TYPE GENERAL LIMITED
OFFICERS		PARTNERS
PRESIDENT	NAME	
	ADDRESS	
VICE PRESIDENT	NAME	
	ADDRESS	
SECRETARY	NAME	
	ADDRESS	
TREASURER	NAME	
	ADDRESS	
	NAME	
	ADDRESS	

*If a joint venture, attach a copy of the joint venture agreement or letter of intent

EXPERIENCE AND EQUIPMENT

1. How many years has your organization been in business as a contractor under its present business name? **YEARS**
On a separate sheet of paper, list all other business names under which your organization has been in business as a demolition contractor.
-
2. How many years experience has your organization had as a prime contractor in the type of demolition work for which you seek qualification? **YEARS**
-
3. How many years experience has your organization had as a sub-contractor in the type of demolition work for which you seek qualification? **YEARS**
-
4. State the largest dollar amount of work your organization has done in any single year during the last five years as (1) a prime contractor \$ _____ (2) a subcontractor \$ _____
-
5. On a separate sheet of paper, describe the demolition experience of the principal officers and managers (including superintendents) of your organization. Include: name of the individual and position/office, years of demolition experience, type of work in which the individual has experience (including size of project worked on), names of organizations worked for and positions/responsibilities held.
-
6. Has your organization within the last five years performed work for the City that was not finally accepted by the City? **PLEASE CIRCLE YES NO**
- If "YES", state the City contract number and project name and attach an explanation of the circumstances surrounding the non-acceptance.
- Has any officer, partner, or other person active in the management of your organization, within the last five years, been an officer, partner, manager, or sole proprietor of another organization which performed work for the City that was not finally accepted by the City? **PLEASE CIRCLE YES NO**
- If "YES", state the name of the individual, the name and address of the organization, the City contract number and project name for the contract under which work was not finally accepted, and attach a detailed explanation of the circumstances surrounding the non-acceptance.
-
7. Has the City, within the last five years, declared your organization in default of a City contract or otherwise terminated the contract? **PLEASE CIRCLE YES NO**
- If "YES", state the City contract number and project name and attach an explanation of the circumstances surrounding the declaration of default or termination.
- Has a commercial surety for your organization, within the last five years, been called upon to complete any work on a contract with the City? **PLEASE CIRCLE YES NO**
- If "YES", state the City contract number and project name and a detailed explanation of the circumstances.
- Has any officer, partner, or other person active in the management of your organization, within the last five years, been an officer, partner manager, or sole proprietor of another organization whose commercial surety was called upon to complete any work on a contract with the City? **PLEASE CIRCLE YES NO**
- If "YES", state the name of the individual, the name and address of the organization, the City contract number and project name for the contract the surety was called upon to complete, and attach an explanation of the circumstances.
-
8. Has any officer, partner, or other person active in the management of your organization, within the last five years, been an officer, partner, manager, or sole proprietor of another organization that was declared in default of a City contract or otherwise terminated, or that failed to complete a City Contract? **PLEASE CIRCLE YES NO**
- If "YES", state the name of the individual, the name and address of the organization, the City contract number and project name for the contract defaulted or terminated and attach an explanation of the circumstances surrounding the declaration of default or termination.
-
9. Has your organization ever failed to complete any work under, or been declared in default of, a contract awarded to it by a public or private owner other than the City? **PLEASE CIRCLE YES NO**
- If "YES", attach a detailed explanation identifying the owner and bid/contract numbers (if applicable) for the project, stating whether the owner declared your organization in default of its contract, and describing the project, the type of work, the dates the work was started and stopped and the reasons the work was not completed.
-
10. Has any officer, partner, or other person active in the management of your organization ever been an officer, partner, manager, or sole proprietor of another organization that failed to complete or was declared In default of a contract for a public or private owner other than the City? **PLEASE CIRCLE YES NO**
- If "YES", state the name of the individual and attach a detailed explanation identifying the owner and bid/contract number (if applicable) stating whether the owner declared the organization in default of its contract, and describing the project, the type of work, the dates the work was started and stopped, the individual's role in the project, and the reasons the work was not completed.

11. Has your organization or any officer, partner, or other person active in the management of your organization within the last five years been disqualified, suspended, or debarred (under its present name or any other name) from bidding on public contracts, or removed from a bidding list, by any state or federal agency, or by the City? **PLEASE CIRCLE YES NO**

If "YES", state the agency that took such action, the date (s) of the action, the type of work to which the contract(s) applied, and the reasons stated by the agency for the action.

12. Has any commercial surety ever refused to furnish a bid, performance or payment bond for your organization? **PLEASE CIRCLE YES NO**

If "YES", state the name and address of the surety, describe the contract for which the bond was refused (including the owner, date of contract, and type of work), and state the reasons for the refusal.

13. Has your organization or any officer, partner, or other person active in the management of your organization, or any shareholder holding an equity interest of more than five percent,

a) ever been convicted of or pleaded guilty or nolo contendere to federal or state misdemeanor or felony charges including but not limited to, charges related to public bidding law, the making of false statements, or violations of the Solid Waste Management Act? **PLEASE CIRCLE YES NO**

b) ever been refused coverage under any fidelity bond? **PLEASE CIRCLE YES NO**

Is your organization or any officer, partner, or other person active in the management of your organization, or any shareholder holding an equity interest of more than five percent,

a) currently under indictment on federal or state misdemeanor or felony charges? **PLEASE CIRCLE YES NO**

b) currently the subject of a state or federal grand jury investigation or under notification by local, state or federal law enforcement authorities that they are the subject of any criminal investigation? **PLEASE CIRCLE YES NO**

If your answer to any of the foregoing questions is YES, attach a detailed description that includes the following:

- the nature of the conviction, plea, indictment, bond refusal, and/or grand jury or criminal investigation;
 - the name of each individual who was the subject of such action;
 - their position in your organization;
 - the jurisdiction or entity taking the action; the date(s) the action was taken; the nature of the charges that were the subject of the action; and all other circumstances relevant to the action.
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14. Has any officer, partner, director, shareholder, or other person active in the management of your organization been employed by the City, or been appointed to a political or other office of the City? **PLEASE CIRCLE YES NO**

If "YES" attach the following information: the name of the individual; position held with the City; the dates the employment or appointment began and terminated.

15. Identify, by name and business address, all organizations that are affiliates or subsidiaries of your organization, and state their relationship to your organization. Attach separate sheet of paper as needed.

16. Identify, by name and business address, any other organization and any individual (other than officers, partners and managers of your organization) that control or influence bidding by your organization.

17. Identify all individuals and organizations, by name and business addresses, that hold a financial interest in your organization of ten percent or more.

18. Is your organization or any of its parent or subsidiary organizations currently indebted to the City for any delinquent City taxes, taxes collected by the City on behalf of the School District of Philadelphia, liens, judgments, fees or other debts? **PLEASE CIRCLE YES NO**

If YES, attach an explanation describing the nature and amount of the debt, lien, judgment, or fee; the dates of any notices from the City; and any written agreement or payment plan with the City for its disposition.

19. Have any liquidated damages or other penalties been imposed by the City on your organization? **PLEASE CIRCLE YES NO**

Have any liens, claims or stop notices been filed against your organization? **PLEASE CIRCLE YES NO**

If you answered YES to either of the above questions, please attach an explanation of details identifying the claimant and stating the grounds asserted by the claimant and stating the disposition.

20. Do you have any pending, contemplated or ongoing administrative or judicial proceedings material to your organization's business or finances including, but not limited to, any litigation, consent orders or agreements with any state or federal regulatory agency issued to your organization? **PLEASE CIRCLE YES NO**

If you answered yes, please attach an explanation.

**If your organization has had demolition contracts with the City, provide the following information
List all COMPLETED City demolition contracts within the last five years (attach additional paper as needed):**

CONTRACT NUMBER	BID NUMBER	PROJECT DESCRIPTION	AMOUNT OF CONTRACT

**List all INCOMPLETE contracts held by your organization at present. (Please attach additional sheets as needed.)
List any City Demolition projects first**

CONTRACTING ENTITY	CONTRACT NO.	LOCATION	% COMPLETE	AMOUNT OF CONTRACT

List the largest projects that your organization has completed.

DOLLAR AMOUNT	DATE	CONTRACTING ENTITY	REFERENCES
			Name
Phone Number			
Name			
Phone Number			
Name			
Phone Number			
Name			
Phone Number			
Name			
Phone Number			

**List any equipment that is owned by your organization that is available for the proposed work.
(Please attach additional sheets as needed.)**

FINANCIAL POSITION AS OF:

(Not over 6 months old)

ASSETS	LIABILITIES & EQUITY
CURRENT ASSETS	CURRENT LIABILITIES
Cash and cash equivalents _____	Lines of credit _____
Short-term investments _____	Notes Payable – current portion _____
Accounts receivable _____	Accounts Payable _____
Allowance for doubtful accounts (_____)	Accrued and withheld payroll taxes _____
Notes receivable _____	Accrued expenses _____
Inventories _____	_____
Prepaid expenses _____	_____
Total Current Assets 	Total Current Liabilities
PROPERTY AND EQUIPMENT	LONG-TERM LIABILITIES
Land _____	Notes payable _____
Buildings _____	_____
Machinery and equipment _____	_____
Trucks and automobiles _____	_____
Office furniture and equipment _____	_____
Assets under capital lease _____	Total Long-Term Liabilities
Total Property and Equipment 	Total Liabilities
Less accumulated depreciation and amortization (_____)	EQUITY
Net Property and Equipment 	Common stock _____
OTHER ASSETS	Additional paid-in capital _____
Cash surrender value of officer’s life insurance _____	Less treasury stock (_____)
Loans against policies _____	Retained Earnings _____
Notes Receivable _____	Partner’s capital _____
Organization costs (net) _____	Owner’s equity _____
Total Other Assets 	Total Equity
TOTAL ASSETS 	TOTAL LIABILITIES & EQUITY

Please provide the total dollar amount of all available lines of credit at your organization’s disposal. \$ _____

Please provide the total dollar amount of the balance of all available lines of credit at your organization’s disposal \$ _____

The City reserves the right to request any additional or clarifying information from Contractor at any time and Contractor is hereby notified that the City may contact any reference, financial institution or other agency identified by Contractor herein for further information. By submission of this application, Contractor hereby acknowledges the City’s right to revoke the qualification of Contractor at any time for reasons including, but not limited to, Contractor exceeding its capacity to perform work under the NTI Demolition program. Contractor hereby verifies that all information and documentation submitted herein is true and correct and Contractor acknowledges that the submission of false information by it is subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

NOTE: A partnership must give firm name and signatures of all partners. A corporation must give full corporate name, signatures of two (2) officials (either president or vice-president and secretary or treasurer) and affix corporate seal.

FIRM OR CORPORATE NAME

SIGNATURE _____ TITLE _____

SIGNATURE _____ TITLE _____

Date of Signing

SIGNATURE _____ TITLE _____

SIGNATURE _____ TITLE _____

NEIGHBORHOOD TRANSFORMATION INITIATIVE (NTI) ECONOMIC OPPORTUNITY PLAN - DEMOLITION

THE PROJECT

This Economic Opportunity Plan is being provided in connection with the vision of Mayor John F. Street to begin the process of transforming neighborhoods of Philadelphia from areas of blight to communities teeming with opportunity -- restored and revitalized and the centers of activity. The Neighborhood Transformation Initiative (NTI) is citywide in scope, thus impacting the City's diverse population replete with its diverse housing needs and distinct community concerns. Few neighborhoods in Philadelphia have escaped the ravages of abandoned cars, short dumping, vacant or abandoned housing and aging or deteriorating housing stock. Several sections of the city stand out, having suffered the greatest impact of blight. Transformation will not occur with the simple demolition of deteriorating structures and the clearing of vacant lots nor can transformation of the fifth largest American city occur with just the NTI bond financing. Transformation is a long-term proposal which goes beyond the tenure of any one Mayor and any one administration; it will require the on-going commitment to revitalization by public and elected officials, the leveraging of available public funds against private sector resources, and the long-term partnership between government, the private sector, and the residents of this city.

While the primary focus is on the transformation of Philadelphia's neighborhoods, the City recognizes equally the tremendous business and employment opportunities for local small businesses and its residents through the myriad business/contracts that are generated through NTI. This plan seeks to identify the immediate and potential business opportunities for small businesses historically underrepresented in contracting, in particular minority, women and disabled disadvantaged businesses, and immediate and potential employment opportunities for minority, female and the disabled citizens as the result of this massive undertaking.

All consultants and contractors participating on this project shall comply with local and federal policies that are applicable to contracting and employment opportunities including Executive Order 02-05 of the City and federal Executive Order 11246. The majority of work associated with this initiative will be awarded through competitive and negotiated processes of the City and its agencies and authorities, and provides substantial partnering and subcontracting opportunities between businesses. The City recognizes the vast potential for employment and training by residents of the affected areas and is committed to working in conjunction with training providers, contractors and the building trades unions to maximize trainee, apprentice and journeyman employment opportunities for minorities, females and disabled residents.

Many of the contract and employment opportunities associated with the early phases of this initiative have been identified and are fully funded (i.e., demolition, vacant lot clearing, tree removal, etc.). Several additional contract and employment opportunities associated with later phases of this initiative have been identified, but have yet to be funded (i.e., on-going lot maintenance, development agreements, etc.).

The City recognizes that this plan is voluntary and requires the best nondiscriminatory efforts of all parties for its successful implementation. The City, including its agents and representatives, is committed and determined to provide meaningful, substantial participation opportunities in NTI for socially and economically disadvantaged individuals and businesses, with a focused emphasis on individuals and businesses located in the various project areas. The City is committed to preventing any forms of discrimination on the basis of race, religion, color, sex, age, mental or physical disabilities, national origin or ancestry, sexual orientation, and marital or parental status. Therefore, contractors bidding on NTI projects shall make a good faith effort to perform their work in accordance with the guidelines set forth in this document.

PART I. OUTREACH EFFORTS AND TRAINING OPPORTUNITIES WITH LOCAL ENTITIES.

The City, working with its departments, agencies, authorities and the GPUAC, shall undertake a number of local outreach efforts to maximize participation of local businesses and minority, woman and disabled-owned businesses, and to achieve the employment goals set forth herein. The City shall place MBEC-certified disadvantaged minority, woman and disabled owned businesses on its solicitation lists used in conjunction with this initiative, and shall the same of all its agencies and authorities, using the services of the GPUAC and the MBEC.

The City, working with its departments, agencies, authorities and GPUAC, shall work with each contractor and where appropriate, subcontractors, union representatives, and training providers to maximize recruitment and hiring of residents of the City. The outreach effort will utilize organizations such as the Pennsylvania Job Centers, Philadelphia Workforce Development Corporation, Philadelphia Housing Authority, Opportunities Industrial Centers, Universal Community Homes, TOP/Win, Congreso De Latinos Unidos, Youth Build, and other community based organizations and training programs. The community outreach plan will, among other things, identify the organizations to be utilized, provide information as to dates and locations where individuals may apply and where screening and interviews will be conducted, provide information about the interview process, and implement procedures for monitoring and oversight of the process.

If there is a deficiency in the good faith and nondiscriminatory efforts to achieve these goals, the City, its representatives, departments, agencies and authorities shall seek to implement agreeable corrective actions to prevent a continuation of the deficiency and to prevent a recurrence.

PART II. DEMOLITION

A. Employment Opportunities

NTI, under the direction of the Mayor's Office, will begin this initiative through a city-wide program for the demolition or encapsulation of dangerous residential and commercial properties. Demolition began in April 2002 and is continuing aggressively through 2007, after which yearly demolitions will be maintained as needed. The City, through representatives of its departments and agencies, shall work with the contractors involved in the demolition phase, so that all contractors make a good faith effort to employ a workforce equal to goals of 75% minority and 10% female of all work hours for each skilled and semi-skilled trade. These goals represent the total hours worked by trade during the demolition phase. Further, the City has set as a goal the utilization of City residents on the workforce equal to 80% of all workers.

The City, through its agents and representatives, will ensure that these goals are included in all demolition and demolition related prime contracts and require the prime contractors to reference these goals for all subconsultants and subcontractors.

The Prime Contractors agree to work with local area Community Development Corporations, the monitoring consultant and representatives of the skilled and semi-skilled trade unions to create pre-apprenticeship training programs for residents of the local areas.

For the purpose of this plan, the term "minority" means Black (all persons having origins in any of the black African racial groups); Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or Other Spanish culture or origin); Asian and Pacific Island (all persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and American Indian (all persons having origins in any of the original peoples of North American and maintaining identifiable tribal affiliations through membership and participation or community identification).

B. Contract Opportunities

Each prime consultant and contractor shall use its good faith and nondiscriminatory efforts to provide joint venture partnerships and subconsulting and subcontract opportunities for disadvantaged minority, woman and disabled owned business enterprises (collectively, "M/W/DS-DBE's") certified by the City's Minority Business Enterprise Council ("MBEC"). For the overall NTI program, each consultant's and contractor's good faith and nondiscriminatory efforts shall be presumed if, during each phase of the project, the following levels of participation are achieved: 35% participation for M-DBE's, 12% participation for W-DBE's and 2% participation for DS-DBE's. These percentages for participation relate to the dollar value of subcontracts including add-ons, change orders and scope adjustments. Recognizing that each contract has its differences, MBEC shall review the specific scope of work and assign an appropriate range of participation. The assigned range shall be attached to each bid package prior to any advertisement for bid.

1. **Program Manager.** Not applicable to this demolition contract.
2. **Relocations.** Not applicable to this demolition contract.
3. **Demolition.**

The City initially budgeted \$160,000,000 for the demolition of vacant structures over five years to eliminate the City's inventory of dangerous buildings while providing opportunities to develop tracts of land for subsequent redevelopment.

Of the original budget, it is expected that \$140,000,000 will be used to demolish residential structures and \$20,000,000 to demolish commercial structures. The City anticipates packaging the demolition bids as large and small packages and to award by geographic areas of the City. The various package sizes will allow for bidding by both large and small contractors.

Types of demolition anticipated are:

- (a) **String:** removing multiple adjoining structures to create tracts of land for redevelopment.
- (b) **Hand:** demolitions performed structure-by-structure generally to preserve adjacent properties.
- (c) **Partial:** Not applicable to this demolition contract.

Additionally, the following ancillary contracting opportunities will be available during demolition:

- (a) **Asbestos Inspections** – Not applicable to this demolition contract.
- (b) **Air Monitoring** – Not applicable to this demolition contract.
- (c) **Asbestos Removal** – Typically this function is included in the competitively bid demolition package and is considered a subcontractable item. The number of structures requiring asbestos removal will be determined upon completion of the asbestos inspection.

- (d) **Cement-Stucco Finish** – Walls will require restoration where the structure is adjacent to a demolished property.
- (e) **Sealing of Abandoned Laterals** – Not applicable to this demolition contract.

The following areas have been identified as potential subcontracting/business opportunities that will be needed by the prime contractors:

- (a) Top Soil and Fill (material supply)
- (b) Cement/Stucco (material supply)
- (c) Equipment Rental (i.e., cranes, backhoes, trucks, etc.)
- (d) Hauling – requires the trucking of debris from the demolition site to designated and authorized waste sites
- (e) Grinding & Compacting Equipment – needed to recycle bricks and other material that may be used as backfill

Employment opportunities identified during these aforementioned phases include but are not limited to:

- (a) Operating Engineers
- (b) Laborers
- (c) Plumbers – not applicable to this demolition contract.

- 4. **Encapsulation and Stabilization.** Not applicable to this demolition contract.
- 5. **Lot Clean-Up/Vacant Lot Management.** Not applicable to this demolition contract.
- 6. **Street Tree Removal.** Not applicable to this demolition contract.
- 7. **MIS Technology.** Not applicable to this demolition contract.

PART III. POST DEMOLITION.

A. Employment Opportunities. Not applicable to this demolition contract.

B. Contract Opportunities

- 1. **Land Acquisition.** Not applicable to this demolition contract.
- 2. **Interim Land Use Strategies.**

This phase of NTI represents the stage when either the City or the effected surrounding community anticipates a provisional use of vacant lots. Such uses may include parking, gardens, greening programs, etc. The business and employment opportunities associated with this phase will be identified with a determination of the interim use, but may include at a minimum:

- (a) Fencing
- (b) Materials (i.e., topsoil, mulch, etc.)
- (c) Landscaping
- (d) Paving – not applicable to this demolition contract.

- 3. **Development.** Not applicable to this demolition contract.

PART IV. REPORTING AND PROJECT PERFORMANCE.

Over the initial five-year period of the NTI, the City, through its departments and agencies, will prepare monthly reports and updates of employment and contracting activities for NTI which summarize the following:

- 1. **Utilization of M/W/DS-DBEs and commitments made with such businesses;**
- 2. **The hiring and employment of minorities and females.**
- 3. **The training programs utilized and the placement rates.**

Additionally, the City acknowledges the value of project monitoring and therefore will develop and work with an Oversight Committee to monitor overall compliance and achievement of the project objectives as defined in this Economic Opportunity Plan.

The City agrees to keep, and require all prime contractors and consultants to keep such records and to file such reports relating to the provisions of this Economic Opportunity Plan as may be reasonably necessary to document compliance with the Plan. The City, through the Mayor's Office of NTI, has contracted and is actively working with the Greater Philadelphia Urban Affairs Coalition to assist in the monitoring and reporting of its performance with respect to this Plan.

The GPUAC shall work with the City, its departments and agencies, contractors, consultants, and training providers to ensure maximum opportunities not necessarily identified in this Plan. The City, through its departments and agencies, agree to work with all contractors to submit to the GPUAC manpower utilization projections for all work associated with this initiative.

**CITY OF PHILADELPHIA
MINORITY BUSINESS ENTERPRISE COUNCIL
ANTI-DISCRIMINATION POLICY
DISADVANTAGED MINORITY, WOMEN AND DISABLED OWNED BUSINESS ENTERPRISES**

(FOR BIDS TO BE AWARDED BY THE PROCUREMENT DEPARTMENT)

Under the authority of Executive Order No. 02-05, the City has established an anti-discrimination policy relating to the participation of Disadvantaged Minority (M-DBE), Disadvantaged Women (W-DBE) and Disadvantaged Disabled (DS-DBE) Owned Business Enterprise in City contracts. The purpose of this policy is to provide equal opportunity for all businesses and to assure that City funds are not used, directly or indirectly, to promote, reinforce or perpetuate discriminatory practices. The City is committed to fostering an environment in which all businesses are free to participate in business opportunities, flourish without the impediments of discrimination and participate in all City contracts on an equitable basis. In accordance with the contracting requirements of the City, the City's anti-discrimination policy is applicable to this invitation to bid.

The Minority Business Enterprise Council (MBEC) has established projected ranges of participation for this invitation to bid which serve as a guide in determining each bidder's responsibility. These ranges represent the percentage of M-DBE/W-DBE/DS-DBE participation that should be attained from business opportunities existing in the available market absent discrimination in the solicitation and selection of these businesses. These ranges are based upon an analysis of factors such as the size and scope of the contract and the availability of certified M-DBE/W-DBE/DS-DBEs to perform various elements of the contract. Please review these forms carefully as the submission of a Solicitation and Commitment Form (more fully discussed below) with this bid is an element of responsiveness to the bid and failure to submit a Solicitation and Commitment Form will result in rejection of your bid.

A. PARTICIPATION RANGE

1. Under the authority of Executive Order 02-05, the Minority Business Enterprise Council (MBEC) has established M-DBE, W-DBE and DS-DBE participation ranges for this invitation to bid. These participation ranges serve exclusively as a guide in determining bidder responsibility.
See the Project Manual for Participation Ranges, Section 00813, Paragraph A.1.
2. Only firms that are certified by the MBEC prior to bid opening will be credited toward the participation ranges. A list of certified firms is maintained by the MBEC and is available for review at the MBEC, Municipal Services Building, 1401 JFK Blvd. Suite 330, Philadelphia, PA 19102-1666
3. M-DBE/W-DBE/DS-DBE subcontractors and manufacturers will be credited toward the participation range at 100%. Stocking suppliers will be credited at 100% Non-stocking suppliers that are commonly and ordinarily the custom in the industry and which have as its principal business and in its own name, the purchase and sale of these supplies, will be credited at 100%. Brokers, ad-hoc suppliers and non-stocking suppliers that are not commonly and ordinarily the custom in the industry nor a part of the industry's trade practice will not be credited.
4. In order to maximize opportunities for as many businesses as possible, a firm that is certified in two or more categories (e.g. M-DBE and W-DBE and DS-DBE or W-DBE and DS-DB E) will only be credited toward one participation range as either an M-DBE or W-DBE or DS-DBE. The firm will not be credited toward more than one category. Bidders will note with their submission which category, M-DBE or W-DBE or DS-DBE, is submitted for credit.
5. An M-DBE/W-DBE/DS/DBE submitting as the prime bidder, will not receive credit toward the participation ranges for its own work or supply effort on this invitation to bid. However, the participation of an M-DBE/W-DBE/DS-DBE partner, as part of a joint venture created for this bid, may be credited to the extent of the partner's ownership interest in the joint venture in accordance with the following criteria:
 - a) The M-DBE/W-DBE/DS-DBE partner(s) must be certified by the MBEC prior to bid opening.
 - b) The M-DBE/W-DBE/DS-DBE partner(s) must derive substantial benefit from the arrangement.
 - c) The M-DBE/W-DBE/DS-DBE partner(s) must be substantially involved in all phases of the contract including bidding, planning, staffing and daily management.The business arrangement must be customary (each partner shares the risk and profits of the joint venture commensurate with their ownership interest, contributes working capital and other resources, etc).
6. M-DBE/W-DBE/DS-DBE subcontractors must perform at least seventy-five percent (75%) of the cost of the subcontract (not including the cost of materials, equipment or supplies incident to the performance of the subcontract) with their own employees.

7. For the purpose of applying the participation ranges on Public Works projects that Include add or deduct alternates, commitments listed by bidders on the Solicitation and Commitment Form should be based upon the base bid. In the event the City elects to award any add or deduct alternates, the City reserves the right to require the apparent lowest responsible bidder to amend its Solicitation and Commitment Form, to ensure the bidder's continuing responsibility.
8. In listing amounts committed to on the Solicitation and Commitment Form, bidders should list both the dollar amount and percentage of total bid for each commitment made. (If the invitation to bid is for a requirements-type contract, a percentage amount will suffice.) In calculating the percentage amount, bidders may apply the standard mathematical rules in rounding off numbers. In the event of an inconsistency between the dollar and percentage amounts listed on the Solicitation and Commitment Form, the amount which results in the greater commitment will be used.

B. RESPONSIVENESS

1. Bidders must submit documentary evidence of M-DBE, W-DBE and DS-DBEs who have been solicited and with whom commitments have been made.
 - a. Documentation of all solicitations (regardless of whether commitments resulted therefrom) as well as all commitments made prior to bid opening shall be submitted, concurrently with the bid, on the enclosed document entitled "Solicitation and Commitment Form". If the bidder has entered into a joint venture with an M-DBE, W-DBE and/or DS-DBE partner, the bidder should submit along with the Solicitation and Commitment Form, a document entitled "Joint Venture Eligibility Information Form," available at the Office of the MBEC, for the City's review and approval of the joint venture arrangement. Failure to submit the required information on M-DBE/W-DBE/DS-DBE participation will result in rejection of the bid as nonresponsive. (Bidders should note that only commitments that have been made prior to bid opening and listed on the Solicitation and Commitment Form will be credited toward the participation ranges. Since the City must ensure that all bidders respond on equal terms, a bid which indicates that the bidder will make commitments after bid opening will be rejected as nonresponsive.)
 - b. Upon award, the completed forms and accompanying documents regarding solicitation and commitments with M-DBE/W-DBE/DS-DBEs become part of the contract. A bidder should only make actual solicitations of M-DBE/W-DBE/DS-DBEs whose work or materials are within the scope of this invitation to bid. Mass mailing of a general nature to M-DBE/W-DBE/DS-DBEs will not be deemed solicitation, but rather will be treated as informational notification only. A reasonable period of time should be given to all solicited firms to ensure that they have sufficient time to adequately prepare their quotes.
 - c. The bidder's listing of a commitment with an M-DBE/W-DBE/DS-DBE as described on the Solicitation and Commitment Form constitutes a representation that the bidder has, prior to bid opening, made a binding commitment to contract with such firm, upon receipt of a contract award from the City.
2. Bidders failing to submit a bid within the participation range(s) established for this invitation to bid shall submit concurrently with the bid submission, sufficient evidence which demonstrates to the City that the bidder has not engaged in discriminatory practices in the solicitation and commitment of contract participants. Such evidence shall be contained on the Solicitation and Commitment Form. Failure to submit such evidence will result in the rejection of the bid as nonresponsive.
 - a. Evidence submitted on this point should indicate:
 - (1) Whether M-DBE/W-DBE/DS-DBEs were solicited for the type of work or materials to be contracted for and, if not, the reason(s) why no such solicitation was made.
 - (2) Reasons for not committing to an M-DBE/W-DBE/DS-DBE which submitted a quote.
 - (3) Where no quotations are received or commitments made within a particular range, the lack of quotations and/or commitments must be shown and explained on the Solicitation and Commitment Form.
 - b. Evidence submitted will be reviewed to ascertain whether discrimination occurred in the solicitation or selection of contract participants. The review will include consideration of:
 - (1) Whether the bidder's actions were motivated by considerations of race or gender or disability. For example, the MBEC may investigate the bidder's contracting activities and business practices on similar public and private sector contracts;

- (2) Whether M-DBE/W-DBE/DS-DBEs were treated less favorably than other businesses in the solicitation and commitment process. For example, the MBEC will investigate whether M-DBE/W-DBE/DS-DBEs are given the same information and amount of time to prepare a quote as others who were solicited;
- (3) Whether the bidder's solicitation and commitment decisions were based upon policies which disparately affect M-DBE/W-DBE/DS-DBEs.

C. RESPONSIBILITY

1. Upon receipt of bids for this contract, the bidder's submittal will be subject to review by the MBEC to determine whether the bidder has discriminated in the solicitation and/or selection of contract participants. If the bidder has submitted a bid within each of the projected range(s) for M-DBE/W-DBE/DS-DBE participation, the bidder will be rebuttably presumed not to have discriminated in its selections. If the bidder has not submitted a bid within the projected range(s), the MBEC will initiate an investigation to determine whether discrimination has occurred. After review of the Solicitation and Commitment Form and other relevant information. The MBEC will make a recommendation to the Procurement Commissioner or his/her designee (the "Commissioner"). If the Commissioner, after review of the recommendation and supporting documentation concurs that discrimination has occurred; the bidder will be deemed not responsible and its bid rejected. Bids rejected for responsibility (due to a determination of discrimination) may result in the suspension of the bidder from bidding on and/or participating in any future City contracts for a period of up to three (3) years.
2. M-DBE/W-DBE/DS-DBE commitments are to be maintained throughout the term of the contract and apply to the total contract value, including approved change orders and amendments. Any change in commitment, including but not limited to substitutions for the listed firm(s), changes or reductions in the work and/or listed dollar/percentage amounts, must be pre-approved in writing by MBEC.

D. ACCESS TO INFORMATION

1. The MBEC shall have the right to make site visits to the bidder's place of business and/or job site and obtain documents and information from any bidder, subcontractor, supplier, manufacturer of contract participant that may be required in order to ascertain bidder responsibility.
2. Failure to cooperate with the MBEC in its review will result in a recommendation to the Commissioner that the bidder be deemed not responsible and its bid rejected.

E. RECORDS AND REPORTS

1. The successful bidder shall maintain all books and records relating to its M-DBE/ W-DBE/DS-DBE commitments (e.g. copies of subcontracts, joint venture agreement, correspondence, cancelled checks, invoices, telephone logs) for a period of at least three (3) years following acceptance of final payment. These records shall be made available for inspection by the MBEC and/or other appropriate City officials.
2. The successful bidder agrees to submit reports and documentation as deemed necessary by the MBEC to ascertain the successful bidder's fulfillment of its M-DBE/W-DBE/DS-DBE commitments.

F. REMEDIES

1. The successful bidder's compliance with the requirements of Executive Order 02-05, including the fulfillment of any M-DBE/W-DBE/DS-DBE commitments, is material to the contract. Any failure to comply with these requirements constitutes a substantial breach of the contract. It is further understood and agreed that in the event the Director of Finance determines that the successful bidder hereunder has failed to comply with these requirements the City may, in addition to any other rights and remedies the City may have under the contract, any bond filed in connection therewith or at law or in equity, exercise one or more of the following remedies which shall be deemed cumulative and concurrent:
 - a. Withhold payment(s) or any part thereof until corrective action is taken.
 - b. Terminate the contract, in whole or in part.
 - c. Suspend the successful bidder from bidding on and/or participating in any future City contracts for a period of up to three (3) years.
 - d. Recover as liquidated damages, one percent of the total dollar amount of the contract for each one percent (or fraction thereof) of the commitment shortfall. (NOTE: The "total dollar amount of the contract" shall include approved change orders, amendments and for requirements contracts shall be based on actual quantities ordered by the City.)

**NEIGHBORHOOD TRANSFORMATION INITIATIVE
OWNER CONTROLLED INSURANCE PROGRAM**

NOTE: OCIP PROGRAM EXPIRES ON 9/30/07, SEE SECTION 00801 FOR DETAILS

THE OCIP WILL ONLY PROVIDE COMMERCIAL GENERAL LIABILITY AND WORKERS COMPENSATION & EMPLOYERS LIABILITY INSURANCE UP TO AND INCLUDING 9/30/07. AS OF 10/1/2007, THESE COVERAGES WILL NEED TO BE PROVIDED BY ALL CONTRACTORS AND SUBCONTRACTORS.

The City of Philadelphia is providing an Owner Controlled Insurance Program (OCIP) or a Wrap-Up Insurance Program for NTI's Demolition Project. The OCIP provides insurance to cover the Project Owner and all contractors in a consolidated program that is controlled by the Project Owner (City). For this project, all contractors of every tier are required to participate under the OCIP. The insurance coverages provided by the OCIP include:

Workers Compensation/Employers Liability (\$1,000,000)

General Liability (\$2,000,000)

Excess Liability (up to \$50,000,000)

Contractor Pollution Liability Insurance (\$10,000,000)

A description of the program and coverages is included in the bid specifications.

Also included in the bid specifications are the insurance coverages required of all contractors working on a demolition site, whether they are qualified to participate in the OCIP or not, that evidence of your operational coverages. These insurance requirements include:

Automobile Liability (\$300,000)

Workers Compensation/Employers Liability:

(\$100,000 Each Accident)

(\$500,000 Disease – Policy Limit)

(\$100,000 Disease – Each Employee)

General Liability (\$500,000), naming the City of Philadelphia as an additional insured.

PLEASE NOTE THAT ALL BIDDERS ARE REQUIRED TO SUBMIT THE FOLLOWING TWO ITEMS WITH THEIR BIDS:

- (1) THE TOTAL BASE BID EXCLUDING THE COST OF PROVIDING THE INSURANCE AND
- (2) A LINE ITEM INDICATING WHAT THE ADDITIONAL COST OF PROVIDING THE INSURANCE WOULD BE IF NOT PROVIDED BY THE OCIP.

SECTION 01324
CONTRACTOR SAFETY PLAN

PART 1 GENERAL

1.01 DESCRIPTION OF WORK

B. This Section specifies administrative and procedural requirements for a Safety Plan prepared by the Contractor for this Project.

1.02 RELATED WORK SPECIFIED ELSEWHERE

B. Applicable provisions of Bidding Requirements, Contract Requirements and other Division 1 sections.

1.03 CONTRACTOR'S SAFETY REPRESENTATIVE

A. The contractor shall assign a qualified Safety Representative to the contract on a full-time basis. The Contractor's Safety Representative shall have no duties other than to administer the contractor's safety plan. The minimum qualifications of the Contractor's Safety Representative are:

- Successful completion of the OSHA 510 Course: Occupational Safety and Health Standards in the construction Industry, for which graduates receive an OSHA Construction Safety and Health 30-hour completion card.
- Specific training in safety and loss control practices pertinent to the scope of work of this contract.
- Certified in First Aid and CPR

1.04 SAFETY PLAN

A. The City's Neighborhood Transformation Initiative Project Safety Manual is incorporated by reference and is to be considered part of the contract documents. The requirements set forth in this section and in the NTI Project Safety Manual are considered the minimum safety requirements for this project. The Contractor's Safety Plan shall address these requirements and any other requirements of OSHA 29CFR1910 and 29CFR1926 that are applicable to the contractor's scope of work.

B. The contractor shall submit a site-specific Safety Plan to the Project Manager for review. The Project Manager will secure the necessary City concurrences for approval. On site work shall not proceed until the safety plan is approved by the City.

C. The site-specific Safety Plan shall conform to all applicable Federal, State and City safety regulations and requirements. The plan must, at a minimum, meet the following requirements:

1. Contain the contractor's name, address, submission date, and reference to the specific contract for which the site-specific Safety Plan applies.
2. Contain a complete list of contractor and jobsite contact personnel, including emergency contacts and office, home and cell phone numbers.
3. Include the name, qualifications, background and duties of the contractors' Safety Representative.
4. Define the safety responsibilities of the project superintendent, foremen and employees.
5. Comply with safety requirements contained herein and elsewhere in the Project Manual.
6. Comply with all applicable OSHA Regulations, which at a minimum include the following:

a. OSHA Subpart T

1926.850	Preparatory operations	1926.855	Manual removal of floors
1926.852	Chutes	1926.856	Walls, floors and material with equipment
1926.853	Removal of material through floor openings	1926.857	Storage
1926.854	Removal of walls, masonry sections and chimneys	1926.858	Removal of steel construction
		1926.859	Mechanical demolition

b. OSHA Subparts C,E,F,G,H,I,J,K,L,M,N,O,P,X (as applicable)

1926 Subpart C	Housekeeping	1926 Subpart O	Vehicle Safety
1926 Subpart E	Personal protective equipment	1926 Subpart P	Trenching and excavations
1926 Subpart F	Fire Protection and Prevention	1926 Subpart X	Ladders/Stairways
1926 Subpart G	Barricades	1926.52	Occupational noise
1926 Subpart H	Material Handling	1926.62	Lead/Asbestos
1926 Subpart I	Hand/Power Tools	1926.101	Hearing protection
1926 Subpart J	Welding and cutting	1926.103	Respiratory protection
1926 Subpart K	Electrical Safety	1926.109	Recordkeeping
1926 Subpart L	Scaffolds	1910.146	Confined spaces
1926 Subpart M	Fall Protection		

Note: This prior list of regulations represents the major areas of concern and is in no way meant to imply that compliance with other sections of 29CFR1910 and 29CFR1926 are not required.

7. Provide employee-screening procedures including policy for drug testing.
8. Provide the content of the safety orientation and hazard awareness training to be given by the contractor to all new workers at the project site. Define records to be kept to substantiate each worker's satisfactory completion of the training and a procedure to identify these personnel on the job (e.g., sticker on hard hat).
9. Commit to a risk management program to review and evaluate tasks for potential hazards; a plan to mitigate these hazards and timely coordination and training of work crews in applicable safety procedures.
10. Provide a list of hazardous materials to be used on site and corresponding Material Safety Data Sheets.
11. Provide lockout-tag out precautions to deal with potential live power and utility lines.
12. Include a description of personal protective dress and equipment mandatory for use at the construction site as well as for special tasks.
13. Describe the respiratory protection program. This should include selection of equipment, fit testing, training in equipment use and familiarization with symptomatic warnings.
14. Provide a program for safety record maintenance. Submit sample copies of report and record forms to the project manager. These should include training logs, accident and injury reports, first aid logs, daily/weekly safety inspection checklists, safety coordination meeting minutes, and corrective and disciplinary actions. (Note: A "Wrap-Up" insurance program has been purchased by the City to cover Workmen's Compensation, General Liability, and Pollution Liability. Records and reports must be adequate to cover potential claims.)
15. Define essentials of the fall protection program at the job site.
16. Detail safety procedures for confined space permitting, monitoring, entry and emergency extrication.
17. Describe procedures for job site security, barricades, fencing warning signs, etc. to restrict site access and provide for public safety.
18. Prescribe procedures for hot-work/fire protection including permitting, shielding, fire watch, fire extinguisher placement.
19. Include an emergency communication and response plan for security, fire and rescue. Outside emergency response resources and medical service providers shall be listed. Emergency response drills should also be prescribed.
20. Include a plan to ensure adequate ventilation, dust control, sanitation and safe drinking water.
21. Prescribe site storage requirements for hazardous and flammable materials.
22. Include housekeeping and debris removal procedures.
23. Contain a copy of the contractor's substance abuse policy in accordance with Specification Section 00816
24. Contain a copy of the contractor's Tool Box Talk program.
25. Contain a copy of the contractor's NTI Jobsite Orientation Program for its employees.
26. Contain copies of all safety training documentation for the Contractor's Safety Representative and other employees assigned to the work, such as OSHA 10 hour, OSHA 510 (30 hour), OSHA 500, CPR/First Aid, etc.

1.05 COORDINATION

- A. The Contractor shall coordinate its Safety Plan to include all trades, sub-contracts and utilities. The Contractor shall ensure that all subcontractors are familiar with and abide by the Safety Plan.

1.06 UPDATING

- A. Updating of the final Safety Plan shall be required periodically as the work of this Contract progresses. Include major changes in Plan, and activities modified since previous updating.

1.07 DISTRIBUTION

- A. Distribute copies of the Safety Plan to:
 1. Project Manager.
 2. Subcontractors.
 3. Other Concerned Parties (surety, insurance, etc.).
 4. Instruct recipients to report any inability to comply, and provide detailed explanation, with suggested remedies.

PART 2 PRODUCTS - Not Used

PART 3 EXECUTION - Not Used

END OF SECTION