

Bill No. 4726-09

No. 110-09-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, §5-905.04, entitled "Allegheny County Professional Services Review Committee Reporting Obligations," to clarify the ongoing reporting obligation of the Professional Services Review Committee.

WHEREAS, the Professional Services Review Committee was created by the Administrative Code, §5-905.03; and

WHEREAS, the Committee reviews and evaluates proposals for professional services for architects, engineers, financial consultants, legal services, and medical consulting; and

WHEREAS, on April 9, 2007, the Chief Executive signed Ordinance 14-7-OR, which established a structured reporting system for the Committee regarding the M/W/DBE status of parties considered for professional services contracts; and

WHEREAS, the terms of Ordinance 14-07-OR do not specifically require ongoing reporting by the Committee after contracts are actually awarded; and

WHEREAS, Allegheny County has had a longstanding policy of incorporating M/W/DBE businesses into the County's procurement practices, and wishes to ensure that these businesses have every opportunity to participate in the County's professional services contracts as well; and

WHEREAS, the Allegheny County Council has determined that, to the ends described above, it is desirable to establish ongoing reporting obligations for the Professional Services Review Committee;

The Council of the County of Allegheny hereby enacts as follows:

Section 1.

The Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," §5-905.04, entitled "Allegheny County Professional Services Review Committee Reporting Obligations," is hereby amended as follows:

§5-905.04. Allegheny County Professional Services Review Committee Reporting Obligations.

The Professional Services Review Committee shall, in addition to the duties delineated in §5-905.03 of this Article, report on professional services contracts to the Council and Chief Executive as follows:

- A. The Committee shall, for every contract for which they receive proposals under §5-905.03, create a report that identifies:
 1. The purpose of the contract for which proposals were considered;
 2. The aggregate value of the contract for which proposals were considered;
 3. The business(es) or individual(s) that submitted each proposal that was considered for final selection by name and
 4. The M/W/DBE status of each listed individual or business, as classified by the Department of Minority, Women and Disadvantaged Business enterprises.
- B. The reports required under Subsection A shall be created immediately upon the provision of short lists of candidates for further consideration, as required by §5-905.03 of the Administrative Code. Copies of the reports required under the terms of this section shall be forwarded to the Office of the Chief Executive and the Office of Allegheny County Council within seven (7) days of the date upon which short lists of candidates are provided by the Committee.
- C. The Committee shall, with the assistance and cooperation of the Allegheny County Division of Computer Services, create and maintain a website upon which the reports required by this Section shall be posted immediately upon issuance. Access to this website shall be granted to all individuals at no charge.
- D. All business(es) or individual(s) submitting proposals which are identified by the Committee for final selection shall receive a letter from the Committee informing them of their continued consideration.
- E. All business(es) or individual(s) submitting proposals which are not identified by the Committee for final selection shall receive a letter from the Committee informing them that their proposal will receive no further consideration, together with the reasons for the Committee's decision.
- F. The Committee shall, within seven (7) days of the award of any professional services contract or alteration in any term of any professional services contract, provide written notice describing the award or alteration to the Chief Executive and County Council. Such written notice shall include a delineation of the

M/W/DBE status of each party to the awarded or altered contract, as classified by the Department of Minority, Women and Disadvantaged Business Enterprises, as well as a description of the M/W/DBE status of any subcontractors known at the time of the award or alteration.

G. County Council shall be deemed in receipt of any report required under the terms of this Section on the date that such report is received by the Chief Clerk.

Nothing in this section shall be read to fix, alter, or redefine in any fashion the prerogative of the Chief Executive to enter contracts on behalf of the County, as described in Article V of the Home Rule Charter of Allegheny County, or by other applicable law.

SECTION 2. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

PRIMARY SPONSOR: COUNCIL MEMBER ROBINSON

CO-SPONSORS: COUNCIL MEMBERS MCCULLOUGH, GREEN, FINNERTY, & FUTULES

Enacted in Council, this 21st day of April, 2009

Council Agenda No. 4726-09



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

Chief Executive Office MAY 1, 2009

Approved: Dan Onorato
Dan Onorato
Chief Executive

Attest: Donna Beltz
Donna Beltz
Executive's Secretary