



Community Reinvestment Analysis (For City Depositories)

Request for Proposal

Professional Services

City of Pittsburgh

Department of Finance, Room 200

City-County Building

Pittsburgh, PA 15219

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1. Introduction

1.1 General Information

The City of Pittsburgh's Department of Finance presently drafts a Request for Proposal for Depository Services annually. Applicants are evaluated by the City Controller using information provided by federal and state agencies pursuant to the Community Reinvestment Act of 1977. Only financial institutions that meet at least a satisfactory CRA rating can be deemed a qualified depository.

The Responsible Banking Ordinance, effective in 2012, requires that a Reinvestment Review Committee be formed to assist the City Controller in evaluating the performance of qualified financial institutions and assess Community Reinvestment Plans of qualified depositories.

The RRC then compares, scores, and ranks qualified financial institutions based on their community reinvestment performance and makes recommendations to the Director of Finance.

In the past, the responses to the community reinvestment portion of the RFP have been incomplete and inconsistent, resulting in difficulty for the RRC to compare and score the financial institutions seeking depository status, and effectively implementing the Responsible Banking Ordinance.

1.2 Definitions

AGREEMENT: Agreement means the negotiated contract between the City of Pittsburgh and the Contractor for performing services set forth in this Request for Proposal (RFP).

CHANGE: Change is the addition to, or reduction of, or other revision to the scope of work in the Contractor's proposal and in the Agreement.

CITY: City means the City of Pittsburgh, a municipal corporation of the Commonwealth of Pennsylvania, acting by and through its qualified officials and employees.

DEPARTMENT: Department refers to the Department of Finance of the City of Pittsburgh.

DIRECTOR: Unless otherwise indicated, the term Director refers to the Director of Finance of the City of Pittsburgh and/or his/her designated representative.

MBE/WBE: MBE means minority business enterprise. WBE means women's business enterprise. Also implied in this definition are Veteran Owned Businesses and Disabled Owned Businesses.

RESPONDENT/PROPOSER: An entity that has submitted a proposal in response to this RFP.

SCOPE OF WORK: The scope of work is the detailing of all services and actions required of the Contractor, which will become the obligations of the Contractor in the Agreement.

CONTRACTOR: Contractor means the Contractor selected by the Department of Finance, if any, for these professional services.

2. Nature of Services Required

2.1 Overview

The City of Pittsburgh, Department of Finance is soliciting proposals from firms and agencies that are interested in providing professional services for the analysis of community reinvestment of financial institutions, and redrafting of the community reinvestment portion of the Request for Proposals for Depository Services. The contract will be with the Department of Finance and the contract period shall be for January 1 to December 31, 2015, renewable annually for up to three (3) years by mutual agreement of the parties.

The City of Pittsburgh RFP for Depository Services requires that banks respond not only as to their interest rates and general business practices and financial soundness, but also in regard to the City's Responsible Banking Ordinance that became effective in 2012. The Ordinance requires that, as part of the City's process for choosing depositories for City funds, a Reinvestment Review Committee compare, score, and rank financial institutions on their community reinvestment performance, and make recommendations based on that ranking to the Director of Finance. This RFP seeks a contractor to perform extensive analysis of all potential depository's compliance and performance in relation to the Community Reinvestment Act of the federal government and any other community services, participation and support that may extend beyond the requirements of the Act.

In accordance with the City of Pittsburgh Home Rule Charter, the services sought under this agreement are considered to be professional services. As such, the City of Pittsburgh will base its selection upon criteria which shall include, but will not be limited to qualifications of the firm, prior experience of the firm in this field, minority and female owned business participation. Proposed fees will be considered, but will not be the basis for an award (i.e. this is not a competitive bid contract that will be awarded to the lowest responsible bidder).

2.2 Scope of Work

- A. Create forms or templates for responses wherever possible, so as to ensure integrated and comparable responses by depositories seeking to do business with the City of Pittsburgh.
- B. Create required submission criteria for respondents to the City's RFP for depositories that are as streamlined as possible and should conform to federal reporting requirements so as to reduce the burden on financial institutions imposed by additional data collection, organization, and analysis.
- C. Meet with City and community stakeholders to develop an annual list of community development priorities to be included in the RFP as guidance for the two-year Community Reinvestment Plan banks must submit as part of their proposals.
- D. Identify all possible depositories that can be contacted as potential respondents to the City's RFP for depositories. Communicate with all banks operating in the City of Pittsburgh regarding the Responsible Banking Ordinance, the annual RFP for Depository Services, and the City's Community Development Priorities.

- E. Analyze all data submitted in bank proposals, augmenting it as necessary with publicly available loan, branch, and deposit data.
- F. Incorporate and summarize responses to the City's RFP for depositories that require information on business practices such as interest paid, financial stability, participation in the local economy, etc.
- G. Develop a method of comparing, scoring, and presenting all information submitted in bank proposals.
- H. Prepare a report on potential depositories that have responded to the City's depository RFP incorporating all relevant information in bullet points A-J above in a unified format for consideration by the City Controller's Office and the Reinvestment Review Committee of the City.
- I. Present bank proposals, scoring method, and relevant data to the Reinvestment Review Committee; participate in meetings of the Reinvestment Committee as requested and required.
- J. Other appropriate tasks and products that proposer may recommend or that may be negotiated.

OTHER REQUIREMENTS FOR SUBMISSION:

- a. Proposer must include a letter signed by responsible person from the proposing organization stating two things:
 - 1. The organization is not affiliated with any bank, financial institution, potential City of Pittsburgh Depository.
 - 2. The proposing organization shall not bid on any depository RFP or any other RFP related to cash management, bonding or other work involving the actual handling of funds for the City of Pittsburgh.

2.3 Confidentiality

- A confidentiality statement is required to ensure that any confidential information discussed or revealed will remain confidential. The Confidentiality statement must be signed by a responsible agent of the proposing organization. It is included in the proposal as Exhibit "D."

2.4 Questions

- All questions should be directed to Paul Leger via email at paul.leger@pittsburghpa.gov. Answers will be shared with all respondents.

3. MBE/WBE

3.1 MBE/WBE

Minority Business Enterprise (MBE) and/or Women Business Enterprise (WBE) participation is requested in all City of Pittsburgh contracts. Such participation may be demonstrated by utilization of MBE/WBE firms through the use of subcontracts with such firms in support services, supplies, etc. The response shall include in the proposal a plan on how and to what extent the MBE/WBE participation will be utilized, a copy of a current MBE/WBE certification(s) and a letter(s) of commitment signed by the MBE/WBE subcontractor(s) must be submitted with the proposal. The Pennsylvania Unified Certification program which includes, PENNDOT, County of Allegheny, City of Philadelphia, the Commonwealth of Pennsylvania Department of General Services, and the Port Authority of Allegheny County are recognized governmental certifications. In addition, certifications from the Small Business Administration 8a program are acceptable. Certifications from private "local" purchasing Councils are reviewed on a case by case basis at the discretion of the Equal Opportunity Review Commission.

The City also requires that all respondents demonstrate good faith efforts to obtain the participation of veteran-owned businesses in work to be performed under City contracts. The levels of veteran-owned participation will be monitored by the City's Department of Finance.

The goals suggested by the City of Pittsburgh for the MBE/WBE are 25% of the dollar amount of the amount under contract.

The Equal Opportunity Review Commission of the City of Pittsburgh will review each proposal in cooperation with the Mayors appointed Commission and may authorize waivers of this requirement in cases where these conditions cannot be met.

In order to demonstrate good faith commitment to these goals, all respondents are required to complete and submit with their responses either: the attached MBE/WBE Solicitation and Commitment Form (which details the efforts made by the respondent to obtain such participation), or the attached MBE/WBE Solicitation and Commitment Form–Waiver Request (both attached as .PDFs), which details why no MBE/WBE business participation could be obtained. Failure to submit either of these forms will result in rejection of the response. Copies of these forms are provided.

For further information, including definitions and additional requirements, please see Chapter 177A (Sections 177A.01 et. Seq.) of the City code and Section 161.40 of the Pittsburgh City Code.

4. Time Requirements

4.1 Proposal Calendar

The following is a list of key dates up to and including the date proposal submissions are due.

Request for proposal issued: June 30, 2015

Due date for questions: July 15, 2015

All questions must be submitted by email to paul.leger@pittsburghpa.gov. Answers to any questions raised by a Respondent will be answered via email. Any Respondent believing that there is any ambiguity, inconsistency, or error in this RFP shall notify the City in writing or electronically by the above mentioned deadline. Failure to notify the City will constitute a waiver of claim related to aforementioned ambiguity, inconsistency, or error.

Due Date for proposals: July 31, 2015 no later than 4 PM EDT.

All proposals must be submitted to:

Attn: Paul Leger, Director of Finance, Rm 200
City of Pittsburgh
Department of Finance
414 Grant Street
Pittsburgh, PA 15219

Envelopes should be clearly marked "Community Reinvestment Analysis RFP". The electronic copy of the proposal should be submitted to Paul.Leger@pittsburghpa.gov

4.2 Notification

Selected firm will be notified upon completion of the selection process. Please be aware that the City of Pittsburgh may select multiple respondents or no respondents.

4.3 Date Services May Commence

The selected Respondent, if any, shall not begin performing services until an executed agreement with the City of Pittsburgh is in place. No fee shall be paid or due until the parties have an executed agreement in place, which is subject to the terms set forth herein (see Sects. 4.1 & 7 for reference).

5. Proposal Requirements

5.1 General Requirements

The Contractor shall submit its proposal by placing five (5) bound copies (letter-size paper, Word format, font size 12) in separate sealed envelopes enclosed inside another package. Clearly mark the outside of the envelope "DEPOSITORY COMMUNITY REINVESTMENT ANALYSIS RFP". Copies must be submitted to the Director of Finance no later than 4:00pm on xx/xx/xxxx at the address below:

Attn: Paul Leger, Director of Finance, Rm 200
City of Pittsburgh
Department of Finance
414 Grant Street
Pittsburgh, PA 15219

The Narrative proposal shall include the following:

- A. Letter of Transmittal.
- B. Project Organization and Staffing – The Contractor shall include a Project Organization Chart which includes the names and titles of all key personnel to be assigned to the project. Please also include anything other appropriate information including designated point of contacts, Respondent address, and other applicable information.
- C. Personnel Resumes – Resumes of education and experience of all key personnel identified in the Project Organization Chart shall be included. Each individual is to be listed by name corresponding to their area of expertise. All subcontractors must also be identified.
- D. A brief listing of the entire Contractor's experience on similar type work should also be provided. This listing should include at least 5 references for similar types of work.
- E. The Contractor shall present a written narrative description of the manner in which the services provided are to be performed. Please limit description of services to not more than six (6) pages. Narrative should describe how the respondent will comply with the required scope of work.
- F. The Contractor shall indicate the status of the firm's coverage concerning Public Liability Insurance, Workers' Compensation and Professional Liability Insurance and monetary limitations. Respondent will be required to produce documentation naming the City of Pittsburgh as an additional insured.
- G. The Contractor must address MBE/WBE participation or submit a required explanation and/or documentation if waivers are requested to not participate.

- H. A willingness to enter into a professional services agreement (as further defined herein) with the City of Pittsburgh and to comply with the terms agreed to by the parties' therein

5.2 Additional Terms and Conditions

- A. Any proposals received after the deadline will not be considered.
- B. All materials submitted in the response to this RFP will become property of the City of Pittsburgh. Respondents shall not retain and rights, including, but not limited to intellectual property rights, to the information and/or ideas contained within or accompanying their Proposals.
- C. The content of all proposals will be maintained as confidential until the Final Respondent selection is publically announced, but may be subject to disclosure pursuant to applicable law (e.g. Pennsylvania Right to Know Law) and possibly Act 44 thereafter.
- D. Submission of a Response indicates acceptance by the Respondent of the terms and conditions of this RFP unless clearly and specifically noted otherwise in the response.
- E. Respondents are responsible for all costs associated with the responses to this RFP. In no event shall the City be responsible for any costs related to the preparation of a response to this RFP or for attending any requested meetings, if any, before the review committee. The City of Pittsburgh reserves the right to require interviews in person or by electronic means as part of the evaluation process.
- F. By responding to this RFP, the Respondent shall be deemed to have represented and warranted that its submission was not made in connection with any competing Respondent submitting a separate response to this RFP, is in all respects fair, and was without collusion or fraud.
- G. Pursuant to Section 161.36 of the City of Pittsburgh Code (see Exhibit A - attached), the Respondent must include a disclosure of any finder's fees, fee splitting, firm affiliation or relationship with any broker-dealer, payments to consultants, lobbyists, or commissioned representatives or other contractual arrangements that could present a real or perceived conflict of interest.
- H. By responding to this RFP, the Respondent certifies that no attempt has been made, or will be made, by the Respondent to induce any other person or firm to submit or not to submit a submission for the purpose of restricting competition.
- I. Respondent shall not subcontract or make investments on behalf of any other company, agency, or individual.

- J. This RFP is also subject to Section 161.22 (see Exhibit B - attached) of the City of Pittsburgh Code related to debarment from responding on and participating in City contracts. Respondents must be in compliance with any and all regulations and laws regarding banking, investing, tax payments, or doing business in the City of Pittsburgh.**
- K. Respondent must confirm its willingness to enter into a Professional Services agreement with the City and to comply with the terms agreed to by the parties' therein. The City's Professional Services agreement terms include, but are not limited to, insurance (liability and workers compensation) and indemnification requirements.**

***Notification to a Respondent that it has been selected by the City to perform services desired under this RFP is only preliminary. The final selection remains subject to the negotiation and execution of a Professional services agreement with the City's Director of Finance and the City Solicitor.**

- L. The City reserves and may exercise the following rights and options with respect to the selection process:**
 - 1. To reject any and/or all proposals and reissue the RFP at any time prior to execution of a final contract, if, in the City's opinion that it is in the City's best interest to do so.**
 - 2. To supplement, amend, substitute, or otherwise modify this RFP at any time prior to selection of one or more respondents for negotiation and to cancel this RFP with or without issuing another RFP.**
 - 3. To accept or reject any or all of the items in any proposal and award the contract in whole or in part if it is deemed in the City's best interest to do so.**
 - 4. To reject the proposal of any Respondent, who, in the City's sole judgment has been delinquent or unfaithful in the performance of any contract with the City, is financially or technically incapable, owes the City any monies or taxes, or is otherwise not a responsible respondent.**
 - 5. To reject any proposal that, in the City's sole judgment, is incomplete, is not in conformity with applicable law, is conditional in any way, or deviates from the mandated requirements of the RFP**
 - 6. To award the contract to the lowest responsible respondent rather than the lowest bidder.**

7. To waive any informality, defect, and/or deviation from this RFP that is not, in the City's sole judgment, material to the proposal.
8. To permit or reject, at the City's sole discretion, amendments (including information inadvertently omitted), modifications, alterations, and/or corrections to proposals on a fair and consistent basis.
9. The City also reserves the right to request that some or all Respondents submit additional information or attend interviews at City offices at no cost to the City.

5.3 Lobbyist Provision

A. Conflict of Interest

1. By submission of a proposal to this RFP, which respondent agrees that it presently has no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services required under this RFP.
2. No proposal shall be accepted from, or contract awarded to, any individual or firm in which any City employee, Director, Trustee or Official has a direct or indirect financial interest in violation of applicable City and State ethics rules. Entities that are legally related to each other or to a common entity which seeks to submit separate and competing proposals must disclose the nature of their relatedness.

5.4 Insurance Requirements

Prior to the beginning of any work or program covered under this Agreement, the Contractor shall deliver to the City, Certificates of Insurance duly executed by the officers or authorized representatives of a responsible and non-assessable insurance company, evidencing the following minimum coverages for the benefit of the City as an additional insured, which insurance shall be non-cancellable, except on thirty (30) days prior written notice.

<u>Public Liability</u>	<u>Each Occurrence</u>	<u>Aggregate</u>
Bodily injury, including Death and property Damage combined.	\$500,000.00	\$1,000,000.00
Professional Liability	\$1,000,000.00	
Worker's Compensation	Statutory Limit per State Law	

All premiums shall be at the expense of the Contractor. It should also be noted that a "claims made policy" is not acceptable. All certificates must carry a notation as to whether the liability policy is an occurrence policy.

6. Evaluation Procedures

6.1 Review of Proposals

- A. The proposals will be evaluated and scored during the review process. The City of Pittsburgh reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected.
- B. Upon receipt of the proposals the City will select the proposal that best meets its needs. The proposal with the lowest price will not necessarily be accepted, nor will any reason for the rejection of any proposal be indicated. Authorization to enter into a contract with the selected Respondent (if any is selected) is also subject to approval by City Council.

6.2 Evaluation Criteria

- A. Proposals will be evaluated using various criteria such as the firms' performance record, MBE/WBE participation, and the ability to work within the overall systems and structure that the City utilizes.
- B. Other factors considered will be firms; reference and knowledge of the City's banking practices with respect to community reinvestment. Firms meeting the mandatory criteria will have their proposals evaluated and scored for both technical qualifications and fee structure.

6.3 Mandatory Elements

- A. The firm is independent and licensed to practice in the City of Pittsburgh, the Commonwealth of Pennsylvania, and the United States of America
- B. The firm has no conflict in interest with regard to any other work performed by the firm or by the City of Pittsburgh
- C. The firm adheres to the instructions in this request for proposal on preparing and submitting the proposal.
- D. The firm submits a signed copy of the attached form titled "Mandatory Element Confirmation", which is attached to this document (see Exhibit C - attached).

7. Fee Proposal Summary

The City of Pittsburgh “Community Reinvestment Analysis” Fee Proposal Summary

Firm Proposing:

Fee Structure Proposed:

The undersigned hereby certifies that the above fee structure constitutes a firm quotation for the services outlined in this RFP.

Signed:

Title:

Date:

8. Supplementary Forms and Information

Exhibit “A”

§ 161.36 - CONTRACT DISCLOSURE

- A. All vendor RFP responses should include a disclosure of any finder's fees, fee splitting, firm affiliation or relationship with any broker-dealer, payments to consultants, lobbyists, or commissioned representatives or other contractual arrangements of the firm that could present a real or perceived conflict of interest.

(Ord. No. 8-2009, § 1, eff. 5-15-2009)

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Exhibit “B”

§ 161.22 - DEBARMENT FROM BIDDING ON AND PARTICIPATING IN CITY CONTRACTS.

- A. Definitions. The following words and phrases when used in this section shall have the meanings given to them in this section unless the context clearly indicates otherwise:
1. AFFILIATE. Persons directly or indirectly, either one (1) controls or can control the other, or a third controls or can control both.
 2. AGENT. Any director, officer, servant, employee or other person authorized to act on behalf of the corporation or association and, in the case of an unincorporated association, a member of the association.
 3. CONVICTION. An entry of a plea of guilty or a plea of nolo contendere, or a verdict of guilty by a jury or a judge sitting without a jury.
 4. ENTERPRISE. Any individual, partnership, corporation, business, company, association or other legal entity and any union or group of individuals associated in fact although not a legal entity, engaged in commerce.
 5. HIGH MANAGERIAL AGENT. An officer of a corporation or an unincorporated association, company or business or, in the case of a partnership, a partner or any other agent of a corporation, company, business or association having duties or such responsibility that his or her conduct may fairly be assumed to represent the policy of the corporation or association.
 6. PERSON. An individual, corporation, partnership, unincorporated association, or other public or private entity.
 7. SUBSTANTIAL STOCKHOLDER. A stockholder who, in the aggregate, directly or indirectly, owns or controls five (5) percent of the outstanding securities of any one (1) class of stock.
- B. Certain persons and enterprises prohibited from bidding on and participating in City contracts. Any person or enterprise who has been convicted of, or been judged civilly to have committed, any offense indicating a lack of business integrity or honesty, shall be debarred from bidding on any contract which requires bidding and from participating in any City contract. The offense shall include, but not be limited to, any of the following:
1. Fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public or private contract or agreement or subcontract, or in the performance of the contract or subcontracts;
 2. Bribery, embezzlement, false claims, false statements, falsification or destruction of records, forgery, racketeering, mail fraud, receiving stolen property, obstruction of

justice, theft, breach of duty to act disinterestedly, or another offense indicating a lack of business integrity or honesty;

3. Unlawful price fixing between competitors, allocation of customers between competitors, bid rigging or any other violation of federal or state antitrust laws;
4. Violations of a governing hour of labor, minimum wage standards or prevailing wage standards, discrimination in wages or child labor violations;
5. Violation of any section of the Civil Rights Act of 1968, the Pennsylvania Human Relations Act, the City of Pittsburgh's Human Relations Ordinance, any affirmative action, civil rights or nondiscrimination law, executive order, rule, plan or regulation, or violation of any affirmative action or nondiscrimination provisions included in any agreement or contract;
6. Violation of any law, regulation or agreement relating to conflict of interest;
7. Loss or denial of the right to do business or practice a profession under a circumstance indicating a lack of business integrity or honesty;
8. Failure to pay a debt, including any taxes, owed to the City, provided the debt is uncontested by the debtor or, if contested, provided that the debtor's legal and administrative remedies have been exhausted;
9. Subcontracting or otherwise doing business with a debarred person or enterprise, in connection with a contract with the City, where it is known or where it reasonably should have been known, that the person or enterprise is debarred;
10. Willful or material failure to perform the terms of a contract or agreement in accordance with specifications or within contractual time limits;
11. A record of failure to perform or of unsatisfactory performance in accordance with the terms of one (1) or more contracts, provided that the failure or unsatisfactory performance was within a reasonable period of time preceding the determination to debar and was caused by acts within the control of the person or enterprise debarred;
12. Violation of election laws;
13. Providing false or misleading information as part of a prequalification statement, including but not limited to financial statements, equal opportunity employment forms, affidavits of compliance with prevailing wage statutes and product descriptive literature;
14. Debarment or equivalent exclusionary action by any public agency, government or government instrumentality;
15. Decertification as a minority or women enterprise;
16. Illegal littering or dumping as defined by Title Six, Conduct, Article I, Regulated Rights and Actions, § 601.11;
17. Other cause affecting responsibility as a City contractor or vendor as may be determined by the City.

C. Responsible bidders. No person or enterprise which falls within the provisions of subsection (b) hereof shall be considered a responsible bidder on any City contract.

D. Debarment.

1. Evidence. The existence of a cause for debarment under this section will be established by conviction or a judgment obtained in a court of competent jurisdiction or by determination by the appropriate body.
2. Conditions. The existence of any of the causes set forth in § 161.22(b) (relating to cause for debarment) does not necessarily require that a person or enterprise be debarred. In each instance, the decision will be made in the discretion of the Director of the Department of General Services and the Mayor, unless otherwise required by law, and will be rendered in the best interests of the City.

3. **Term.** All debarments under this section shall be for a reasonable, definitely stated period of time commensurate with the seriousness of the cause therefore. As a general rule, debarment will not exceed three (3) years. Debarment may be for a longer period of time where the offense is willful and egregious providing that notice thereof is furnished.

4. **Parties affected.** Debarment may include all known affiliates provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and the circumstances. The commission of an offense listed in subsection (b) hereof by an individual, agent, officer or substantial stockholder, shall be imputed to the enterprise with which he or she or they are connected, when such impropriety involved was performed in the course of official duty, operation of an enterprise, or with the knowledge or approval of the enterprise.

5. **Waiver.** A waiver to debarment may be granted by the City if one (1) or all of the following circumstances determine the public interest would best be served by the waiver:

- 2) If debarment would be inconsistent with public interest;
- 3) If debarment would result in unreasonable cost to the City;
- 4) If the material or service is not otherwise reasonably available or of satisfactory quality.
- 5) Such waiver shall be granted by the City department director out of whose line item funds are allocated, but only with approval of the Mayor. Mitigating factors may be considered in determining whether a waiver is warranted.

A. Procedure.

1. **Notice.** The Director of the Department of Finance shall furnish the person or enterprise and its known affiliates with written notice of debarment setting forth the specific reasons for the proposed debarment.

2. Any person or enterprise receiving a letter of debarment from the Director of the Department of Finance may request a hearing within ten (10) days of the date of mailing of the notice. The appeal shall set out reasons why the person or enterprise should not be debarred.

3. The appeal shall be filed with the Director of the Department of Finance. The Director shall notify the affected person or enterprise of the place and time of the hearing within five (5) days of the receipt of the appeal. The hearing shall be held within fifteen (15) days of the receipt of the appeal unless otherwise agreed to by the person or enterprise and the Director.

4. The cause for debarment shall be established by a preponderance of the evidence. If the debarment is based upon a conviction, a civil judgment, a debarment by another government or public agency or a determination by an appropriate body with competent jurisdiction, the standard shall be deemed to have been met.

B. Bidders to file affidavit. All bidders on and parties to City contracts shall file with their bid or prior to commencing performance an affidavit stating that they are not prohibited from entering their bid or participating in a City contract by reason of disqualification under subsection (b) hereof. The affidavit shall be signed under penalty of perjury.

C. Certain contracts terminated. In the event a contract is entered into in violation of subsection (b) hereof, the contract shall be terminated, if practicable, and no action in quantum meruit shall be permitted for recovery against the City.

D. Regulations. The City may promulgate regulations necessary to implement this section.

E. Interpretation. This section shall be liberally construed and strictly enforced.

(Ord. 24-1989, eff. 10-24-89; Ord. No. 24-2006, § 1(6), eff. 12-4-06; Ord. No. 11-2014, § 1, eff. 6-17-14)
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Exhibit “C”

Mandatory Element Confirmation

I, _____ (print name), do confirm and certify the following points as they compose mandatory elements of being a valid respondent to this RFP.

- I certify on behalf of the firm, that as an entity we are independent and licensed to practice in the City of Pittsburgh, the Commonwealth of Pennsylvania, and the United States of America.
- This firm has no conflict of interest with regard to any other work performed by the firm or by the City of Pittsburgh
- This firm adheres to the instructions on this request for proposal on preparing and submitting the proposal.

Date: _____

Name (Print): _____

Signature: _____

Title: _____

Company: _____