

Plain English Statement Re Ballot Question No. 1  
As Required By Section 201.1 of the Pennsylvania Election Code

Submitted to the Voters By Bill No. 160971 (approved December 20, 2016); Resolution No. 160981 (adopted December 8, 2016)

Ballot Question:

**Shall The Philadelphia Home Rule Charter be amended to allow for the award of certain contracts based on best value to the City?**

Statement:

This proposed amendment would allow the City's Procurement Commissioner to award some contracts based on the overall "best value" to the City, rather than based only on dollars. In other words, the City would be allowed to choose a responsible business based on more than just price.

Currently, when the City buys things like equipment or construction services, the Home Rule Charter requires the City to choose the responsible business that offers the lowest price. Similarly, when the City allows a private business to operate on City property, the Charter usually requires the City to choose the responsible business that offers the City the highest payment.

This amendment would allow the City to use "best value" in awarding contracts under certain circumstances. For example, a City department might need to find a business to perform complicated maintenance services. If the Procurement Commissioner determines that there are unique aspects of the purchase that makes price not the best predictor of value, the City can make the purchase based on "best value," rather than price alone.

"Best value" evaluation criteria could include things like a business's past performance on similar work, including the quality of the services or products delivered by the business; or its ability to meet diversity goals; as well as price. These "evaluation criteria" would be listed in regulations, as well as included in advertisements (which are used for contracts worth more than \$32,000).

All "best value" purchases would be subject to the same rules as apply to purchases of professional services.