

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 72 - 2021

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JUNE 2, 2021

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AN ORDINANCE

Amending Part One, Administrative Code, Title Seven, Administrative Offices and Departments; Article 130 Financial Procedures, Section 130.16 Contracts, of the Codified Ordinances of Allentown, Pennsylvania, by adding a new subsection entitled “**Identified Business Enterprises (IBE)**”.

**WHEREAS**, Section 815B Competitive Process, of the Allentown Home Rule Charter authorizes City Council to adopt and amend, by Ordinance, a Code for the establishment, regulation, and maintenance of a competition system, governing the policies necessary to effectively administer a system of competitive purchasing for the City government; and

**WHEREAS**, the City is desirous of expanding its vendor list; and

**WHEREAS** Section 815B Competitive Process, of the Allentown Home Rule Charter authorizes City Council to establish policies regarding small business, small diverse business, and veteran business enterprise preferences; and

**THEREFORE**, Allentown City Council with the support of the administration implements the following business opportunities for competitive purchasing in the City of Allentown.

**130.16(B)(6) Identified Business Enterprises (IBE)**

6. Small business, small diverse business, and veteran business enterprises

a. For the purposes of this section, Identified Business Enterprises (IBE) shall include small business, small diverse business, and veteran business enterprises as they are defined and certified by and through the PA State Bureau of Diversity, Inclusion and Small Business Opportunities and as recognized by Federal regulations or other third-party certifying agencies approved by City Council in the form of a resolution passed at a public meeting.

b. When bids are received from IBE, the contract shall be awarded to the IBE whose responsible bid is nearest to the bid price of the otherwise low IBE, if the bid price of the IBE is made lower than the bid price of such non-IBE when multiplied by a factor .95.

d. In order to qualify for the preference set forth in Subsection B, above, the IBE must be properly licensed to do business in the City of Allentown and in compliance with all City Ordinances and regulations.

e. This section shall not apply to bids for the construction of public improvements more than \$50,000, or where the difference between the lowest non-resident bid and the lowest resident bid is more than \$2,500,

or where otherwise prohibited by law or state or federal regulation. In the case of competing IBE's the award shall be made to the lowest bidder.