

**REGULAR MEETING OF WILMINGTON CITY COUNCIL
SEPTEMBER 5, 2019 @ 6:30 P.M. – REVISED***

**Council Chambers
Louis L. Redding City/County Building
800 N. French Street - Wilmington, DE 19801
www.WilmingtonDe.gov or www.WITN22.org**

AGENDA

**I. Call to Order
Prayer
Pledge of Allegiance
Roll Call**

II. Approval of Minutes

III. Committee Reports

IV. Acceptance of Treasurer's Report

V. Non-Legislative Business

Harlee	Recognize National Healing Day
Oliver	Sympathy Gail A. Purnell
Shabazz	Sympathy Charles Brown (Monday Club)

VI. Legislative Business

GRAY

#4701 A Resolution Providing for Equal Distribution of Community Service Funds among the Members of City Council

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. This Resolution provides for equal distribution between the members of City Council of the funds designated under Fund 101, Division 120, Accounts 54605, 54608, 54609, 54621 and 54622 as well as the funds designated under Fund 101, Division 127, Accounts 54608, 54621 and 54622 in the Annual City of Wilmington Operating Budget, to be used as Community Service Funds by such members, subject to the procedures of awarding grants of \$5,000 or more as set forth in the Wilmington City Code.*

CONGO

#4695 Ord. 19-039 Amend Chapters 3 and 13 of the Wilmington City Code to Provide for a Refund of Administrative Fees in Instances of Successful Appeals of Alleged Violations Incurred Thereunder (**3rd & Final Reading**)

Synopsis: *This Ordinance is being presented by the City Council for Council's review and approval. This Ordinance amends Sections 3-11(e) and 13-3 of the Wilmington City Code by revising those sections to provide for a refund of the administrative fee incurred thereunder in instances where the alleged violator has appealed the civil penalty and had such civil penalty reversed, revoked, or vacated by a written decision of the Commissioner of Licenses and Inspections (or his or her designee).*

SHABAZZ (Harlee presenting on behalf of Shabazz)

#4698 An Ordinance Authorizing the Issuance of the City's General Obligation Bond, Series of 2019D-SRF, in Order to Provide the Funds Necessary for Capital Projects of the City of Wilmington Relating to Phase III of the City's Transmission and Distribution Water Main Improvements; Providing for the Sale of the Bond to the Delaware Drinking Water State Revolving Fund; and Authorizing Other Necessary Action (**3rd & Final Reading**)

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance authorizes the issuance of a General Obligation Bond, Series of 2019D-SRF, in an amount not to exceed \$4,000,000, which will be sold to the Delaware Drinking Water State Revolving Fund in order to (i) finance capital projects of the City, specifically, Phase III of the City's Transmission and Distribution Water Main Improvements Project as set forth in the City's capital budget for its Fiscal Year ending June 30, 2020, (ii) pay administrative costs relating to such capital projects, and (iii) pay the cost of issuing the 2019D Bond.*

SHABAZZ (Harlee is presenting on behalf of Shabazz)

#4702 A Resolution Encouraging DNREC to Open Up the New Guidelines to Move Forward with the Grant to Offer Additional Financial Assistance Available for Low-Income Subgroups within New Wastewater and Drinking Water Project Areas Financed by the Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) Programs

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. This Resolution request DNREC to open up the new guidelines to move forward with the grant application process for additional financial assistance available for low income subgroups within new wastewater and drinking water project areas financed by the Clean Water State Revolving Fund and Drinking Water State Revolving Fund.*

FREEL

#4697 Ord. 19-041 Authorize and Approve an Extension of Contract 20003LI Between the City of Wilmington and R & A Contractors, LLC for Vacant Property Services (**3rd & Final Reading**)

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance authorizes the City to exercise its option to extend Contract 20003LI - Vacant Property Services - between the City of Wilmington and R & A Contractors, LLC for the period of one (1) year from July 1, 2020 to June 30, 2021, at an estimated price of Seventy-Six Thousand, Four Hundred Dollars (\$76,400.00).*

#4699 An Ordinance to Amend Chapter 44 of the City Code Regarding the Inspection of State of Delaware Tax Returns by the City of Wilmington (**3rd & Final Reading**)

Synopsis: *This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance amends Section 44-112 of the City Code to comply with the State Code requirements regarding the City's examination or investigation of the State of Delaware tax returns of any taxpayer who has a place of residence, business, or employment in the City. In addition, as a housekeeping matter, this Ordinance renumbers certain subsections of Section 44-112.*

SHABAZZ (Dixon presenting on behalf of Shabazz)

#4703 A Resolution Encouraging the Delaware General Assembly to Enact Legislation Regarding Fair Work Week Regulations Pertaining to Employers with More Than 150 Employees and Over 30 Locations Worldwide

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. This Resolution calls upon the Delaware General Assembly to enact legislation requiring employers with more than 150 employees and over 30 locations worldwide to provide advance written notice of work schedules, predictability pay to their service workers and additional compensation for any last-minute schedule changes, which several jurisdictions across the country, including Oregon, California, New York, and Philadelphia have enacted scheduling legislation to address the issues faced by employees with unpredictable work schedules and consequently unpredictable income.*

SHABAZZ (Freel presenting on behalf of Shabazz)

*#4704 A Resolution to Appoint City Council Member for the Seventh Councilmanic District

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. This Resolution appoints Christofer C. Johnson, pursuant to Wilm. C. (Charter) § 2-101, Wilm. C. (Charter) § 2-103, and Wilm. C. (Code) § 2-34, to fill the vacancy created by former Council Member Robert A. Williams for the remainder of former Council Member Williams term in accordance with the recommendation of the Committee of the Whole.*

VII. Petitions and Communications

VIII. Adjournment

***Note: Agenda #4704 was inadvertently omitted due to an oversight error.**

Wilmington, Delaware
September 5, 2019

#4701

Sponsor:

**Council
Member
Gray**

WHEREAS, the members of Council have long provided support to various causes and events that offer benefit, and are of importance, to the City; and

WHEREAS, this support has been effectuated in part through the distribution of funds budgeted for Council; and

WHEREAS, Council believes the expenditure of these funds will attain a greater impact in their districts/communities if equally distributed as Community Service Funds to the individual members of Council; and

WHEREAS, City Council deems it necessary to enact a resolution to provide for the equal distribution of these Council Community Service Funds so that individual Council members can allocate such funds in accordance with the wishes and desires of their districts/communities; and

WHEREAS, Council desires to distribute the funds designated under Fund 101, Division 120, Accounts 54605, 54608, 54609, 54621, and 54622 as well as the funds designated under Fund 101, Division 127, Accounts 54608, 54621 and 54622 in the Annual City of Wilmington Operating Budget equally between the members of City Council, to be used as Community Service Funds by such members, subject to the procedures of awarding grants of \$5,000 or more as set forth in the Wilmington City Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the funds designated under Fund 101, Division 120, Accounts 54605, 54608, 54609, 54621 and 54622 as well as the funds designated under Fund 101, Division 127, Accounts 54608, 54621 and 54622 in the Annual City of Wilmington Operating

Budget shall be equally divided between the members of City Council, to be used as Community Service Funds by such members, subject to the procedures of awarding grants of \$5,000 or more as set forth in the Wilmington City Code.

BE IT FURTHER RESOLVED that upon adoption by City Council this resolution shall be implemented immediately and administered annually.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution provides for equal distribution between the members of City Council of the funds designated under Fund 101, Division 120, Accounts 54605, 54608, 54609, 54621 and 54622 as well as the funds designated under Fund 101, Division 127, Accounts 54608, 54621 and 54622 in the Annual City of Wilmington Operating Budget, to be used as Community Service Funds by such members, subject to the procedures of awarding grants of \$5,000 or more as set forth in the Wilmington City Code.

**ORDINANCE TO AMEND CHAPTERS 3 AND 13 OF THE WILMINGTON CITY
CODE TO PROVIDE FOR A REFUND OF ADMINISTRATIVE FEES IN
INSTANCES OF SUCCESSFUL APPEALS OF ALLEGED VIOLATIONS
INCURRED THEREUNDER**

#4695

Sponsor:

**Council
Member
Congo**

Co-Sponsor:

**Council
President
Shabazz**

WHEREAS, the purpose of this legislation is to amend Sections 3-11(e) and 13-3 of the Wilmington City Code (the "Code") by revising those Code sections to provide for a refund of the \$15.00 administrative fee incurred thereunder in instances where the alleged violator has appealed the civil penalty assessed and had such civil penalty reversed, revoked, or vacated by the written decision of the Commissioner of Licenses and Inspections (or his or her designee); and

WHEREAS, Sections 3-11(e) and 13-3 of the Code both currently provide, in part, "The owner of a property aggrieved by any civil penalty imposed pursuant to this chapter may appeal to the commissioner of licenses and inspections by sending a detailed written explanation of the grounds for the appeal, along with a mandatory non-refundable administrative filing fee of \$15.00 to the commissioner of licenses and inspections within 21 business days of the date of the citation."; and

WHEREAS, City Council believes refunding the administrative fee to parties that have had the civil penalties reversed, revoked or vacated by a written decision of the Commissioner of Licenses and Inspections (or his or her designee) is reasonable; and

WHEREAS, City Council deems it necessary and appropriate to amend Chapters 3 and 13 of the Code to effectuate the aforementioned change.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. Chapter 3 of the Wilmington City Code is hereby amended by amending Section 3-11(e) thereof to add the underlined language and remove the stricken language as follows:

Sec. 3-11. - Accumulation of dog, cat, pigeon or other animal or domestic bird fecal matter.

...

(e) Appeals. The owner of a property aggrieved by any civil penalty imposed pursuant to this chapter may appeal to the commissioner of licenses and inspections by sending a detailed written explanation of the grounds for the appeal, along with a mandatory ~~non-refundable~~ administrative filing fee of \$15.00 to the commissioner of licenses and inspections within 21 business days of the date of the citation. The commissioner of licenses and inspections or his or her designee shall issue a written decision affirming, modifying, reversing, revoking or vacating the civil penalty within 45 calendar days of receipt of the written explanation of the grounds for the appeal. Such decision shall be final. If the written decision reverses, revokes or vacates the civil penalty, the \$15.00 administrative filing fee shall be refunded. Each citation received must be appealed separately. Any appeal to the commissioner of licenses and inspections shall act as a stay of the citation and civil penalty until a final decision on the appeal has been rendered. If during the pendency of the appeal additional citations are issued and civil penalties imposed regarding the same matter under appeal, the civil penalty shall be voided.

SECTION 2. Chapter 13 of the Wilmington City Code is hereby amended by amending Section 13-3 thereof to add the underlined language and remove the stricken language as follows:

Sec. 13-3. - Appeals.

The owner of a property aggrieved by any civil penalty imposed pursuant to this chapter may appeal to the commissioner of licenses and inspections by sending a detailed written explanation of the grounds for the appeal, along with a mandatory ~~non-refundable~~ administrative filing fee of \$15.00, to the commissioner of licenses and inspections within 21 business days of the date of the citation. The commissioner of licenses and inspections or his or her designee shall issue a written decision affirming, modifying, reversing, revoking or vacating the civil penalty within 45 calendar days of receipt of the written explanation of the grounds for the appeal. Such

decision shall be final. If the written decision reverses, revokes or vacates the civil penalty, the \$15.00 administrative filing fee shall be refunded. Each citation received must be appealed separately. Any appeal to the commissioner of licenses and inspections shall act as a stay of the citation and civil penalty until a final decision on the appeal has been rendered. If during the pendency of the appeal additional citations are issued and civil penalties imposed regarding the same matter under appeal, the civil penalty shall be voided.

SECTION 3. This Ordinance shall become effective on January 1, 2020.

First Reading.....August 22, 2019
Second Reading.....August 22, 2019
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2019.

Mayor

SYNOPSIS: This Ordinance amends Sections 3-11(e) and 13-3 of the Wilmington City Code by revising those sections to provide for a refund of the administrative fee incurred thereunder in instances where the alleged violator has appealed the civil penalty and had such civil penalty reversed, revoked, or vacated by a written decision of the Commissioner of Licenses and Inspections (or his or her designee).

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance will be negligible as the decrease in revenue to the City as a result thereof is estimated at less than \$400 annually.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND, SERIES OF 2019D-SRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR CAPITAL PROJECTS OF THE CITY OF WILMINGTON RELATING TO PHASE III OF THE CITY'S TRANSMISSION AND DISTRIBUTION WATER MAIN IMPROVEMENTS; PROVIDING FOR THE SALE OF THE BOND TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

#4698

Sponsor:

Council
President
Shabazz

WHEREAS, the City of Wilmington (the "City") has determined to undertake Phase III of the City's Transmission and Distribution Water Main Improvements in order to improve the level of service to all customers within the entire service district by providing a reliable, redundant transmission network of large diameter piping, all as specified in the City's capital budget for its Fiscal Year ending June 30, 2020 (collectively, the "Project"); and

Co-Sponsor:

Council
Member
Harlee

WHEREAS, in order to finance the Project and pay certain administrative costs relating to the Project and the costs of issuing the 2019D Bond, the City has determined to issue its General Obligation Bond, Series of 2019D-SRF (the "2019D Bond"), in a principal amount not to exceed \$4,000,000; and

WHEREAS, the City has heretofore adopted the General Obligation Bond Ordinance, 83-019, Division 4 of Article VI of Chapter 2 of the Wilmington City Code (the "General Ordinance"), authorizing the City to issue general obligation bonds secured by a pledge of the City's full faith, credit and taxing power, for the purpose of, among other things, paying the costs of capital projects; and

WHEREAS, this Ordinance is a Supplemental Ordinance adopted pursuant to the General Ordinance and provides for the issuance and sale of the 2019D Bond.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Defined Terms. Terms used in this Ordinance and not otherwise defined shall have the meaning specified in the General Ordinance.

SECTION 2. Authorization of the 2019D Bond. The City hereby authorizes the issuance of its General Obligation Bond, Series of 2019D-SRF, or such other series designation as the Bond Committee (as defined herein) shall determine, in a principal amount not to exceed \$4,000,000 pursuant to and in accordance with the General Ordinance, as supplemented by this Ordinance and the Bond Committee Resolution (as defined herein) for the purpose of financing the Project. The 2019D Bond shall be sold to the Delaware Drinking Water State Revolving Fund.

The 2019D Bond shall be in such principal amount (not exceeding \$4,000,000), shall bear such rate or rates of interest, shall mature in such principal amounts and on such dates, shall be subject to redemption, shall be sold at such price and in such manner, and shall be in

such form and contain or be subject to such other terms and conditions, as shall be determined in the Resolution (the "Bond Committee Resolution") adopted by the City of Wilmington Bond Committee (the "Bond Committee").

SECTION 3. Execution of the 2019D Bond. The 2019D Bond shall be executed by the manual or facsimile signatures of the Mayor, the City Treasurer and the City Auditor, and by the manual or facsimile impression of the City seal, both attested by the manual or facsimile signature of the City Clerk or Deputy City Clerk.

SECTION 4. Security for the 2019D Bond. The full faith, credit and taxing power of the City is hereby pledged to the prompt payment of the principal of, premium, if any, and the interest on the 2019D Bond. The 2019D Bond shall be the direct and unlimited obligation of the City, and unless paid from other sources, the City shall levy *ad valorem* taxes upon all taxable property in the City for the payment of the 2019D Bond subject to the limitation contained in applicable law.

SECTION 5. Further Action. The appropriate officers of the City are hereby authorized and directed to take all such action, execute, deliver, file and record all such documents, publish all notices and otherwise carry out the intent of the General Ordinance and this Ordinance in the name of and on behalf of the City.

SECTION 6. Inconsistent Provisions. In the event that any provision of the 2019D Bond, or any term or condition contained in any agreement relating to the 2019D Bond, shall be inconsistent with any of the provisions of the General Ordinance, the provision of the 2019D Bond, this Ordinance and such agreement shall be controlling with respect to the 2019D Bond and such agreement.

SECTION 7. Relation to General Ordinance. This Ordinance is supplemental to the General Ordinance and all sections of the General Ordinance, except as modified herein in accordance therewith, are applicable to the 2019D Bond authorized hereunder.

SECTION 8. Effective Date. This Ordinance shall become effective upon its passage by Council and approval by the Mayor.

First Reading.....August 29, 2019
Second Reading.....August 29, 2019
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2019.

Mayor

SYNOPSIS: This Ordinance authorizes the issuance of a General Obligation Bond, Series of 2019D-SRF, in an amount not to exceed \$4,000,000, which will be sold to the Delaware Drinking Water State Revolving Fund in order to (i) finance capital projects of the City, specifically, Phase III of the City's Transmission and Distribution Water Main Improvements Project as set forth in the City's capital budget for its Fiscal Year ending June 30, 2020, (ii) pay administrative costs relating to such capital projects, and (iii) pay the costs of issuing the 2019D Bond.

W0107184

Wilmington, Delaware
September 5, 2019

#4702

Sponsor:

**Council
President
Shabazz**

Co-Sponsors:

**Council
Members
Harlee
Oliver**

WHEREAS, the Delaware Department of Natural Resources and Environmental Control and the Delaware Department of Health and Social Services manage financial assistance programs for municipalities to aid low-income residents within new wastewater and drinking water project areas; and

WHEREAS, examples of such programs are the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, and the Additional Subsidization Assistance Program for Low-Income Subgroups (062816); and

WHEREAS, these programs provide selected municipalities with the funding to provide financial assistance to residents eligible for assistance based on the Federal Department of Housing and Urban Development's Community Development Block Grant State Low-Income levels and are unable to pay their water and/or sewer bills; and

WHEREAS, the City of Wilmington is home to many economically diverse communities, many of which would benefit from having assistance in paying their water and/or sewer bills; and

WHEREAS, the Council desires that the City of Wilmington becomes eligible to apply for funding from the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, and the Additional Subsidization Assistance Program for Low-Income Subgroups (062816); and

WHEREAS, all residents and visitors of the City of Wilmington should have access to safe drinking water and wastewater services. The Clean Water State Revolving Fund, the Drinking Water State Revolving Fund, and the Additional Subsidization Assistance Program for Low-Income Subgroups (062816) will ensure that the most economically disadvantaged households in the City have access to these basic human needs.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that City Council strongly encourages the Delaware Department of Natural Resources and Environmental Control and the Delaware Department of Health and Social Services to have revisions finalized before the end of this calendar year in order to move forward with the grant application process for the Additional Subsidization Assistance Program for Low-Income Subgroups (062816) within the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution calls on and strongly encourages the Delaware Department of Natural Resources and Environmental Control and the Delaware Department of Health and Social Services to have revisions completed for the grant application process regarding the Additional Subsidization Assistance Program for Low-Income Subgroups (062816) before the end of this calendar year.

**AN ORDINANCE TO AUTHORIZE AND APPROVE AN EXTENSION OF
CONTRACT 20003LI BETWEEN THE CITY OF WILMINGTON AND R & A
CONTRACTORS, LLC FOR VACANT PROPERTY SERVICES**

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for Contract 20003LI - Vacant Property Services (the "Contract") - in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract, a copy of which, in substantial form, is attached hereto and incorporated by reference herein as Exhibit "A", to R & A Contractors, LLC (the "Contractor"), the lowest responsible bidder; and

WHEREAS, the Contract's term is from July 1, 2019 to June 30, 2020, at an estimated price of Seventy-Six Thousand, Four Hundred Dollars (\$76,400.00), with the possibility of one (1) extension thereafter for one (1) additional year from July 1, 2020 to June 30, 2021 on the same terms and conditions, at the option of the City; and

WHEREAS, the primary purpose of the Contract is to provide vacant property services such as boarding and securing vacant buildings and clearing trash from vacant lots; and

WHEREAS, said extension period was included in the Contract in order to provide for continuity of service and to lock in the current price; and

WHEREAS, it is the recommendation of the Department of Licenses and Inspections that the City exercise its option to extend the Contract for one (1) additional year.

#4697

Sponsor:

Council
Member
Freel

Co-Sponsor:

Council
President
Shabazz

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. A one-year extension to Contract 20003LI - Vacant Property Services - between the City of Wilmington and R & A Contractors, LLC, a copy of which Contract, in substantial form, is attached hereto as Exhibit "A," for the period of July 1, 2020 to June 30, 2021, at an estimated price of Seventy-Six Thousand, Four Hundred Dollars (\$76,400.00), is hereby approved, and the Mayor or his designee is hereby authorized to exercise the City's option, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... August 22, 2019
Second Reading..... August 22, 2019
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2019.

Mayor

SYNOPSIS: This Ordinance authorizes the City to exercise its option to extend Contract 20003LI - Vacant Property Services - between the City of Wilmington and R & A Contractors, LLC for the period of one (1) year from July 1, 2020 to June 30, 2021, at an estimated price of Seventy-Six Thousand, Four Hundred Dollars (\$76,400.00).

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is a contract extension for the period of one (1) year from July 1, 2020 to June 30, 2021, at an estimated price of Seventy-Six Thousand, Four Hundred Dollars (\$76,400.00).

W0107052

EXHIBIT A

The City of Wilmington will receive sealed bids
at the Division of Procurement & Records, 5th Fl., Louis L. Redding Bldg.,
800 French St., Wilm., DE 19801 for:

20003LI – VACANT PROPERTY SERVICES

Pre-Bid Meeting: Thursday, April 11, 2019, at 1:30 p.m., in the Atrium Conference Room, 5th Floor, Louis L. Redding Building, 800 N. French Street, Wilmington, DE 19801.

Bid opening: Tuesday, April 23, 2019, at 3:00 p.m., in the 5th Floor Finance Conference Room, Louis L. Redding City/County Building, 800 French Street, Wilmington, DE 19801.

Specifications may be obtained at the above address for the Division of Procurement & Records.

Philip Ceresini
Purchasing Agent II
Division of Procurement and Records
Department of Finance

pceresini@wilmingtonde.gov
www.wilmingtonde.gov

4/4-NJ

0003479522-01



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WILMINGTON, DE 19801

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Run Dates: 04/04/19

Text of Ad:

The City of Wilmington will receive sealed bids
at the Division of Procurement & Records, 5th Fl., Louis L. Redding Bldg.,
800 French St., Wilm., DE 19801 for:

20003LI - VACANT PROPERTY SERVICES

Pre-Bid Meeting: Thursday, April 11, 2019, at 1:30 p.m., in the Atrium Conference Room, 5th Floor, Louis L. Redding Building, 800 N. French Street, Wilmington, DE 19801.

Bid opening: Tuesday, April 23, 2019, at 3:00 p.m., in the 5th Floor Finance Conference Room, Louis L. Redding City/County Building, 800 French Street, Wilmington, DE 19801.

Specifications may be obtained at the above address for the Division of Procurement & Records.

Philip Ceresini
Purchasing Agent II
Division of Procurement and Records
Department of Finance

pceresini@wilmingtonde.gov
www.wilmingtonde.gov

4/4-NJ

0003479522-01

INSTRUCTIONS TO BIDDERS

1. Bids on **City Contract 20003LI – VACANT PROPERTY SERVICES** will be publicly opened and read aloud in the 5th Floor Finance Conference Room, Louis L. Redding City/County Building, 800 French Street, Wilmington, DE 19801 on **TUESDAY, APRIL 23, 2019, AT 3:00 p.m.**
2. Proposals must be in triplicate, sealed in an envelope, and the envelope endorsed "**Bid for City Contract 20003LI – VACANT PROPERTY SERVICES** " and addressed to the Department of Finance, Division of Procurement and Records, 5th Floor, Louis L. Redding City/County Building, 800 French Street, Wilmington, Delaware.
3. Any bid may be withdrawn prior to the schedule time for opening of bids or authorized postponement thereof. No bid may be withdrawn within thirty (30) calendar days after the actual opening thereof.
4. The successful bidder will be required to have or obtain an appropriate business license from the Department of Finance, Revenue Division, City of Wilmington, in order to be awarded the contract. Before obtaining a City of Wilmington Business License, all applicants must show proof of a current State of Delaware Business License.
5. The corporation, the successful bidder shall furnish a certificate from the State where it is incorporated, stating that it is a subsisting corporation. The corporation shall also furnish one (1) original and two (2) copies of the excerpts of the corporate minutes, which grant authority to those who sign and attest the contract. The Corporate Seal shall be affixed where signatures are attested.
6. The successful bidder will be required to withhold City of Wilmington Wage Tax from their employees and withheld taxes paid to the City of Wilmington pursuant to the provisions of the Wilmington Wage Tax Law. This law applies to people living and/or working in the City of Wilmington.
7. The U.S. Department of Commerce monitors Procurement transaction made to minority business enterprises by the City of Wilmington. The Minority Business Developments Agency's District Office reserves the right to contact the successful minority bidder and/or subcontractor to confirm any participation in the Procurement process.
8. The successful bidder certifies that they are not listed on the Federal Government, Excluded Parties List System (www.sam.gov). This will be verified by the City of Wilmington and if listed may be grounds for rejection of the bid or proposal.
9. Any person doing business or seeking to do business with the City shall abide by the following Global Sullivan Principles:
 - A. Support universal human rights and particularly, those of employees, the communities within which you operate, and parties with whom you do business.
 - B. Promote equal opportunity for employees at all levels of the company with respect to issues such as color, race, gender, age, ethnicity, or religious beliefs, and operate without unacceptable worker treatment such as the exploitation of children, physical punishment, female abuse, involuntary servitude, or other forms of abuse.
 - C. Respect employee's voluntary freedom of association.
 - D. Compensate employees to enable them to meet at least their basic needs and provide the opportunity to improve their skill and capability in order to raise their social and economic opportunities.

- E. Provide a safe and healthy workplace; protect human health and the environment; and promote sustainable development.
- F. Promote fair competition including respect for intellectual and other property rights, and not offer, pay, or accept bribes.
- G. Work with governments and communities in which you do business to improve the quality of life in those communities -- their educational, cultural, economic, and social well-being -- and seek to provide training and opportunities for workers from disadvantaged backgrounds.
- H. Promote the application of these principles by those with whom you do business.

10. **Award and Execution of Contract**

- A. **Consideration of Proposals.** After the proposals are opened and read, they will be compared on the basis of the summation of the products of the approximate quantities shown in the bid schedule by the unit bid prices, unless the proposals states a different basis for comparing bids. In the event of a discrepancy between unit bid prices and extensions, the unit bid price shall govern.

Before awarding the contract, a bidder may be required to show that he/she has the ability, experience, necessary equipment, experienced personnel, and financial resources to successfully carry out the work required by the contract.

The right is reserved to reject any and/or all proposals, to waive technicalities, to advertise for new proposals, or to proceed to do the work otherwise, if in the judgment of the department the best interest of the City will be promoted thereby.

- B. **Award of Contract.** The award of the contract, if it be awarded, must be within thirty (30) calendar days after the opening of proposals to the lowest responsible and qualified bidder whose proposal complies with all the requirements prescribed. The successful bidder will be notified by letter mailed to the address shown on his proposals that his bid has been accepted and has been awarded the contract.
- C. **Cancellation of Award.** The City reserves the right to cancel the award of any contract at any time before the execution of said contract by all parties without any liability against the City.
- D. **Right to Audit.** The City Auditor or his designee shall have the right to audit the contract and any books, documents, or records relating thereto.

Questions should be directed to Phil Ceresini via email at pceresini@wilmingtonde.gov. Questions will not be accepted within 1 week of bid opening.

Pre-Bid Meeting: Thursday, April 11, 2019, at 1:30 p.m., Louis L. Redding City County Building, 5th Floor Conference Room, 800 French Street, Wilmington, DE 19801.

THIS CONTRACT DOES NOT REQUIRE A BID BOND OR PERFORMANCE BOND.

**VACANT PROPERTY SERVICES CONTRACT
CITY CONTRACT 20003LI**

SPECIFICATIONS

The City of Wilmington, through its Department of Licenses and Inspections, will under this agreement:

- A. Provide funds for labor, time, equipment, and materials for all work orders completed as specified in the SCOPE OF SERVICES. Total funds to be paid by the City to the Contractor will not exceed the amount specified in the acceptable bid. No funds will be paid for any labor, time equipment, or materials other than those utilized to complete work orders.
- B. Provide written and or verbal work order to the Contractor specifying duties and tasks to be performed.
- C. Monitor and follow up assignments provided by the Contractor to assure compliance with the work order request. When necessary, the Commissioner, Deputy Commissioner, or Inspectors will contact the Contractor for any corrective action and to verify completion of work requested.
- D. Establish, maintain, and monitor a record file system of all work orders issued and returned to the City by the Contractor. This file will provide documentation for payments to the Contractor and for audit purposes.
- E. Submit reports and payment vouchers to the Finance Department for payment to the Contractor for all completed work orders.
- F. The Department of Licenses and Inspection will notify the Contractor of work to be completed either by emergency or non-emergency methods. The cost should be reflective of the labor and material as submitted in the proposal sheet.
- G. Provide advisory and support services related to any Federal, State, and City ordinances, regulations, and procedures related to specific work tasks requested.

The Contractor will perform and/or provide:

- A. Administrative and general Labor, equipment, and materials in quantities necessary to complete all work order requests issued by the City through its Department of Licenses and Inspections. All costs associated with labor will be paid at straight time with no overtime being paid.
- B. Receive written (via email) and/or verbal work order request for service from the Commissioner, Deputy Commissioner, Code Enforcement Supervisor, or the Code Enforcement Inspectors. The Contractor will notify the Department once they arrive at the location to start the required work.

- C. Satisfactory completion of all work orders within 2 working days after receipt of work orders from the City. When specified, will satisfactorily complete work orders issued with a priority designation. The Contractor shall perform all work in conformance with applicable local codes, laws, ordinances, and requirements and in compliance with all general and specific conditions of the Service Contract. Upon contact by the City of Wilmington's Department of Licenses and Inspections, the Contractor must respond (via phone, pager, cell phone, and/or site visit) to department's request within 30 minutes of said contact and begin work immediately upon arrival to the site. The Contractor should have at all times an inventory of plywood (15 sheets) necessary to start job on first arrival. All non-emergency work orders must be completed within 48 hours and billed at the non-emergency bill rate (as per the proposal sheet).
- D. Maintain a systematic record file to keep all work orders issued by the City and will provide documentation upon request to the Department of Licenses and Inspections, City, federal, or authorized auditors.
- E. A request for payment for all work orders completed for the specific time will be required as support documentation for payment. The City shall pay the Contractor for performing the services requested for the Department of Licenses and Inspections set forth in this agreement.
- F. Allow a designated City employee the right to monitor, inspect, and advise Contractor and his employees of all work assignments in need of corrective action to satisfactorily meet requirements of the work tasks specified in the SCOPE OF SERVICES. Payment for disputed services will be withheld until mutually agreeable solution is found.
- G. The Contractor will bill the City only for labor, time, equipment, materials used for the performance and completion of work orders. All costs including overhead and administrative should be reflective of the cost submitted on the proposal sheet by either emergency or non-emergency labor cost.
- H. The city will only pay for the number of employees (laborer and/or foreman), and employee's time spent at the property. Time to be billed in increments of one hour, with no minimum fee allowed.

NON-PERFORMANCE OF DUTIES AND ANNULMENT OF CONTRACT

If the Contractor fails to begin or complete work assignments within the time specified or fails to perform the work with sufficient materials, labor, or equipment for the prompt completion of said work, except in cases for which an extension of time is provided, then the City shall have the right to terminate the employment of said Contractor.

INDEMNIFICATION OF THE CITY

The Contractor shall pay, indemnify, and save the harmless of the City, its agents and employees, from all suits, actions, claims, demands, damages, losses, expenses, and/or costs of every kind and description to which the City may be subjected or put by reason of injury (including death) to persons or property resulting from the manner or method employed by the Contractor, his agents and employees or subcontractors, and whether such suits, actions, claims, demands, losses, expenses, and/or costs against, suffered, or sustained by the City, his agents and employees, may become liable therefore, and the whole, or so much of the monies due, or become due, the Contractor, under this contract or any other contract, as may be considered necessary by the Engineer, may be retained by the City until such suits or claims for damages shall have been settled or otherwise disposed of the satisfactory evidence to that effect furnished to the Engineer.

Insurance Requirements. The successful bidder shall provide insurance coverage for itself and all of its employees, if any, used in connection with this Agreement as follows: workers compensation as required by law; comprehensive general liability coverage for personal injury, including death, and property damage in the minimum amount of One Million Dollars (\$1,000,000.00). Such policies shall be issued by a financially sound carrier and/or carriers and shall be subject to the reasonable approval of the City. Contractor shall provide the City with a certificate of insurance evidencing the above-stated coverage and naming the City as an additional insured.

TERM OF CONTRACT

The original term of this contract shall be from 12:01 a.m., July 1, 2019 through 11:59 p.m., June 30, 2020 (12 months).

The City of Wilmington reserves the option to extend this contract for the one additional year, provided that all terms and conditions of this contract shall remain the same and it is in the best interest of the City to do so.

The City of Wilmington will give 60 days advance written notice if the contract is to be extended after the first year. If no notice is issued, it will be assumed that this contract will end on the above-ending date of the original term.

SCOPE OF SERVICES

Definition of Work Orders

- I. Vacant Structures - Boarding and Securing
 - A. This contract will require the Contractor to be on call twenty-four hours per day for the Department of Licenses and Inspections. In the event of an emergency, the Contractor will be required to respond to the scene within sixty (60) minutes of contact from the Department of Licenses and Inspections. In event the Department of Licenses and Inspections cannot contact Contractor, the Department of Licenses and Inspections will immediately contact an alternate contractor.

- B. **Basement and First-Floor Levels** - Boarding and securing a vacant building shall include all doors and windows on the basement and first floor levels. **All doors and windows shall be boarded from the outside but secured from inside the property.** If possible and when necessary, boarding may be done from the inside of the building. Upon specific requests, some buildings shall be secured with a hasp and lock. All work is to be done in accordance with the City code and in a satisfactory workman-like manner. All plywood to be mechanically screwed.

All plywood shall be **painted to match color** of building or trim on building. Property numbers shall be stenciled on front and back doors. Back doors only need to be stenciled if there is alleyway access to unit. Stenciling should be neat, uniform, centered on doors and clearly visible in dark coloring (see City Code for additional guidelines).

- C. **Second and Third Floor Levels** - All boarding will be done in the same manner as described for the First Floor, if ordered.
- D. **Garages, Rear Sheds, Etc.** - All garages and rear structures shall be boarded in the same manner as listed for the First Floor, if ordered.
- E. **Cleaning Interiors** - For vacant buildings, the Contractor shall clean the interiors of the buildings, which shall include all floor levels and the basement, or as specified by the Department of Licenses and Inspections. The Contractor shall be required to remove all trash, debris, combustible materials, and discarded furniture from the buildings. All materials and items removed shall be photographed or video taped and or inventoried to ensure against liability, if ordered.
- F. Upon specific written requests, the Contractor shall post signs, to be supplied by the Department of Licenses and Inspections.
- G. Removal of any trash, debris and discarded furniture, shall include the removal of these items from the premises and transportation to an appropriate dumping area in accordance with City and/or County requirements, if ordered.
- H. **OSB or flake board shall not be used** in the boarding of any structure. The Contractor will install a minimum of ½" plywood to be secure mechanically with screws.

II. Vacant Lots - Front and Rear Yards

- A. **Trash Clearance** - The Contractor shall be required to remove all trash, debris, abandoned furniture and any other unsightly material from vacant lots, including front and rear yards of vacant structures. All materials and items removed shall be photographed or video taped and or inventoried to ensure against liability. All materials shall be transported from the site to an approved disposal site with each individual disposal receipt attached to each invoice.

Do not allow structural alteration, repair or replacement to the building or heavy equipment in rear yards for trash or debris removal, grading purposes, etc.

- B. Cutting Grass (Seasonal) - On a seasonal basis, work orders will be issued to require that grass and weeds be cut on all vacant lots and/or buildings and shall include some front and rear yards when necessary.
- C. Erect and Post Signs - Upon specific written requests, the Contractor shall erect and/or post signs on vacant lots indicating no trespassing.
- D. The City shall furnish all metal signs and posts, lock boxes and related materials when Contractor is required to erect no trespassing signs as mentioned under sections I. B and II.C.
- E. When needed, Contractor will be responsible for the erection of barriers and fencing of lots.

III. Snow Removal (Seasonal)

- A. The Contractor shall be required to remove snow from front steps, pavements, and/or walkways of properties within 24 hours after the snow ceases to fall. The City will issue work orders containing the specific addresses, streets, etc., of properties where snow shall be removed. Snow removal shall be performed by the use of the appropriate equipment or a chemical substance. The Contractor shall stack and/or remove all snow as not to prevent safe passage by pedestrians.

IV. Partial Demolition

- A. A Contractor shall be required to conduct selective demolition assignments where necessary (rear additions and sheds). All selective demolition will have to conform to City of Wilmington requirements for demolition.

Questions call: Jessica Ramos-Velazquez,
Code Enforcement Supervisor
Department of Licenses and Inspections
(302) 576-3037

Cynthia Ferguson, Code Enforcement Administrator
Department of Licenses and Inspections
(302) 576-3096

V. Emergency Calls/Work Orders

All calls or request between the hours of Monday to Friday (4:30 p.m. to 8:30 a.m., Saturdays/Sundays/Holidays, all days).

Non-Emergency Calls/Work Orders

All calls or request between the hours of Monday to Fridays (8:30 a.m. to 4:30 p.m.)



City of Wilmington DBE Program and Bidders Requirements

DBE PROCUREMENT PROGRAM

Responsibilities of the Equal Opportunity/Contract Compliance Office (EO/CCO) are assumed by the City of Wilmington's Small, Minority Business Enterprise Office (SMBEO) in the Mayor's Office of Economic Development. The City of Wilmington has established laws and procedures to increase accessibility of contracting opportunities for small and minority businesses. The EO/CCO authority derives from Chapter 35, Article IV of the Wilmington City Code. This section of the Code addresses Equal Opportunity in Employment and City Contracts.

Mayor's Office of Economic Development/SMBEO
800 North French Street, 3rd Floor, Wilmington, DE 19801
(302) 576-2121 (Office) • (302) 571-4326 (Fax)
www.wilmingtonde.gov

DISADVANTAGED BUSINESS PROGRAM

In the performance of this contract, the contractor agrees to provide the information as described herein and to make its best efforts to include one or more types of disadvantaged businesses as subcontractors.

A Disadvantaged Business Enterprise means a business that is at least fifty-one percent (51%) owned and controlled by one or more socially disadvantaged individuals who, in fact, control the management and daily business operations of the business.

"Disadvantaged Individuals" are those who have been actual victims of discriminatory practices or individuals whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business who are not so disadvantaged.

In determining the degree of diminished credit and capital opportunities, the City may consider, but shall not be limited to, reviewing the assets and net worth of disadvantaged individuals and disadvantaged businesses.

For purposes of determining the disadvantage in competing for City contracts, there shall be a presumption of economic disadvantage if an individual's net worth, exclusive of up to one hundred and fifty thousand dollars (\$150,000.00) of equity in his or her primary residence, is less than five hundred thousand dollars (\$500,000.00). The City may, in the administration of its programs, direct its assistance toward those economically disadvantaged individuals who are among the chronically unemployed and may identify demographic subgroups of disadvantaged individuals identified by race or national origin whenever current, verifiable local statistics confirm the existence of unemployment rates among such individuals that are more than fifty (50) percent above the prevailing overall unemployment rate statewide.

All contractors doing business with the City shall show good faith efforts to obtain minority and other disadvantaged subcontracting businesses' participation. Good faith efforts shall be evidenced by listing each disadvantaged business enterprise (DBEs) contacted, showing the name and address of each, the names of contact persons, telephone numbers, sources used to identify DBEs, methods used to make contact, dates firms were contacted, responses, dates responses were received, type of subcontract, reasons for rejection if the firm is not used, and estimated value of each subcontract, through completion of the City's Form DBE-1.

The federal set-aside program requirements for any applicable federally funded contract are fully applicable to the City of Wilmington, such that contractors will be subject to federal penalties of non-compliance if a contract or any subcontract awarded involves the federal set-aside program and the contractor fails to meet its requirements as to that program.

GOAL STATEMENT PROVISION FOR DISADVANTAGED BUSINESS PARTICIPATION

In order to expand opportunities and insure fair participation for disadvantaged individuals and businesses in its construction, goods and services and professional service contracts, the City has set purchasing goals for its fiscal year 1991 in each of these three procurement categories. Except to the extent that the Director of the Minority Business Office determines otherwise, such as for utilities, telephone, etc., the City shall endeavor to achieve, and shall require evidence of good faith efforts by bidders and contractors to achieve the goals of contracting with disadvantaged individuals or disadvantaged businesses for the following percentages of the total dollar amount of each contract in these three purchasing categories:

1. A goal of 20% for all construction contracts;
2. A goal of 10% for all professional service contracts; and
3. A goal of 5% for all goods and other contracts.

Notes:

1. If the contractor customarily performs the work required in any subcontracting category by workers regularly employed by the contractor in his own organization, the contractor does not have to try to subcontract such work to others solely to comply with the DBE requirements. In such cases, however, the contractor shall clearly note this fact on the applicable DBE form(s), and the burden of proof shall be on the contractor to demonstrate the accuracy thereof upon inquiry by the City.
2. Female-owned businesses do **not**, per se, qualify as DBEs.
3. Questions regarding the DBE program and directory should be directed to the City's EEO/Contractor Compliance Office at (302) 576-2121.

ADDITIONAL GOOD FAITH EFFORT (CHANGES TO Chapter 35 of the City Code)

Ordinance No. 09-057, effective December 1, 2009, requires the following DBE changes within the "Good Faith Efforts" in bidding regarding disadvantaged business enterprises (DBE's).

Subcontractors Listing

Identify all subcontractors that the bidder plans to utilize as well as listing the amount of money that will be paid to each of the subcontractors as part of the contract

DBE Replacement

Contractors are further required to make good faith efforts to replace any disadvantaged business enterprise ("DBE") that is terminated or has otherwise failed to complete its work on a contract. In such situations, the general contractor shall be required to notify immediately the City's DBE Office and provide reasonable documentation regarding any DBE's inability or unwillingness to perform the contracted work. The City's DBE Office shall require the general contractor to obtain prior approval for the DBE that will be used as a substitute, and the general contractor must provide copies of new or amended subcontracts along with documentation of the good faith efforts made in acquiring the substitute DBE.

DBE Payment

General contractors shall pay all correct invoices for the completed work of any DBE subcontractor within 10 days of receipt by the prime contractor of payment by the City. Noncompliance with this section shall subject the general contractor to penalties as provided in Section 35-135(e).

The ordinance further provides administrative additional penalties for noncompliance in addition to the penalties already provided for in the Ordinance:

1. Suspension of contract;
2. Withholding of contract funds;
3. Termination of contract based on material breach;
4. Refusal to accept a future bid; and
5. Disqualification from eligibility for providing goods or services to the City for a period not to exceed 2 years.

DBE FORMS

Contractors must file with the City, as applicable, the City's DBE Forms as follows:

1. ***DBE-1:** A listing of the subcontractors included in the bid, by which a bidder acknowledges having read the DBE goal provisions in Attachment 1 and states that the bidder will expend a percentage of the dollar amount of the contract for DBE subcontractors, if any.
2. ***DBE-2:** A listing of the subcontractors and other information to provide evidence of good faith efforts to include DBE's in subcontracts. This form must be completed and submitted with the bid, regardless of the level of DBE participation.
3. ***DBE-3:** DBE verification form stating the ownership information regarding any business seeking to qualify as a City-certified DBE, if not listed in DBE Directory.
4. **DBE-4:** A DBE contract participation report requiring that the general contractor submit a report regarding DBE contract participation at the time the contract is entered into, when 50% and when 100% of each DBE subcontractor's portion of the construction project has been completed.
5. ***DBE-5:** A listing of ***ALL subcontractors*** to be utilized on the contract. This form must be completed and submitted with the bid, regardless of the level of DBE participation.

FEDERAL Dollars involved in City Contracts:

A DBE Utilization form(s), including reference to minority business enterprise participation if a federal program is involved, and an indication as to whether a disadvantaged business enterprise (DBE) status is claimed. These EPA (DBE Forms 6100-3 & 6100-4) forms are required by both the SRF and EPA Grant funding programs.

If you need additional information on the DBE Program or assistance completing the DBE Forms, please contact the office by one of the following methods:

Email: smbeo@wilmingtonde.gov

Phone: (302) 576-2121

Address: Small, Disadvantage Business Enterprise Office (SMBEO)
Mayor's Office of Economic Development
Louis L. Redding Building, 3rd Floor
800 North French Street
Wilmington, DE 19801
www.wilmingtonde.gov

*Mandatory to be submitted back with Bid Documents.

EFFORTS TO OBTAIN DBE SUBCONTRACTORS DBE FORM 1 – DBE FORM 2 EXPLANATION

[NOTE: DBE FORM-2 MUST BE COMPLETED BY ALL BIDDERS REGARDLESS OF THE LEVEL OF PARTICIPATION OF DBEs IN THE BID.]

All contractors doing business with the City are required to show good faith efforts to obtain DBE subcontracting businesses' participation. The burden is on the bidder to evidence such good faith efforts by means of the information required on this page. Failure to complete this form and/or failure to make good faith efforts to obtain DBE participation are grounds for rejecting any bid. Further, bidders are expected to make such good faith efforts to obtain DBE participation in connection with each and every subcontract, if any. The City's goals for DBE participation are listed on Attachment 1 to this form. These goals are not set-aside requirements, but they are the overall goals which the City is endeavoring to achieve through the disadvantaged business program. Each person or firm who or which submits a bid for City contracts is expected to demonstrate good faith efforts by actively and aggressively seeking out DBE participation in the contract to the maximum extent, to meet the City's goals, given all relevant circumstances, and shall complete all forms and follow guidelines as required by the Minority Business Office. The following are examples of the kinds of efforts that may be taken but are not deemed to be exclusive or exhaustive and the City's Minority Business Office may consider other factors and types of efforts that may be relevant:

1. Efforts made to select part of the work to be performed by DBEs in order to increase the likelihood of achieving the City's goal for that type of contract. Selection of parts of the work should at least equal the City's goal for DBE participation in that type of contract.
2. Written notification, at least ten (10) days prior to the opening of a bid, soliciting individual DBEs interested in participation in the contract as a subcontractor and for specific items of work.
3. Efforts made to negotiate with DBEs for specific items of work as detailed below and whether initial contacts to solicit DBE participation were followed up to determine with certainty whether DBEs were interested. A description of information provided to DBEs regarding plans and specifications and estimated quantities for parts of the work to be performed. A statement of why additional agreements with DBEs were not reached. Documentation of each DBE contacted but rejected and the reasons for the rejection.
4. Documentation that DBEs are not available or not interested.
5. Advertisements in general circulation media, trade association publications, and DBE media of interest in utilizing DBEs and specific areas of interest.
 - a. Efforts to use effectively the services of organizations that provide assistance in recruitment and placement of DBEs.
 - b. Whether the bidder selected portions of the work to be performed by DBEs in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the bidder might otherwise perform these work items with its own forces.

DBE FORM 3 – DBE FORM 4 – DBE FORM 5 EXPLANATION

DBE FORM 3

DBE-3: DBE verification form stating the ownership information regarding any business seeking to qualify as a City-certified DBE.

- This form must be submitted back with the bid when the contractor is working with a company who they believe to be eligible for the City of Wilmington's DBE Program. The SMBEO Office reserves the right to determine the eligibility and verification of eligibility for the firm listed on DBE Form 3.
- The burden is on the bidder to evidence such good faith efforts by means of providing the contact information for the DBE firm listed on the DBE Form 3. If a firm is determined to be an eligible DBE firm, the total dollar value of the participation by the DBE will be counted toward the contract requirement. The total dollar value of participation by a certified DBE will be based upon the value of work actually performed by the DBE and the actual payments to DBE firms by the Contractor.
- Failure to complete the DBE 3 form and/or failure to make good faith efforts to obtain DBE participation are grounds for rejecting any bid.

DBE FORM 4

DBE-4: DISADVANTAGED BUSINESS ENTERPRISE – CONTRACT PARTICIPATION REPORT

- The Contractor shall provide the DBE Office with an accounting of payments made to Disadvantaged Business Enterprise firms, including material suppliers, contractors at all levels (prime, subcontractor, or second tier subcontractor). This accounting shall be furnished to the DBE Office when the contract is entered into by the general contractor and the subcontractor, when 50% and when 100% of each DBE subcontractor's portion of a project has been completed. Failure to submit this information accordingly may result in the following action or other action as deemed by the City:
 1. Withholding of money due in the next partial pay estimate; or
 2. Contractor may be disqualified from further bidding for a period as designated.

DBE FORM 5

DBE-5 SUBCONTRACTORS' REPORT

- The Contractor shall provide the DBE Office with a listing of ALL sub contractors to be entered into contract with this bid. DBE subcontractor'(s) are not to be listed on this form but on form DBE #1 (Ord. 09-057).
- Failure to complete the required Subcontractor's form (DBE Form 5) will be grounds for the disqualification of such bid as being a responsive bid.

To Be Submitted with Bid

CONTRACT: _____

FORM DBE-1
(Rev. 10/09)

Failure to submit this completed form will be cause for rejection of your proposal

Bidder acknowledges that he has read the D.B.E. goal provisions of the City for this fiscal year and that bidder will expend the dollar amount of the contract for D.B.E. subcontractors through the use of the following disadvantaged business enterprises, subject to the certification by the City, as subcontractors and that Bidder has made good faith efforts* as evidenced by its listing of disadvantaged businesses that were contacted as detailed herein and on the following pages. (Must be completely filled out.)

**CITY OF WILMINGTON
DISADVANTAGED BUSINESS ENTERPRISE ("D.B.E.")
SUBCONTRACTOR LISTING**

DBE Firm Name IRS Numbers	Mailing Address & Contact Number	Type of Service	Dollar Amount of Contract
Total Dollar Amount to be Expended for Disadvantaged Business Enterprises			
Total Amount of Contract			
Percentage of Contract used for D.B.E.			

Name of Authorized Official of Bidder

Title

Company

*Good faith efforts shall be evidenced by listing each and every disadvantaged business enterprise (DBEs) contacted, showing the name and address of each, the names of contact persons, telephone numbers, sources used to identify DBEs, methods used to make contact, dates firms were contacted, responses, dates responses were received, type of subcontract, reasons for rejection, and estimated value of subcontract.

To Be Submitted with Bid

CONTRACT: _____

FORM DBE-2
(Rev. 10/09)

Failure to submit this completed form will be cause for rejection of your proposal

DBE Firm Name/Address	Contact Person(s) Email or Phone Number	Dates Contacted Initially and in Follow Up Methods Used	Type of Subcontractor plus Estimated Value	Reason for Rejection (If Firm Not Used) (If Bid "Too High" Also Indicate Value)
1.				
			\$	
2.				
			\$	
3.				
			\$	

Were advertisements placed in general circulation media, trade association publications, and DBE media interested in DBE participation? If so, state details of the advertisement. If not, state why not.

What efforts were made to use the services of organizations that provide assistance in recruitment and placement of DBEs?

The following are examples of actions that may **not** be used as justification by the contractor or bidder for failure to meet DBE participation goals:

1. Failure to contract with a DBE solely because the DBE was unable to provide performance and/or payment bonds.
2. Equipment idled by contract with DBE.
3. Rejection of a DBE because of its union or non-union status.

If more DBE firms have been contacted, please list with supplemental form(s) on additional pages.

To Be Submitted with Bid if DBE is not listed in City DBE Directory

CONTRACT: _____

FORM DBE-3
(Rev. 10/09)

Failure to submit this completed form will be cause for rejection of your proposal

**CITY OF WILMINGTON
DISADVANTAGED BUSINESS REGISTRATION VERIFICATION FORM**

1.	NAME:		
2.	ADDRESS:		
3.	PHONE:	PRODUCT OR SERVICE LINE:	
4.	TYPE OF FIRM: <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> Other _____		
5.	EMAIL:		
6.	DATE OF ORIGINATION OF FIRM:	EMAIL:	
7.	BUSINESS LICENSES HELD:	City:	State: Other:
8.	DISADVANTAGED OWNERSHIP OF FIRM:		
	NAME	OWNERSHIP % OF FIRM	DISADVANTAGED BUSINESS
a.			
b.			
c.			
d.			
e.			
f.			
9.	NON-DISADVANTAGED OWNERSHIP OF FIRM:		
	NAME	OWNERSHIP % OF FIRM	
a.			
b.			
c.			
d.			
e.			
f.			
8.	I hereby certify that the information above is true and complete to the best of my knowledge and belief, and that I have been duly authorized to make this certification on behalf of the firm.		

NAME (printed) _____

SIGNATURE _____

DATE _____

TITLE _____

FOR OFFICE USE ONLY

DATE RECEIVED: _____
DATE APPROVED: _____
INFORMATION VERIFIED: _____

The General Contractor is required to submit this Compliance Report to the Disadvantaged Business Development Officer, City/County Building, 3rd Floor, 800 French Street, Wilmington, Delaware 19801, when the contract is entered into by the general contractor and the subcontractor, when 50% and when 100% of each DBE subcontractor's portion of a construction project has been completed.

DISADVANTAGED BUSINESS ENTERPRISE
CONTRACT PARTICIPATION REPORT

1. Contract No. _____ Amount of Contract \$ _____
2. Name of General Contractor: _____
3. Address: _____
4. E-Mail Address: _____
5. The above-named contractor intends to fulfill its commitment to expend \$ _____
(____%), of its contract with Disadvantaged Business Enterprises ("DBEs"). The following year-to-date expenditure(s) has been made with a DBE Subcontractor(s):

Name/Address of DBE Subcontractor	Nature of Participation	Dollar Value/Percent of Participation	Dollar Amount Expended to Date
1.			
2.			
3.			

CONTRACT COMPLETION DATE: _____

General Contractor _____

Name of Authorized Officer _____

Date _____

DBE Subcontractor _____

Signature of Authorized Officer _____

Date _____

Office Use Only (Prime)
Payment Received: _____ Amount: _____ Date: _____ Payment Received: _____ Amount: _____ Date: _____

City of Wilmington _____

Date _____

Contract Compliance Officer's Name _____

City of Wilmington _____

Date _____

Contract Compliance Officer's Signature _____

CONTRACT: _____

FORM DBE-5
(Rev. 10/09)

Failure to submit this completed form will be cause for rejection of your proposal

**CITY OF WILMINGTON
SUBCONTRACTOR LISTING**
(Do not include DBE Firms to be utilized)

Subcontractor Name IRS Numbers	Mailing Address Contact Number or Email	Type of Service	Dollar Amount of Contract
Total Dollar Amount to Non-Disadvantaged Business Enterprises			
Total Amount of Contract			

Bidder acknowledges that he has identified all sub contractors that will be utilized as well as listing the amount of money that will be paid to each of the subcontractors as part of the contract (use additional pages if necessary).

Name of Authorized Official of Bidder

Title

Company

Date

PROPOSAL FORM
VACANT PROPERTY SERVICES

DATE: _____

CONTRACT #: 20003LI

Our City of Wilmington Business License number is _____.

This proposal is submitted with the knowledge that the Department of Finance, Division of Procurement and Records, reserves the right to reject any and all proposals when, in its judgment, it is in the best interest of the City of Wilmington. **The department will only pay labor cost for those employees identified by the inspector as working on the jobsite.**

Emergency Rates

(Between the hours of Monday to Friday, 4:30 p.m. to 8:30 a.m., Saturdays/Sundays/ Holidays).

Item 1. Total Labor Costs (1 Foreman and 1 Laborer):	\$ _____
Item 2. Total Equipment Costs (1 Dump Truck):	\$ _____
Item 3. Total Material Cost	\$ _____
Item 4. Chain Link Fencing and Posts	\$ _____
Item 5. Dumping Fees and Permits	\$ <u>8,000.00</u>

General Property Maintenance Rates Non-Emergency

(Between the hours of Monday to Friday, 8:30 a.m. to 4:30 p.m.)

Item 1. Total Labor Costs (1 Foreman and 1 Laborer):	\$ _____
Item 2. Total Equipment Costs (1 Dump Truck):	\$ _____

GRAND TOTAL (the low bidder selected from this amount): \$ _____

FIRM: _____

Corporation/Partnership/Individual

PER: _____

Name (Typed or Printed)

TITLE: _____

ADDRESS: _____

FED. ID NUMBER: _____

PHONE NUMBER: _____

FAX NUMBER: _____

EMAIL: _____

EMERGENCY RATES

ITEM 1 – LABOR (These hourly rates are for straight time only; no overtime will be accepted)

1 Foreman

Foreman pay for one (1) hour \$ _____ x 800 hours = \$ _____
1 hour pay Total Hours Total Pay Foreman

1 Laborer

Laborer pay for one (1) hour \$ _____ x 800 hours = \$ _____
1 hour pay Total Hours Total Pay Laborer

TOTAL ITEM #1 - TOTAL COST LABOR: \$ _____

ITEM 2 - EQUIPMENT

1 Dump Truck - \$ _____ x 300 hours = \$ _____
1 hour Cost/Truck Total Hours Total Cost/Truck

TOTAL ITEM #2 - TOTAL COST EQUIPMENT: \$ _____

ITEM 3 - MATERIALS

a. 500 (max.) Sheets 4' x 8' x 1/2" thick (min.) x \$ _____ = \$ _____
Cost Per Sheet

b. Stenciling materials \$ 1,000.00

TOTAL ITEM #3 - TOTAL COST MATERIALS: \$ _____

Note: Contractor to have a minimum of 15 sheets of plywood in inventory at all times.

ITEM 4 – CHAIN LINK FENCING AND POSTS

a. Furnish and install 400 Lin/Ft of 6'-0" Chain Link Fencing and Posts \$ _____
b. Gates \$500.00

TOTAL ITEM #4 - TOTAL COST FENCING/POSTS/GATE \$ _____

ITEM 5 - DUMPING FEES AND PERMITS

\$ 8,000.00 (total amount pre-determined)

TOTAL ITEM #5 - TOTAL COST FEES/PERMITS: \$ 8,000.00

NOTE TO BIDDERS: Insert subtotals for all four sections on Page 1 and add to get grand total for this contract. Maximum amounts used for bidding purposes only.

GENERAL PROPERTY MAINTENANCE RATE
(Non-Emergency)

ITEM 1 – LABOR (These hourly rates are for straight time only; no overtime will be accepted)

1 Foreman

Foreman pay for one (1) hour \$ _____ x 900 hours = \$ _____
1 hour pay Total Hours Total Pay Foreman

1 Laborer

Laborer pay for one (1) hour \$ _____ x 900 hours = \$ _____
1 hour pay Total Hours Total Pay Laborer

TOTAL ITEM #1 - TOTAL COST LABOR: \$ _____

ITEM 2 - EQUIPMENT

1 Dump Truck – \$ _____ x 500 hours = \$ _____
1-hour Cost/Truck Total Hours Total Cost/Truck

TOTAL ITEM #2 - TOTAL COST EQUIPMENT: \$ _____

The BIDDER acknowledges receipt of Addendum and or Addenda No. _____, No. _____,
No. _____, No. _____ prior to submitting a bid on this Contract.

**PROPOSAL FORM
VACANT PROPERTY SERVICES**

DATE: 4/21/19

CONTRACT #: 20003LI

Our City of Wilmington Business License number is 9667

This proposal is submitted with the knowledge that the Department of Finance, Division of Procurement and Records, reserves the right to reject any and all proposals when, in its judgment, it is in the best interest of the City of Wilmington. **The department will only pay labor cost for those employees identified by the inspector as working on the jobsite.**

Emergency Rates

(Between the hours of Monday to Friday, 4:30 p.m. to 8:30 a.m., Saturdays/Sundays/ Holidays).

Item 1. Total Labor Costs (1 Foreman and 1 Laborer):	\$ <u>20,000</u> <i>21,000</i>
Item 2. Total Equipment Costs (1 Dump Truck):	\$ <u>4,050</u>
Item 3. Total Material Cost	\$ <u>14,250</u>
Item 4. Chain Link Fencing and Posts	\$ <u>1,300</u>
Item 5. Dumping Fees and Permits	\$ <u>8,000.00</u>

48,600

General Property Maintenance Rates Non-Emergency

(Between the hours of Monday to Friday, 8:30 a.m. to 4:30 p.m.)

Item 1. Total Labor Costs (1 Foreman and 1 Laborer):	\$ <u>22,050</u>
Item 2. Total Equipment Costs (1 Dump Truck):	\$ <u>5,750</u>

27,800

GRAND TOTAL (the low bidder selected from this amount): \$ 75,400

76,400

FIRM: R & A Contractors, LLC
Corporation/Partnership/Individual
PER: Jimmie L Wilkerson
Name (Typed or Printed)
TITLE: President
ADDRESS: 230 N Franklin Street
Wilmington, DE 19805
FED. ID NUMBER: _____
PHONE NUMBER: 302-669-7144
FAX NUMBER: _____
EMAIL: jimmiewilkerson68@yahoo.com

EMERGENCY RATES

ITEM 1 – LABOR (These hourly rates are for straight time only; no overtime will be accepted)

1 Foreman

Foreman pay for one (1) hour \$ 14.25 x 800 hours = \$ 11,400 ✓
1 hour pay Total Hours Total Pay Foreman

1 Laborer

Laborer pay for one (1) hour \$ 12.00 x 800 hours = \$ 9,600 ✓
1 hour pay Total Hours Total Pay Laborer

TOTAL ITEM #1 - TOTAL COST LABOR: \$

20,000 21,000

ITEM 2 - EQUIPMENT

1 Dump Truck - \$ 13.50 x 300 hours = \$ 4,050
1 hour Cost/Truck Total Hours Total Cost/Truck

TOTAL ITEM #2 - TOTAL COST EQUIPMENT:

\$ 4,050 ✓

ITEM 3 - MATERIALS

a. 500 (max.) Sheets 4' x 8' x ½" thick (min.) x \$ 26.50 = \$ 13,250 ✓
Cost Per Sheet

b. Stenciling materials

\$ 1,000.00 ✓

TOTAL ITEM #3 - TOTAL COST MATERIALS:

\$ 14,250 ✓

Note: Contractor to have a minimum of 15 sheets of plywood in inventory at all times.

ITEM 4 – CHAIN LINK FENCING AND POSTS

a. Furnish and install 400 Lin/Ft of 6'-0" Chain Link Fencing and Posts

\$ 800.00 ✓

b. Gates

\$ 500.00 ✓

TOTAL ITEM #4 - TOTAL COST FENCING/POSTS/GATE

\$ 1,300 ✓

ITEM 5 - DUMPING FEES AND PERMITS

\$ 8,000.00 (total amount pre-determined)

TOTAL ITEM #5 - TOTAL COST FEES/PERMITS:

\$ 8,000.00 ✓

NOTE TO BIDDERS: Insert subtotals for all four sections on Page 1 and add to get grand total for this contract. Maximum amounts used for bidding purposes only.

\$ 48,600

GENERAL PROPERTY MAINTENANCE RATE
(Non-Emergency)

ITEM 1 – LABOR (These hourly rates are for straight time only; no overtime will be accepted)

1 Foreman

Foreman pay for one (1) hour \$ 13.25 x 900 hours = \$ 11,925 ✓
1 hour pay Total Hours Total Pay Foreman

1 Laborer

Laborer pay for one (1) hour \$ 11.25 x 900 hours = \$ 10,125 ✓
1 hour pay Total Hours Total Pay Laborer

TOTAL ITEM #1 - TOTAL COST LABOR: \$ 22,050 ✓

ITEM 2 - EQUIPMENT

1 Dump Truck – \$ 11.50 x 500 hours = \$ 5,750 ✓
1-hour Cost/Truck Total Hours Total Cost/Truck

TOTAL ITEM #2 - TOTAL COST EQUIPMENT: \$ 5,750 ✓

The BIDDER acknowledges receipt of Addendum and or Addenda No. PF-1, No. PF-2,
No. PF-3, No. PF-4 prior to submitting a bid on this Contract.

22,800 ✓

To Be Submitted with Bid

CONTRACT: 20003LI

FORM DBE-1
(Rev. 10/09)

Failure to submit this completed form will be cause for rejection of your proposal

Bidder acknowledges that he has read the D.B.E. goal provisions of the City for this fiscal year and that bidder will expend the dollar amount of the contract for D.B.E. subcontractors through the use of the following disadvantaged business enterprises, subject to the certification by the City, as subcontractors and that Bidder has made good faith efforts* as evidenced by its listing of disadvantaged businesses that were contacted as detailed herein and on the following pages. (Must be completely filled out.)

CITY OF WILMINGTON DISADVANTAGED BUSINESS ENTERPRISE ("D.B.E.") SUBCONTRACTOR LISTING

D.B.E. Firm Name IRS Number	Mailing Address & Contact Number	Type of Service	Dollar Amount of Contract
R & A Contractors, LLC 222-58-4292	230 N Franklin Street, Wilm, DE 19805 (302) 669-7144	ALL	
Total Dollar Amount to be Expended for Disadvantaged Business Enterprises			
Total Amount of Contract			
Percentage of Contract used for D.B.E.			

Jimmie L Wilkerson	President
Name of Authorized Official of Bidder	Title
R & A Contractors, LLC	
Company	

*Good faith efforts shall be evidenced by listing each and every disadvantaged business enterprise (DBEs) contacted, showing the name and address of each, the names of contact persons, telephone numbers, sources used to identify DBEs, methods used to make contact, dates firms were contacted, responses, dates responses were received, type of subcontract, reasons for rejection, and estimated value of subcontract.

To Be Submitted with Bid

CONTRACT: 20003LI

FORM DBE-2
(Rev. 10/09)

Failure to submit this completed form will be cause for rejection of your proposal

DBE Firm Name/Address	Contact Person(s) Email or Phone Number	Date Contacted Initially and in Follow-Up Methods Used	Type of Subcontractor plus Estimated Value	Reason for Rejection (If Firm Not Used) (If Bid To High Also Indicate Value)
1. R & A Contractors, LLC 230 N Franklin Street Wilmington, DE 19805	Jimmie Wilkerson (302) 669-7144 jimmiewilkerson68@yahoo.com		\$	
2.			\$	
			\$	
3.			\$	
			\$	

Were advertisements placed in general circulation media, trade association publications, and DBE media interested in DBE participation? If so, state details of the advertisement. If not, state why not.

What efforts were made to use the services of organizations that provide assistance in recruitment and placement of DBEs?

The following are examples of actions that may **not** be used as justification by the contractor or bidder for failure to meet DBE participation goals:

1. Failure to contract with a DBE solely because the DBE was unable to provide performance and/or payment bonds.
2. Equipment idled by contract with DBE.
3. Rejection of a DBE because of its union or non-union status.

If more DBE firms have been contacted, please list with supplemental form(s) on additional pages.

To Be Submitted with Bid if DBE is not listed in City DBE Directory

CONTRACT: 20003LI

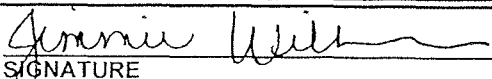
FORM DBE-3
(Rev. 10/09)

Failure to submit this completed form will be cause for rejection of your proposal

**CITY OF WILMINGTON
DISADVANTAGED BUSINESS REGISTRATION VERIFICATION FORM**

1.	NAME: R & A Contractors, LLC		
2.	ADDRESS: 230 N Franklin Street, Wilmington, DE 19805		
3.	PHONE: 302-669-7144	PRODUCT OR SERVICE LINE:	
4.	TYPE OF FIRM: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> Other		
5.	EMAIL: jimmiewilkerson68@yahoo.com		
6.	DATE OF ORIGATION OF FIRM:	EMAIL:	
7.	BUSINESS LICENSES HELD:	City:	State: Other:
8.	DISADVANTAGED OWNERSHIP OF FIRM:		
	NAME	OWNERSHIP % OF FIRM	DISADVANTAGED BUSINESS
a.			
b.			
c.			
d.			
e.			
f.			
9.	NON-DISADVANTAGED OWNERSHIP OF FIRM:		
	NAME	OWNERSHIP % OF FIRM	
a.			
b.			
c.			
d.			
e.			
f.			
8.	I hereby certify that the information above is true and complete to the best of my knowledge and belief, and that I have been duly authorized to make this certification on behalf of the firm.		

Jimmie L Wilkerson
NAME (printed)
4/21/2019
DATE


SIGNATURE
President
TITLE

FOR OFFICE USE ONLY

DATE RECEIVED: _____
DATE APPROVED: _____
INFORMATION VERIFIED: _____



City of Wilmington
Department of Licenses & Inspections

OFFICE OF THE COMMISSIONER

Wilmington, Delaware 19801

MEMO

To: Brett Taylor, Director of Finance
From: Jeffrey J. Starkey, Commissioner
Date: June 24, 2019
Re: Vacant Property Services Contract Award LI20003

Please be advised that the department of Licenses and Inspections has reviewed the proposals from the bidders of the referenced contract. We have determined that R & A Contractor's, LLC. (76,400.00) is the lowest responsible bidder and therefore should be awarded the contract.

If you should have any questions or need additional information, please do not hesitate to call me at ext. 3059.

CC: Tanya Washington
Philip Ceresini

CERTIFICATE OF AWARD OF CONTRACT

I hereby certify that Contract No. 20003LI is on this 24th of June 2019 awarded to R & A Contractors, LLC in the amount of \$76,400.00 as per Proposal dated 4/21/19 and that this award is made in compliance with Wilm. Code (Charter), Section 8-200, to wit:

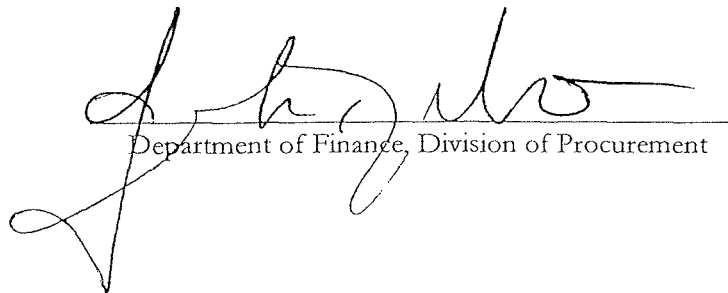
1. Plans and specifications for the work, supplies, or materials were filed with the Department of Finance, Division of Procurement and Records for public inspection on 4/4/19.
2. The advertisement calling for sealed bids on this contract was published in the News Journal on 4/4/19 stated that bids would be opened at 3:00 p.m. on 4/23/19
3. All sealed bids received were publicly opened in the office of the Department of Finance, Division of Procurement and Records in the presence of the City Auditor and Department not represented desiring to make the purchase at 3:00 p.m. on 4/23/19. Other persons present at the opening of the bids were: Phil Ceresini & Yvette Johnson.
4. Bids were submitted by the following contractors in the following amounts:

Contractor	Address	Date of Bid	Amount
R & A Contractors, LLC	Wilmington, DE	4/21/19	\$76,400.00

5. City License Number _____

6. Upon recommendation of Department of License & Inspection and after due consideration, I determined that the contractor to whom this award is made was the lowest responsible bidder. In support of this determination I have received the following written recommendations, which are on file at my office:

<u>Author</u>	<u>Employment Position</u>	<u>Date</u>
Jeffery Starkey	Commissioner of License and Inspection	6/24/19



Department of Finance, Division of Procurement

R & A CONTRACTORS, LLC
CERTIFIED COPY OF RESOLUTIONS

I, the undersigned, Secretary of **R & A CONTRACTORS, LLC**, a Delaware Corporation, hereby certify that the following Resolutions excerpted from the Minutes of the Corporation were duly adopted by unanimous consent of the Board of Directors of the Corporation, on the 8th day of **July** 2019.

RESOLVED, that the President, of this Corporation be and he hereby is authorized to execute and deliver on behalf of this Corporation a contract and other contract documents by and between this Corporation and the City of Wilmington, Delaware, Department of Finance, **20003LI "Vacant Property Services"**, for the Contract Price of **\$76,400.00**; and

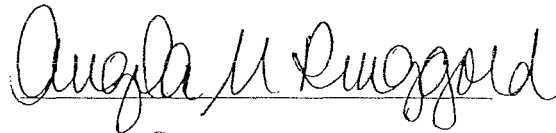
FURTHER RESOLVED, that the Secretary of this Corporation be and she hereby is authorized to attest to the said contract and other documents.

I, further certify that the foregoing Resolutions have not been rescinded or modified and remain in full force ad effect.

I further certify that the following are the names of all qualified to sign for the Corporation:

President:	<u>Jimmie L. Wilkerson</u>
Treasurer:	<u>Jimmie L. Wilkerson</u>
Secretary:	<u>Angela M. Ringgold</u>

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Corporation this 8th day of July 2019 A.D.


Secretary

Delaware

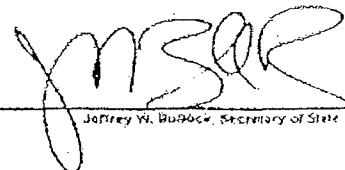
The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "R&A CONTRACTOR'S LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE NINETEENTH DAY OF MARCH, A.D. 2018.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "R&A CONTRACTOR'S LLC" WAS FORMED ON THE TWENTY-SIXTH DAY OF FEBRUARY, A.D. 2009.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.


Jeffrey W. Bullock, Secretary of State

4659810 8300

SR# 20182031997

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 202352604

Date: 03-19-18



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/25/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT NAME: Stephanie Dunfee	
Drass Insurance Agency, Inc.		PHONE (A/C, No. Ext): (302) 998-1331	FAX (A/C, No.): (302) 998-2802
205 N. James Street		E-MAIL: stephanie@drassinsurance.com	
Newport DE 19804		INSURER(S) AFFORDING COVERAGE	
INSURED		INSURER A: WILMINGTON INSURANCE COMPANY	
R & A Contractors LLC		INSURER B:	
230 N Franklin Street		INSURER C:	
Wilmington DE 19805		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBH WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	X		GL100018401-4	11/18/2018	11/18/2019	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (EA occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT <input type="checkbox"/> LOC						PRODUCTS - COMPIOP AGG \$ 2,000,000
	OTHER:						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (EA accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH. FR
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Wilmington is listed as additional insured

CERTIFICATE HOLDER

CANCELLATION

City of Wilmington
800 French Street

Wilmington

DE 19801

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Stephanie Dunfee

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----- C O N T R A C T -----

THIS AGREEMENT made the 8th day of July in the year Two Thousand Nineteen and between the City of Wilmington, a municipal corporation of the State of Delaware, acting through the agency of the Department of Finance, Division of Procurement and Records, party of the first part (hereinafter designated the Owner), and R & A Contractors, LLC party of the second part (hereinafter designated the Contractors)

WITNESSETH, that the Contractor, in consideration of agreements herein made by the Owner, agrees with the Owner as follows:

Article 1. The Contractor shall and will furnish and deliver per specifications, on contract 20003LI "Vacant Property Services" for the Department of Licenses & Inspections in accordance with Advertisement for Bids by the Department of Finance, Division of Procurement and Records date 4/4/19 and specifications identified as Contract No. 20003LI and by the signatures of the parties hereto, are, together with the said Advertisement for Bids, Instructions to Bidders, Forms of Proposal, and/or other documents pertinent thereto, hereby acknowledge and incorporated into these presents and are to be taken as a part of this Contract.

Article 2. It is understood and agreed by and between the parties hereto that the amount of this Contract is in the amount of Seventy-Six Thousand, Four Hundred-----Dollars and 00/100 (\$76,400.00) as per Proposal dated 4/21/19 to the Department of Finance, Division of Procurement and Records:

Article 3. In the performance of this Contract, the parties agree that they shall not discriminate or harass, or permit discrimination or harassment, against any person because of age sex, martial status, race, religion, color, national origin or sexual orientation.

Article 4. This Agreement shall bind the heirs, executors, administrators, successors and assigns to the respective parties hereto.

In witness whereof the party of the first part has, by recommendation of the **Commissioner of License & Inspections**, caused the hand of **Michael S. Purzycki**, Mayor, and the corporate seal of the City of Wilmington, attested by the City Clerk, to be hereunto affixed; and the party of the second part has caused the hand of its' President, (or his authorized representative) and its' corporate seal, attested by the Secretary or assistant Secretary, to be hereunto affixed.

Dated the day and year first above written in the City of Wilmington, County of New Castle, State of Delaware.

Signed, Sealed and delivered
in the presence of:

THE CITY OF WILMINGTON

Witness

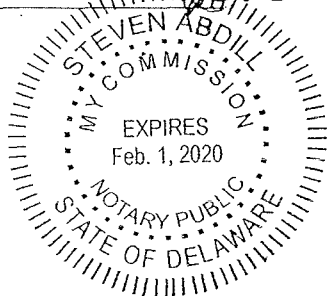
By: _____
Michael S. Purzycki, Mayor

ATTEST:

City Clerk

R&A Contractors, LLC

Witness



By: _____
President (Seal)

ATTEST:

Secretary

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE REGARDING THE INSPECTION OF STATE OF DELAWARE TAX RETURNS BY THE CITY OF WILMINGTON

#4699

Sponsor:

**Council
Member
Freel**

Co-Sponsor:

**Council
President
Shabazz**

WHEREAS, the City of Wilmington (the “City”) is authorized to levy and collect earned income taxes pursuant to 22 *Del. C.* § 901 and *Wilm. C.* § 44-107; and

WHEREAS, to enforce the City’s ability to collect such taxes, the City often seeks information about the taxpayer and the amount of tax remitted to the State of Delaware’s Division of Revenue (the “Division”) to accurately assess how much taxable income a taxpayer has earned; and

WHEREAS, under 30 *Del. C.* § 581, the State of Delaware has certain requirements that must be met by the City to allow the Division to share certain information about individual taxpayers; and

WHEREAS, one of the requirements is that the City must adopt an ordinance requiring (1) that any information obtained from, or as a result of the examination or investigation of, such tax return be kept confidential and used only for collection purposes; and (2) that the City reimburse the Division for costs, if any, of acquiring such information; and

WHEREAS, the City wishes to amend its Code to incorporate the aforementioned requirements so that the City may work with the Division to gain information necessary to adequately ensure that the proper amount of earned income taxes are paid to the City.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON
HEREBY ORDAINS:**

SECTION 1. Chapter 44 of the City Code is hereby amended by amending Section 44-112 thereof to delete the stricken language and to add the underlined language to read as follows:

Sec. 44-112. - Records of taxpayer.

(a) Every person who has paid or from whom there is due or alleged to be due any moneys collectible by the department, and any person upon whom there is imposed any other obligation to collect and remit to the city any such moneys shall:

(a)(1) Preserve and retain his or her books, records, accounts, copies of tax returns filed with other taxing authorities and other data relating thereto for a period of six years after such moneys become collectible or have been collected by the department, whichever is later;

(b)(2) When requested by the department, produce the books, records, accounts, and copies of tax returns filed with other taxing authorities and other data relating thereto, and give to the department the opportunity to make examination of such books, records, accounts, copies, data and any other property owned or controlled by such person in order to verify the accuracy of any report or return made, or if no report or return has been made, to ascertain the amount of tax due.

(e)(b) The director of finance (the "director") may permit the Commissioner of Internal Revenue of the United States, the proper officer of any state, the District of Columbia, or any possession or territory of the United States imposing a tax upon the incomes of individuals, (or) corporations or other artificial business entities, or a financial officer designated by any municipality of this state which imposes an income tax or wage tax, or the authorized representative of any (of) such officers, to inspect the tax return of any taxpayer, and the director may furnish to any such officer, or such officer's authorized representative, an abstract of the tax return of any tax payer or supply such officer or such officer's authorized representative with information contained in any return of such taxpayer or disclosed by the report of any examination or investigation of the income or return of such taxpayer, but only for the purpose of, and only to the extent necessary in, the administration of the tax laws of such other jurisdiction; provided, however, that no such permission shall be granted, and no such information shall be furnished, to any such officer or the officer's authorized representative unless the statutes of such other jurisdiction grant substantially similar privileges to the director or the director's legal representative. No such jurisdiction, or its representative, shall be permitted to examine a taxpayer's return unless such taxpayer shall have a place of residence, business or employment in such jurisdiction, and no jurisdiction or its representative shall be permitted to review any portion of a tax return filed under the authority of this chapter unless the governing body of such jurisdiction shall have adopted an ordinance requiring:

(1) That any information obtained from, or as a result of the examination or investigation of such tax return be kept confidential and only for collection purposes.

(2) That the jurisdiction reimburse to the department of finance its cost, if any, of acquiring and providing such information.

(c) Any information obtained from, or as a result of the examination or investigation of, tax returns filed with the State of Delaware shall be kept confidential and shall only be used for collection purposes by the city.

(d) The city shall reimburse the State of Delaware Director of the Division of Revenue's cost, if any, of acquiring the information referenced in subsection (c) of this section.

SECTION 2. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading.....August 29, 2019
Second Reading.....August 29, 2019
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2019.

Mayor

SYNOPSIS: This Ordinance amends Section 44-112 of the City Code to comply with the State Code requirements regarding the City's examination or investigation of the State of Delaware tax returns of any taxpayer who has a place of residence, business, or employment in the City. In addition, as a housekeeping matter, this Ordinance renumbers certain subsections of Section 44-112.

Wilmington, Delaware
September 5, 2019

#4703

Sponsor:

**Council
President
Shabazz**

Co-Sponsors:

**Council
Members
Dixon
Harlee**

WHEREAS, businesses need an appropriate level of staffing to provide services and sell goods; however, the appropriate level of staffing cannot always be precisely estimated or can change due to numerous factors; and

WHEREAS, when an employer pays per hour, its labor costs are determined by the number of hours an employee works, as compared to the fixed cost of a salaried employee, and it has an economic incentive to be able to respond to changing business needs by reducing and adding employee hours; and

WHEREAS, when an employee's hours are reduced, it changes the amount of income an employee will earn that pay period; and

WHEREAS, when an employee is required to remain available to come in to work if needed, but is not compensated if not needed, the employee is therefore not compensated for foregoing the opportunity to tend to other responsibilities or pursue other interests; and

WHEREAS, if employers maintain a large pool of part-time employees to draw on when extra staff are needed, employees in that pool might work fewer and more variable hours than employees who are not part time; and

WHEREAS, research conducted by Professor Lonnie Golden of Penn State University found that, by income level, nationally the lowest income workers face the most irregular schedules and that 43 percent of part-time workers were working fewer hours per week than they preferred; and

WHEREAS, in schedule unpredictability among early career workers in the U.S. Professor Susan Lambert of the University of Chicago found that 40 percent of workers knew

their schedules less than one week in advance, and 74 percent had fluctuating hours during a single month, with 50 percent having fluctuations of more than eight hours or one day's pay; and

WHEREAS, increased wages will not help decrease the income inequality gap if employees cannot work sufficient hours to support themselves and their dependents or know what hours and therefore what income they can count on that week; and

WHEREAS, several jurisdictions across the country, including Oregon, California, New York, and Philadelphia have enacted scheduling legislation to address the issues faced by employees with unpredictable work schedules and consequently unpredictable income.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that City Council and its constituent associations urge the Delaware General Assembly to require employers with more than 150 employees and over 30 locations worldwide to provide advance written notice of work schedules, predictability pay to their service workers and additional compensation for any last-minute schedule changes.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: This Resolution calls upon the Delaware General Assembly to enact legislation requiring employers with more than 150 employees and over 30 locations worldwide to provide advance written notice of work schedules, predictability pay to their service workers and additional compensation for any last-minute schedule changes. several jurisdictions across the country, including Oregon, California, New York, and Philadelphia have enacted scheduling legislation to address the issues faced by employees with unpredictable work schedules and consequently unpredictable income.

Wilmington, Delaware
September 5, 2019

#4704

Sponsor:

Council
President
Shabazz

Co-Sponsors:

Council
Members
Dixon
Freel
Gray
Harlee
McCoy
Oliver

WHEREAS, on July 11, 2019, the City Council, as required by Section 2-101 of the City Charter, formally declared that the Seventh Councilmanic District position was vacant as of July 1, 2019 due to former Council Member Robert A. Williams' resignation; and

WHEREAS, pursuant to City Charter Section 2-101, when such a vacancy occurs between general elections, it is the duty of City Council to fill said vacancy with a member of the same political party residing in the same Councilmanic District in which such vacancy occurs; and

WHEREAS, pursuant to City Code Section 2-34, the Committee of the Whole of City Council has recommended Christofer C. Johnson to fill the vacancy in the Seventh Councilmanic District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council appoints Christofer C. Johnson, a duly registered member of the Democratic Party residing in the Seventh Councilmanic District of the City of Wilmington, to fill the vacancy created by former Council Member Robert A. Williams.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution appoints Christofer C. Johnson, pursuant to City Charter Section 2-101 and City Code Section 2-34, to fill the vacancy created by former Council Member Robert A. Williams in accordance with the recommendation of the Committee of the Whole.