

## REQUEST FOR PROPOSALS

Seeking separate sealed proposals for an individual or firm to provide Strategic Economic Development Planning Services will be received by John Murray, City of Scranton Controller, 340 N. Washington Avenue, Scranton, Pa., 18503 until 10:00 a.m., Thursday, June 24, 2021, at which time such proposals will be opened in City Council Chambers, 2<sup>nd</sup> Floor.

### **CITY OF SCRANTON Strategic Economic Development Plan**

Proposals shall be made upon the specifications included in the official Proposal Request which may be obtained by visiting the City of Scranton Website, [www.scrantonpa.gov](http://www.scrantonpa.gov), under the Business Tab, and Open Bid Opportunities, as labeled above. If you intend to submit a proposal, you are required to notify Eileen Cipriani via email at [ecipriani@scrantonpa.gov](mailto:ecipriani@scrantonpa.gov). If you fail to notify Ms. Cipriani of your intent to submit a bid, you will not receive any Addenda or answers to any questions that may be submitted by other bidders.

Two (2) copies of the proposal are to be submitted to John Murray, City of Scranton Controller, 2<sup>nd</sup> Floor, 340 North Washington Avenue, Scranton, PA 18503. Proposals must be plainly marked and identified as “**Strategic Economic Development Plan**,” so as to arrive by the date and time specified above. If you are hand delivering the Proposals, upon entering City Hall you must contact the Controller’s Office at (570) 348-4125 to come down and accept the sealed proposals. The paper copy of your bid will be the time-stamped official submission. The City requests an electronic version be submitted via: <https://www.dropbox.com/request/oXBppJJ6If6Kcg3P7rUn>.

If you have any questions, please contact Eileen Cipriani in the Office of Economic and Community Development via email only as noted on this Request for Proposals.

Each proposal must be accompanied by a certificate of insurance, a signed affirmative action, non-segregated facilities, non-collusion affidavits, and disclosure by current contractor.

All participants are hereby notified that minority and women-owned businesses will be afforded the full opportunity to respond to this notice and they will not be subjected to discrimination on the basis of race, color, religion, sex, national origin, disability, or family status in consideration of this award. The successful bidder must utilize, to the greatest extent feasible, minority and/or women owned business concerns, which are located within the municipality.

Funding for this project will be provided through the Appalachian Regional Commission. The City of Scranton reserves the right to reject all proposals submitted, to cancel this Request for Proposal in whole or part, and/or to reselect proposals for the services required. The City of Scranton is not liable for any costs incurred by the bidders in preparation of their proposals.

Eileen Cipriani, MS  
Executive Director,  
OECD

## **I. GENERAL INFORMATION**

### **A. PURPOSE**

This Request for Proposals (RFP) provides interested parties with sufficient information to prepare and submit proposals for consideration by the City of Scranton for **CITY OF SCRANTON Strategic Economic Development Plan**

### **B. ISSUING OFFICE**

1. This Request for Proposals is issued for the City of Scranton Office of Economic and Community Development. The City of Scranton Office of Economic and Community Development is the sole point of contact for questions pertaining to this Request for Proposals. The submittal of proposals must be submitted no later than 10:00 a.m. on Tuesday, June 24, 2021 via mail or hand delivery to:

**John Murray**  
**City Controller for the City of Scranton**  
**340 N. Washington Avenue**  
**Scranton, PA 18503**

Proposals shall be labeled clearly on the sealed envelope:

#### **CITY OF SCRANTON Strategic Economic Development Plan.**

2. Proposals will be handled confidentially by the City during the pre-award process.
3. The proposal shall be binding for a period of ninety (90) days from the due date for submission.
4. The City will not be responsible for any expenses incurred by an entity submitting a proposal in connection with this procurement.
5. The City also requests an electronic version be submitted (the paper copy of your bid will be the time-stamped official submission) via:  
[https://www.dropbox.com/request/oXBppJJ6If6Kcg3P7rUn.](https://www.dropbox.com/request/oXBppJJ6If6Kcg3P7rUn)

### **C. SCOPE OF SERVICES**

## **WORK STATEMENT**

### **Background**

Scranton is the largest city in Northeastern Pennsylvania, with a population of approximately 80,000. While a cultural focal point and economic driver for Northeastern Pennsylvania with some of the best institutes of higher education, hospitals and small businesses in the commonwealth, Scranton's poverty and unemployment rates are significantly higher than the state and national averages. A major issue that has prevented Scranton from shedding its financially

distressed status and moving toward sustainable economic growth is the lack of a Strategic Plan specific to Scranton that identifies and targets industries for local and regional investment in order to encourage growth and prosperity.

Scranton has geographical and natural resource advantages that can be harnessed – as they were originally – to attract development and families looking for an alternative to the high costs and small footprints in the cities and suburbs 100 miles away.

The City of Scranton intends to develop a Strategic Plan that will focus on local impact but with sustained economic development will benefit the county and the entire geographic region. The City of Scranton’s proposed plan must be consistent with the Northeastern Pennsylvania Alliance Comprehensive Economic Development Strategy (CEDS) and the Commonwealth of Pennsylvania ARC Development Plan by focusing on the same goals of building capacity and leadership as well as stimulating economic growth. The project will also align with The Greater Scranton Chamber of Commerce’s “Scranton Plan” and City’s Act 47 Recovery Plan. The goal of the Strategic Plan is to support community development and economic prosperity; the long-range outcome of this initiative is decreased unemployment and poverty rates in the area.

## Goals

The City of Scranton is at a critical juncture with declining population and tax base, we look to create a vision for the city that is forward looking and actionable. The city has established a five (5) person steering committee to oversee the work of the selected vendor and establish goals for the project. Please provide a narrative explaining how your plan and team can help Scranton achieve the stated goals.

1. What can Scranton become?
  - a. Develop **Actionable** goals for the city that can be accomplished in a 2-3 year timeframe. Goals need to be obtainable and prioritized.
  - b. Develop **Impactful** goals for the city that can be accomplished in a 3-7 year timeframe. The goals need to be obtainable, prioritized, and impactful on the city’s economic and community development future.
  - c. Develop **Aspirational** goals for the city that can be accomplished in a 10-20 year timeframe. The goals will serve as a capstone to the actionable and impactful goals, as well as a long horizon to keep us on target to reach the full potential of the city of Scranton, as well as its people.
2. Reconcile and balance the concerns and interests of long-term residents and stakeholders with those of emerging and growing constituencies with different perspectives, needs and outlooks for the future.
  - a. Effect generational change through workforce and educational planning
  - b. Strategies to inspire future generations with confidence.
  - c. Make Scranton a destination city.

3. Leverage the assets of the City of Scranton to drive community development and economic development.
  - a. Downtown development.
  - b. Growth and Integration of our neighborhoods.
  - c. Utilization of our natural resources.

## **Vendor Requirements**

1. Qualified proposers will demonstrate experience in strategic planning for cities of similar size, demographic and postindustrial history.
  - a. Include organizational chart and document key personal experiences and resumes.
  - b. Include references for previous projects with contact information including email address.
2. Qualified proposers are encouraged to partner with a local resource (s) to augment their experience with the history of the City of Scranton and previous public and private data analysis and planning efforts.
3. Qualified proposers will submit a project development plan that aligns with city timeline.
4. Qualified proposers will include a detailed project budget.
5. Qualified proposers must demonstrate their experience in facilitation of visioning process and community-based stakeholder engagement. This will include a public engagement strategy for the city's approval.
6. Qualified proposers must demonstrate experience in Urban Planning, Land Use Planning and GIS mapping.
7. Qualified proposers must demonstrate experience in workforce readiness and the educational ecosystem evaluations.
8. Qualified proposers must demonstrate familiarity with NEPA Alliance CEDS and ARC Development Plan.

## **Timeline**

Periodic Interim reports will be due to the steering committee on a schedule to be determined.

August 1, 2021 Project Kickoff

August 1-November 1, 2021

- Data collection
- Stake holder engagement

November 1-January 1, 2022

- Data Analysis
- Goals and recommendation analysis
- Draft report

January 1- February 28, 2022

- Draft review
- Final report

## **Project Management**

The proposer shall prepare and submit to the Steering Committee for approval a project management plan that specifies a schedule of work, the roles and responsibilities of their team and sub consultants. The plan identifies specific tasks, milestones and public outreach plan. The proposer will be available to participate in meetings and submit interim reports at least monthly to the steering committee.

The proposer will be required to meet with city administration, city council, city department heads, key stakeholders, community advisory committee, and outside organizations, as necessary, but not less than five meetings during the process, one of these meetings will be a public hearing with city council.

The proposer will coordinate and conduct public outreach. This will include, but not limited to surveys and public meetings. Resources for non-English speaking residents will need to be provided. The proposer will coordinate, schedule, advertise, provide materials, conduct, and document public meetings, including collecting comments. A minimum of three public meetings shall be scheduled.

## **Strategic Plan Elements – must include, but not limited to.**

- 1- Assessment – Benchmarking and Evaluation
  - a. Assess and benchmark city and neighborhoods jointly and separately.
  - b. Assess educational ecosystem -PreK through Post-Secondary, including Career and Technical Education.
  - c. Assess Tax Policy Committee data
  - d. Assess previous city and regional planning documents (Appendix-A)
- 2- Market and Industry Analysis for economic vibrance and growth for the greater Scranton area.
  - a. Contextual Layering for economic development as it relates to the:
    - a. City
    - b. Region
    - c. Nation
    - d. Global
- 3- Neighborhood/Community Analysis

- a. Develop strategy and the membership composite by role for community advisory committee.
  - b. Conduct stakeholder visioning sessions.
  - c. Neighborhood by neighborhood assessment on the balance of residential need, (including, but not limited to, housing, recreation, parks, safety) commercial opportunity and connection to the city at large.
  - d. Specific insights on a neighborhood-by-neighborhood basis with connections to downtown and each other.
- 4- Workforce readiness analysis
- a. Industry Needs and Support for education/training and certifications.
  - b. Survey of current private foundation thought leadership as it relates to Scranton’s circumstances and needs.
  - c. Career pathway opportunities that balance formal education with verifiable skill development.

**Recommendations and Best Practices**

The strategy should include, but not limited to, best practices and recommendations for talent development/attraction; entrepreneurial growth, business attraction, opportunities to improve city neighborhoods, equitable economic development strategy, and place making.

**Implementation Plan**

- a. Funding opportunities and cycles as per the goal phases (actionable, impactful and aspirational).
- b. Cost analysis
- c. Socially and economically disruptive risks and mitigation.

**Metrics**

- a. It is the city’s expectation that the successful bidder will create dashboard metrics for each goal phase. They will be developed in conjunction with the steering committee during the early data collection phase.

**Evaluation Process**

The proposals shall be evaluated by the City Controller for completeness. Proposals shall then be evaluated and scored by the project steering committee. The committee reserves the right to request additional information or clarifications.

**Evaluation Criteria**

Completeness and quality of the proposal -	10
Project Objectives – The degree to which the project plan meets the project specifications in the RFP.	25
Proposer’s experience with project in similar cities.	25

Personnel or subconsultant's background qualifications and experience in economic development. 25

Project fee and per hour rate for staff 15

### **Oral Presentations**

Several of the highest scoring proposers may be required to make oral presentations to the project steering committee. After oral presentations, proposers will be scored by the committee using the following criteria:

Firm qualifications and experience	25pts
Project approach	45pts
Communication ability including community-based engagement.	30pts

## **D. GENERAL CONSIDERATIONS**

### **1. QUESTIONS**

Any questions regarding this Request for Proposals should be directed to the Office of Economic and Community Development via email only to:

Eileen Cipriani  
[ecipriani@scrantonpa.gov](mailto:ecipriani@scrantonpa.gov)

All questions must be received by 3:00 p.m. on Monday, June 21, 2021. Inquiries received after 3:00 p.m. will not receive responses.

No telephone calls with questions will be taken.

### **2. ADDENDA**

To ensure consistent interpretation of certain items, answers to questions the City deems to be in the interest of all will be made available to all respondents.

Responses to questions will be issued in the form of an Addendum/Addendum Sign-Off to the Request for Proposals via email from [ecipriani@scrantonpa.gov](mailto:ecipriani@scrantonpa.gov). The executed Addendum Sign-off should accompany the submission of your Proposal. Failure to execute any and all Addendum Sign-Offs provided will make the Bidder ineligible to bid for the project.

## **II. GENERAL CONDITIONS**

A. No verbal information to bidders will be binding on the City. The written requirements will be considered clear and complete, unless written attention is called to any apparent discrepancies or incompleteness before the opening of the proposals. All alterations to the Request for Proposals will be made in the form of a written communication emailed to all prospective proposers. The communications shall then be considered to be part of the Request for Proposals.

B. Submission of a proposal will be considered as conclusive evidence of the proposer's complete examination and understanding of the request.

C. The City of Scranton reserves the right to reject any and all proposals submitted and to request additional information from any Proposer. The City of Scranton reserves the right to waive minor irregularities in the procedures or proposals if it is deemed in the best interests of the City of Scranton. The City may elect, at its sole and absolute discretion, to award a Contract based on the initial proposals, or, to open negotiations, either written or oral, with one or more proposers to address performance, technical, pricing, delivery, or other provisions. If negotiations are opened, the City may elect, at its sole and absolute discretion, to conclude negotiations at any time if it is determined to be in its best interest, or they will be closed upon settlement of all questions and clarifications. Proposals may be rejected and negotiations terminated by the City. The award will be based on the offers submitted, as well as any and all negotiations conducted. The City further reserves the right to reject all proposals and seek new proposals when such procedure is considered to be in the best interest of the City.

D. The award will be made to that responsive and responsible proposer whose proposal, conforming to requirements of the request, will be most advantageous to the City, price and other factors considered. The award may or may not be made to the firm with the lowest cost.

E. The City shall have the right, without invalidating the contract, to make additions to or deductions from the items or work covered by the Request for Proposals. In case such deductions or additions are made, an equitable price adjustment shall be made between the City and the Proposer. Any such adjustments in price shall be made in writing.

F. After notice from the City, the selected proposer will be required to enter into a contract upon receipt of a Notice of Award. If a contract is not executed by the selected proposer, then the City reserves the right to retract the Notice of Award and enter into a contract with another proposer.

G. Proposals must be in typewritten form. Unsigned proposals will not be accepted. Proposers are expected to examine the content of the request and respond accordingly. Failure to do so will be at the Proposer's risk.

H. No proposal will be accepted from or contract awarded to any person, firm or corporation that is in arrears or is in default to the City upon any contract, or that is a defaulter, as surety or otherwise, upon any obligation to the City or who had failed to faithfully perform any previous contract with the City.

I. Unless otherwise specified, all formal proposals submitted shall be binding for ninety (90) calendar days following the bid opening date and may be extended at the agreement of both parties.

#### J. AUTHORITY

The Office of Economic and Community Development has the sole responsibility to respond to inquiries regarding the Request for Proposals.

#### K. COMPLIANCE WITH LAWS

The individual or firm selected shall at all times observe and comply with all laws, ordinances, regulations and codes of the federal, state, City and other local government agencies, which may in any manner affect the performance of the contract. The firm selected shall also maintain any licenses issued by the City and/or its third party, including, but not limited to licenses to perform electrical, plumbing, HVAC, construction, etc. and be in good standing with all City departments and its affiliates. Failure to maintain required licenses and be in good standing may result in bid disqualification and/or voiding of any contract that may result therefrom.

#### L. CONTRACTOR COMPLIANCE

If applicable, each respondent is required to be in compliance with the City of Scranton local tax requirements. Failure to be in compliance with City of Scranton local tax requirements may result in bid disqualification and/or voiding of any contract that may result therefrom.

#### M. CONTRACT TERMINATION

A contract may be canceled by the City by giving the respondent written notice of intent to cancel.

#### N. CONTROLLING LAW

This Request for Proposals is governed by, and will be construed and enforced in accordance with the laws of the Commonwealth of Pennsylvania without regard to any conflict of law provisions.

#### O. PROPOSAL INSURANCE REQUIREMENTS

By submitting a Proposal, the proposer agrees that it now carries or will carry throughout the term of any Contract generated as a result of this Request for Proposals, at a minimum, the following types and amounts of insurance:

Workers' Compensation	Statutory
Employer's Liability	\$500,000
Professional Liability	\$1,000,000 each occurrence \$1,000,000 aggregate
Comprehensive General Liability (including Blanket Contractual Liability Insurance)	
Bodily Injury	\$1,000,000 each person \$1,000,000 each occurrence \$1,000,000 aggregate
Property Damage	\$500,000 each occurrence
Personal Injury	\$500,000
Comprehensive Automobile Liability	

Bodily Injury	\$300,000 each person \$500,000 each occurrence
Property Damage	\$500,000 each

occurrence Certificates of Insurance shall be furnished to the City of Scranton upon request.

#### P. BIDDER'S ETHICS AND COLLUSION

**Collusive Bidding:** Any firm that submits more than one proposal in such a manner as to make it appear that one of the proposals submitted is competitive with that of a different proposer, or any two or more firms that agree to fix their respective proposals in such a manner as to be awarded the contract shall be disqualified from further consideration of award of this contract and shall be subject to any applicable penalties under the law.

**Bribery:** Any firm that attempts to influence a City official to award this contract to such proposer's firm by promising to provide or by providing to such City official any gratuity, entertainment, commission or any other gift, in exchange for a promise to award the contract to such firm shall be disqualified from further consideration of award of this contract and shall be subject to any applicable penalties under the law.

**Conflict of Interest:** Any firm that knows of any City official having a material direct or indirect financial interest in such proposer's firm shall be required to submit a written statement, along with the Form of Proposal, detailing such interest. Failure to disclose a known such financial interest shall result in the firm's disqualification from further consideration of award of this contract.

#### Q. INDEMNIFICATION

1. This agreement shall be binding on the parties hereto, their heirs, successors and assigns.

#### R. OPEN RECORDS LAW/PUBLIC INFORMATION

Under the Pennsylvania Right-to-Know Law (the "Law"), 65 P. S. Section 67.101 et. seq., a record in the possession of the City is presumed to be a public record subject to disclosure to any legal resident of the United States, upon request, unless protected by a statutory exception.

Any contract dealing with the receipt or disbursement of funds by the City or the City's acquisition, use or disposal of services, supplies, materials, equipment or property is subject to disclosure under the Law. The following are not subject to disclosure under an exception in the Law:

1. A proposal pertaining to the City's procurement or disposal of supplies, services or construction prior to the award of a contract or prior to the opening and rejection of all bids; and
2. Financial information of a bidder or proposer requested in an invitation to bid or request for

proposals to demonstrate the bidder's or proposer's economic capability.

#### **S. TRANSFERS AND ASSIGNMENTS**

1. Consultant shall not, without written consent of the City, assign, hypothecate or mortgage this agreement. Any attempted assignment, hypothecation or mortgage without the consent of the City shall render this agreement null and void.

2. Neither this agreement nor any interest therein shall be transferable in proceedings in attachment or execution against bidder or in voluntary or involuntary proceedings in bankruptcy or insolvency or receivership taken by or against the respondent, or by any process of law including proceedings under Chapter X and XI of the Bankruptcy Act.

#### **III. PROBLEM STATEMENT**

The Request for Proposals format for professional services enables the City to thoroughly evaluate the conditions for selection such as prior class action legal experience with sufficient flexibility in awarding the contract.

##### **A. REJECTION OF PROPOSALS**

The City of Scranton reserves the right to reject any and all proposals received resulting from this request and to negotiate with those respondents deemed finalists.

##### **B. INCURRING COSTS**

The City of Scranton will not be liable for costs incurred by the selected proposer prior to the issuance of a contract.

### C. PRE-PROPOSAL CONFERENCE

A pre-proposal conference will not be held.

### D. REFERENCES

As a requirement for consideration, proposals must include at least two (2) references, including contact information, who can attest to the attributes of the proposer. Experience in roadway improvement projects will be given greater consideration in the evaluation of the proposals.

## IV. CRITERIA FOR SELECTION

### A. EVALUATION PROTOCOL

All proposals received by the City of Scranton will be reviewed by the City Office of Economic and Community Development. The Office of Economic and Community Development Department and project Steering Committee will review the merits of content and select the proposal which most closely meets the requirements of the Request for Proposals. The final selection may not be the lowest cost proposal but that which most closely meets the requirements of the City.

### B. SELECTION BASED ON QUALIFICATIONS

The proposal selected by the City Office of Economic and Community Development Department will be deemed to respond most favorably to the requirements of the Request.

## V. PROPOSAL REQUIREMENTS

Proposals must meet the identified criteria and format. Consideration will be based on compliance with those requirements. All other information considered relevant by the proposer will be included as addenda information to the proposal.

### A. STATEMENT OF SERVICES RENDERED

The proposer will identify the scope of services provided to the City of Scranton for its Project.

### B. MANAGEMENT SUMMARY

Provide a narrative description of the proposed effort and a list of services delivered by the proposer.

### C. ACTION PLAN

Describe in narrative form a proposed plan of action for accomplishing the objectives of the Project. A detailed time line for implementation, the reaching of each milestone of the project, and completion must be provided. The City retains the right to negotiate the timing of the project's implementation and completion, as well as the right to reject any Proposal containing a

timeline not in conformity with the City's proposed implementation and completion dates.

#### D. EXPERIENCE

Include examples of experience. The documentation of experience should include primary and secondary services, if applicable, and any pertinent experience of the support staff. References related to prior activities should be listed in the addenda section, including contact information.

#### E. PERSONNEL

Include the names of executive and professional personnel who will be assigned including support staff. Resumes for those assigned directly to the activities of this project may be included in the addenda section.

#### F. COST AND PRICE PROPOSAL

Payment for Services under this Project shall be on a time and materials, not-to-exceed fee basis. The Proposal shall include a Cost Proposal which shall identify a schedule of proposed hourly billing rates for all members of the Consulting Team, as well as a total not-to-exceed fee for all of the services required to complete this Project. The Proposal shall include a detailed spreadsheet showing the hours, labor costs, expenses and total cost for each task in the Project. The Cost Proposal shall include a not-to-exceed budget for reimbursable expenses, including, but not limited to mileage and document reproduction. The Cost Proposal shall also estimate all potential fees associated with obtaining all permits required to complete the Project in accordance with applicable laws. Expenses for telephone, facsimile and computer charges will not be allowed.

If the Proposer anticipates additional services not addressed in the Request for Proposals which, in its opinion, will be required to complete the Project, such additional services shall be noted, with a general explanation, a brief justification for the services, and a corresponding proposal for the same.

Unless otherwise approved in writing by the City's Business Administrator, the proposer selected shall not be entitled to any payment from the City in excess of the not-to-exceed fee provided.

#### G. AFFIDAVITS

The following affidavits are required by the City of Scranton:

- Affirmative Action Certificate
- Certificate of Non-Segregated Facilities
- Non-Collusion Affidavit
- Disclosures by Current Contractors

#### H. CONTRACT

The party selected for legal services will execute the City of Scranton's Office of Economic and Community Development services contract.

## I. INSURANCE COVERAGE

All proposals submitted to the City of Scranton shall include the following:

- A statement of the prospective proposer's insurance coverage. The City requires the successful proposer to carry the types and amounts of insurance listed hereinabove. All insurance coverages should name the City of Scranton as an additional insured. All insurance coverages must be kept effective during the contract period. The loss of insurance coverages could result in contract termination;
- A statement of assurance attesting that the prospective proposer is not currently in violation of any regulatory rules and regulations that may impact its operations;
- A statement that the prospective proposer is not involved in any current litigation against the City of Scranton.

### **Attachment A. Affirmative Action Certification**

During the term of this contract, Bidder agrees as follows:

- (1) Bidder shall not discriminate against any employee, applicant for employment, independent contractor or any other person because of race, color, religious creed, ancestry, national origin, age, sex or handicap. Bidder shall take affirmative action to insure that applicants are employed, and that employees or agents are treated during employment, without regard to their race, color, religious creed, ancestry, national origin, age, sex or handicap. Such affirmative action shall include, but is not limited to the following: employment, upgrading, demotion or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training. Bidder shall post in conspicuous places, available to employees, agents, applicants for employment, and other persons, a notice to be provided by the contracting agency setting forth the provision of this affirmative action certification.
- (2) Bidder shall, in advertisements or requests for employment placed by it or on its behalf, state all qualified applicants will received consideration for employment without regard to race, color, religious creed, ancestry, national origin, age, sex or handicap.
- (3) Bidder shall send each labor union or workers' representative with which it has a collective bargaining agreement to other contract or understanding, a notice advising said labor union or worker's representative of its commitment to this affirmative action certification. Similar notice shall be sent to every other source of recruitment regularly utilized by bidder.
- (4) It shall be no defense to a finding of noncompliance with this affirmative action certification that bidder has delegated some of its employment practices to any union, training program, or other source of recruitment which prevents it from meeting its obligations. However, if the evidence indicates that the bidder was not on notice of the third-party discrimination or made a good faith effort to correct it; such a factor shall be considered in mitigation in determining appropriate sanctions.
- (5) Where the practices of a union or of any training program or other source of recruitment will result in the exclusion of minority group persons, so bidder will be unable to meet its obligations under this affirmative action certification, bidder shall then employ and fill vacancies through other affirmative action employment procedures.
- (6) Bidder shall comply with all state and federal laws prohibiting discrimination in hiring or employment opportunities. In the event of bidder's

noncompliance with affirmative action certification of this contract or with any such laws, this contract may be terminated or suspended, in whole or in part, and bidder may be declared temporarily ineligible for further City of Scranton contracts, and other sanctions may be imposed and remedies invoked.

- (7) Bidder shall furnish all necessary employment documents and records to, and permit access to its books, records, and accounts by, the City of Scranton Department of Business Administration, for purposes of investigation to ascertain Compliance with the provision of this certification. If bidder does not possess documents or records reflecting the necessary information requested, it shall furnish such information on reporting forms supplied by the City of Scranton Department of Business Administration.
- (8) Bidder shall actively recruit minority subcontractors or subcontractors with substantial minority representation among their employees.
- (9) Bidder shall include the provisions of this affirmative action certification in every subcontract, so that such provisions will be binding upon each subcontractor.
- (10) Bidder's obligations under this clause are limited to the bidder's facilities within Pennsylvania, or where the contract is for purchase of goods manufactured outside of Pennsylvania, the facilities at which such goods are actually produced.

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Name of Bidder)

BY \_\_\_\_\_

TITLE \_\_\_\_\_

**Attachment B. Certificate of Non-Segregated Facilities**

The bidder certifies that he does not maintain or provide for his employees and segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The Bidder certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The Bidder agrees that a breach of this certification will be a violation of the Equal opportunity clause in any contract resulting from acceptance of his bid. As used in this certification, the term "segregated Facilities," means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The Bidder agrees that (except where he has obtained identical certifications from proposal sub-contractors for specific time periods) he will obtain identical certifications from proposed sub-contractors prior to the award of sub-contracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certification in his files.

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. §1001.

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Name of Bidder)

BY \_\_\_\_\_

TITLE \_\_\_\_\_

**Attachment C. Non-Collusion Affidavit of Prime Bidder**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_,  
being first duly sworn, deposes and says that:

1. He is \_\_\_\_\_  
(Owner, partner, officer, representative or agent)

of \_\_\_\_\_, the Bidder that has  
submitted the bid;

2. He is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3. Such Bid is genuine and is not a collusive or sham Bid;
4. Neither the said Bidder nor any of its officers, partners, owners, agents, Representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Bidder, or to Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Scranton (Local Public Agency) or any person interested in the proposed Contract; and;
5. The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the bidder or any of its agents, representatives, owners, employees or parties in interest, including this affiant.

Non-Collusion Affidavit  
Signature Page

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(TITLE)

MY COMMISSION EXPIRES \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_\_

**Attachment D:**  
**Disclosures by Current Contractors**

1. Provide the names and titles of all individuals providing professional services to the City of including advisors and subcontractors, if any. After each name, please provide the responsibilities of that person with regard to the professional services provided to the City of Scranton.
  - List the names of any of the above individuals who are current or former officials or employees of the City of Scranton and their position;
  - List the names of any of the above individuals who has been a registered federal or state lobbyist and the date of the most recent renewal/registration.
2. Since January 1, 2011, have any of the individuals identified in paragraph two above been employed by the City of Scranton. If yes, please identify the individual by his/her name and position with the City of Scranton and dates of employment.
3. Since January 1, 2011, has the Contractor employed paid compensation to a third party intermediary, agent, or lobbyist to directly or indirectly communicate with any individual on the list of municipal officials in connection with any transaction or investment involving the Contractor and the City of Scranton. This question does not apply to any officer or employee of the Contractor who is acting within the scope of the Contractor's standard professional duties on behalf of the Contractor including the actual provision of legal, accounting, engineering, real estate, or other professional advice, services or assistance pursuant to its professional services contract with the City of Scranton.
4. Since January 1, 2011 has any agent, officer, director, or employee of the Contractor solicited a third party to make a political contribution to any municipal official or candidate for municipal office in the City of Scranton or to the political party or political committee for whom the solicitation was made. If yes, please identify the agent, officer, director, or employee who made the solicitation; the individual or individuals who were solicited, and the municipal officers, candidates, political party, or political committee for whom the solicitation was made.
5. Since January 1, 2011, has the contractor made any Contribution to a municipal official or candidate for municipal office in the City of Scranton. If yes, please identify the recipient, the amount, and the date of the contribution.
6. Does the Contractor have a direct financial, commercial, or business relationships with any individual on the List of Municipal Officials. With regard to every municipal official for which the answer is yes, identify that individual and provide a detailed written description of that relationship.
7. Since January 1, 2011, has the Contractor conferred any gift of more than nominal value to any individual on the List of Municipal Officials. A gift includes money, services, loans, travel, and

entertainment, at value or discounted value. With regard to every municipal official for which the answer is yes, identify the recipient, the gift, and the date it was conferred.

8. Did the Contractor make political contributions the meet all of the following four criteria: (i) The contribution was made at any time since January 1, 2011; (ii) the contribution was made by an officer, director, executive-level employee, or owner of at least five percent (5%) of the Contractor; (iii) the amount of the contribution was at least \$500.00 in the form of either a single contribution by an officer, director, executive-level employee or owner of at least five percent (5%) or the aggregate of all contributions by all officers, directors, executive-level employees, and owners of at least five percent (5%) and (iv) the contribution was made to a candidate for any public office in the Commonwealth of Pennsylvania or to an individual who holds that office, or to a political committee of a candidate for public office in the Commonwealth of Pennsylvania or of an individual who holds that office. If yes, then the Contractor shall provide the following information: the name and address of the contributor, the contributor's relationship to the Contractor, the name and office or position of each recipient, the amount of the contribution, and the date of the contribution.
9. Regarding the provision of professional services to the City of Scranton, are you aware of any conflicts of interest, whether apparent, potential, or actual, with respect to any officer, director, or employee of the Contractor and officials or employees of the City of Scranton. If yes, please provide a detailed written explanation of the circumstances which you believe provide a basis to conclude that an apparent, potential, or actual conflict of interest may exist.
10. Please provide the name(s) and person(s) completing this form. One of the individuals identified by the Contractor in paragraph two must participate in completing this form and must sign the verification statement below.

### VERIFICATION

I, \_\_\_\_\_, hereby state that I am \_\_\_\_\_  
for \_\_\_\_\_, and am authorized to make this verification.

I verify that the facts set forth in the foregoing Act 44 Disclosure Form for entities providing professional services to the City of Scranton are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to penalties of 18 P.A.C.S section 4904 relating to unsworn falsification to authorities.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Appendix -A

[2020 Bicycle and Pedestrian Study For the CBDs of Scranton and Wilkes-Barre](#)  
[Alternative and Clean Energy Program](#)  
[Bicycle and Pedestrian Study For the CBDs of Scranton and Wilkes-Barre](#)  
[Downtown Scranton Revitalization Plan \(NRN\)](#)  
[Ecosystem Approach to Adaptive Reuse of Industrial Buildings](#)  
[Erie Flagship Opportunity Zones](#)  
[Funding Opportunities | Green Building |US EPA](#)  
[Growth Factors and Policy in Small and Medium-Sized Cities](#)  
[Heritage Trail Scranton Map](#)  
[Impact of Racism on Housing Market](#)  
[Keystone Construction Projects](#)  
[Lackawanna and Luzerne Counties 2045 Long Range Transportation Plan](#)  
[Lackawanna and Luzerne Counties Luzerne Transportation 2021 Plan](#)  
[Lackawanna River Access Points](#)  
[Lackawanna Workforce Development Multi Year Local Plan](#)  
[Neighborworks Blight to Bright](#)  
[Neighborworks West Scranton Plan](#)  
[NEPA Alliance CED 5 Year Plan](#)  
[NEPA Workforce Development Multi Year Regional Plan](#)  
[NRN Downtown Scranton Revitalization Plan](#)  
[PA Historic Preservation Plan 2018](#)  
[Times Tribune - Previous Proposals for Walkability Plans](#)  
[The Institute Food Assessment](#)  
[The Institute - Housing Divide in NEPA](#)  
[The Institute - The Impact of Redlining in NEPA](#)  
[Salt Lake City Plan](#)  
[Scranton-Abington's Planning Association \(SAPA\)](#)  
[Scranton Parks](#)  
[Scranton University - Living Wage Report 2019](#)  
[Smart Growth and Economic Success: Strategies for Local Governments](#)  
[UNC Pinebrook Plan](#)  
[US Department of Transportation - Complete Streets](#)