



Allegheny County Council

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Legislation Text

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An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing Articles 903 of the Administrative Code of Allegheny County, entitled "Formal Procurement Process," by the creation of new §5-903.01.A. and entitled "Vendor Responsibility," in order to require that any vendor considered by the County during the formal procurement process be current on any real estate tax owed to the County, including any interest, penalty and/or costs, fees and expenses associated therewith, prior to bid acceptance.

Whereas, Allegheny County assesses Real Estate Taxes, Code of Allegheny County Chapter 5, Article 809; and

Whereas, the Treasurer of Allegheny County is responsible for collecting the Real Estate Taxes, including any interest, penalty and/or costs, fees and expenses associated therewith (hereinafter referred to as "Taxes"); and

Whereas, while Allegheny County continuously strives to provide economic opportunity to businesses in a variety of areas, including its formal procurement code, it is also the judgment of Council that it is fiscally unwise for the County to economically enrich vendors who have not paid their County taxes by purchasing goods from them; and

Whereas, it is further the judgment of Council that purchasing goods from vendors who have not paid their County taxes is inequitable to other County taxpayers, insofar as the vendors' tax delinquency increases the portion of the tax burden borne by those who do pay.

The Council of the County of Allegheny hereby enacts as follows:

Section 1.

Article 903 of the Administrative Code of Allegheny County, entitled "Formal Procurement Process," is hereby amended and supplemented by the creation of a new §5-903.01.A., entitled "Vendor Responsibility," and comprised as follows:

CHAPTER 5. ADMINISTRATIVE CODE

PART 9. COMPETITIVE PROCUREMENT AND CONTRACTING

Article 903

Formal Procurement Process

§903.01.A. Vendor Responsibility

- A. In the course of the formal procurement process established in §5-903.02 of this Administrative Code, all vendors submitting bids shall disclose, in writing, whether the vendor has any ownership interest in real property located within the County, and if so, identify, in writing, the complete address or Block and Lot number of any and all such real property. Failure to disclose or providing a false or misleading disclosure shall result in bid rejection.
- B. Prior to acceptance of any bid submitted by a vendor that discloses an ownership interest in real property located within the County, the Purchasing Division shall obtain certification from the County Treasurer that either:
1. Past Due or Delinquent Taxes are not owed to the County for any real property identified by the bidder; or
 2. In the event the bidder identifies an ownership interest in real property for which Delinquent Taxes are due and owing, the bidder has entered into an Installment Payment Agreement for the repayment of the Delinquent Taxes due and such Installment Payment Agreement is not in breach or default.
- C. The County shall reject any bid(s) submitted by any vendor for whom the certification required in Subsection B is not obtained.
- D. For purposes of this Section, the terms set forth below shall have the following meanings:
1. "Delinquent" shall mean Taxes not paid-in-full before January 1st of the year following the year in which the Taxes were first due and payable.
 2. "Installment Payment Agreement" shall mean an agreement approved by the County Treasurer or its authorized Delinquent Tax Collector that permits a taxpayer to pay Delinquent Taxes due and owing in periodic installments.
 3. "Past Due" shall mean Taxes subject to penalty and/or interest that remain due and owing on or before December 31 of the year in which the Taxes were first due and payable.
 4. "Taxes" shall mean Real Estate Taxes assessed by the County, including any interest, penalty and/or costs fees and expenses associated with the same.
 5. "Vendor" shall mean any individual, corporation, partnership, or other entity submitting a bid in the course of the formal procurement process. The term shall not, however, include any officer (s) or other individuals employed by a corporate or partnership entity.

Section 2. Effective Date.

This Ordinance shall enter into effect on the date of its enactment.

Section 3. Severability. *If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.*

Section 4. Repealer. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.*