

**CITY OF COATESVILLE**  
**ACT 44 - PROFESSIONAL SERVICES CONTRACT**  
**REQUIRED DISCLOSURE INFORMATION**

In accordance with Pennsylvania Act 44 of 2009 (PA Act 44), all potential Contractors bidding on a Professional Services Contract with one of the pension funds of the City of Coatesville must disclose the following information in their Request for Proposal (RFP) response documents. Potential Contractors should refer to PA Act 44 and become familiar with its required disclosures.

NOTE: RFP APPLICATIONS AND DISCLOSURE FORMS ARE PUBLIC DOCUMENTS AND SHALL BE PUBLIC EXCEPT FOR PROPRIETARY INFORMATION OR INFORMATION OTHERWISE PROTECTED BY LAW.

YOU MUST IDENTIFY ANY CLAIM OF CONFIDENTIALITY AT THE TIME YOUR RFP APPLICATION MATERIALS ARE SUBMITTED.

## DEFINITIONS FOR DISCLOSURE

<b>TERM:</b>	<b>DEFINITION:</b>
<b>CONTRACTOR</b>	Any person, company, or other entity that receives payments, fees, or any other form of compensation from a municipal pension fund in exchange for rendering professional services for the benefit of the municipal pension fund.
<b>SUBCONTRACTOR OR ADVISOR</b>	Anyone who is paid a fee or receives compensation from a municipal pension system – directly or indirectly from or through a contractor.
<b>AFFILIATED ENTITY</b>	Any of the following: 1. A subsidiary or holding company of a lobbying firm or other business entity owned in whole or in part by a lobbying firm. 2. An organization recognized by the Internal Revenue Service as a tax-exempt organization under section 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501 (c) ) established by a lobbyist or lobbying firm or an affiliated entity.
<b>CITY</b>	Refers to the City of Coatesville, Chester County, Pennsylvania, and includes the City Council.
<b>CITY PENSION SYSTEM</b>	Any pension plan operated for the benefit of City of Coatesville employees.
<b>CONTRIBUTIONS</b>	As defined in section 1621 of the act of June 3 <sup>rd</sup> , 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code
<b>POLITICAL COMMITTEE</b>	As defined in section 1621 of the act of June 3 <sup>rd</sup> , 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code
<b>EXECUTIVE LEVEL EMPLOYEE</b>	An employee of a person or the affiliated entity who: 1. Can affect or influence the outcome of the person’s or affiliated entity’s actions, policies, or decisions relating to pensions and the conduct of business with a municipality or a municipal pension system; or 2. Is directly involved in the implementation or development policies relating to pensions, investments, contracts or procurement or the conduct of business with a municipality or municipal pension system.
<b>CITY OF COATESVILLE ELECTED AND APPOINTED OFFICIALS, EMPLOYEES AND PENSION PLAN COMMITTEE MEMBERS</b>	<u>Specifically</u> , those listed on the “List of Municipal Officials for the Requesting Municipality”.
<b>PROFESSIONAL SERVICES CONTRACT</b>	A contract to which the municipal pension system is a party that is: (1) for the purchase of professional services including investment services, legal services, real estate services, and other consulting services; and, (2) not subject to a requirement that the lowest bid be accepted.

## **List of Municipal Officials for the Requesting Municipality**

Certain requests for information in this form will refer to a “**List of Municipal Officials.**” To assist you in preparing your answers, you should consider the following names to be a complete list of pension system and municipal officials and employees. Throughout this Disclosure Form, the below names will be referred to as the “**List of Municipal Officials.**”

### **Elected Officials**

David Collins, President – City Council/ Pension Committee Member

Joseph Hamrick, Vice President – City Council

Jarrell Brazzle – City Council

C. Arvilla Hunt – City Council

Ingrid W. Jones – City Council

Jeffrey LoPrinzi – City Council

Edward W. Simpson, Jr. – City Council

### **Appointed Officials or Employees**

Kirby A. Hudson, City Manager/ Pension Committee Member

John Marcarelli, Director of Finance/ Pension Committee Member

John W. Carnes, Jr., City Solicitor

### **Police Pension Committee**

?????, Pension Committee Member

?????, Pension Committee Member

Jose Rios, Pension Committee Member

### **Fire Pension Committee**

?????, Pension Committee Member

?????, Pension Committee Member

Jose Rios, Pension Committee Member

**Non-Uniformed Pension Committee**

William Barnes, Pension Committee Member

Brenda Geesey, Pension Committee Member

Jose Rios, Pension Committee Member

**NOTE:** For all that follow, you may answer the questions / items on a separate sheet of paper and attach it to this Disclosure if the space provided is not sufficient. Please reference each question / item you are responding to by the appropriate number.

**Identify the Municipal Pension Fund(s) for which you are providing information:**

**Indicate all that apply with an “X”:**

☐

**Police Plan**

☐

**Fire Plan**

☐

**Non-Uniform Plan**

1. Please provide the names and titles of each individual who will be providing professional services to the City of Coatesville pension plan identified above. Also include the names and titles of any advisors or subcontractors, identifying them as such. After each name provide a description of the responsibilities of that person with respect to the pension plan, and attach a resume for the individual. (This information should be updated as changes occur)

- a. Is the individual(s) listed above a current or former official or employee of the City of Coatesville? \_\_\_\_\_ If yes, please explain below.

- b. Is the individual(s) listed above a registered Federal or State lobbyist? \_\_\_\_\_ If yes, please explain below.

2. Are you aware of any apparent, potential, or actual conflict of interest with respect to any person or entity who potentially enters into, applies for, submits an offer or bid for, responds to a request for, or otherwise solicits, a proposal or a contract with a City off Coatesville pension fund?\_\_\_\_\_. If yes, please a detailed explanation of the circumstances which provide you with a basis to conclude that an apparent, potential, or actual conflict of interest may exist.

NOTE: If, in the future, you become aware of any apparent, potential, or actual conflict of interest, you are expected to update this Disclosure Form immediately in writing by providing (a) a brief synopsis of the conflict of interest, and (b) an explanation of the steps taken to address this apparent, potential, or actual conflict of interest.

3. Please provide the terms of employment/compensation of any third party intermediary agent or lobbyist of the potential Contractor or an Affiliated Entity who will directly or indirectly communicate with a City of Coatesville pension plan official or employee or a City of Coatesville official or employee in connection with an investment transaction or investment involving the Contractor and a City of Coatesville pension plan.

NOTE: This question does not apply to an officer or employee of the potential Contractor who is acting within the scope of the firm's standard professional duties on behalf of the firm, including the actual provision of legal, accounting, engineering, real estate, or other professional advice, services, or assistance pursuant to the Professional Services Contract with a City of Coatesville pension plan.

4. Please provide the names of any person that may enter into a Professional Services Contract with a City of Coatesville pension plan that has a direct financial, commercial, or business relationship with any City of Coatesville pension plan official or employee or City of Coatesville official or employee. If applicable, please explain the relationship.
5. Please disclose all political contributions and gifts to which all of the following apply:
- a. A contribution was made in the last five (5) years of the issue date of the RFP;
  - b. A contribution was made by an officer, director, executive-level employee, or owner of at least 5% of the Contractor.
  - c. The amount of the contribution was at least \$500 in the aggregate.
  - d. The contribution was made to a candidate for any public office serving in the Commonwealth of Pennsylvania or to an individual who holds that office;
  - e. The contribution was made to a political committee of a candidate for public office in the Commonwealth or to an individual who holds that office.

If applicable, please list the name and address of the contributor, the contributor's relationship to the potential Contractor, the name, office, and position of each person receiving a contribution, the amount of the contribution, and any gifts to an official or employee of a City of Coatesville pension plan or City of Coatesville official or employee.

#### **VERIFICATION**

I, \_\_\_\_\_, hereby state that I am \_\_\_\_\_ for  
(Name) (Position)

\_\_\_\_\_ and I am authorized to make this verification.  
(Applicant)

I verify that the facts set forth in the foregoing disclosures are true and correct to the best of my knowledge, information and belief. I also understand that knowingly making material misstatements, misrepresentations, or omissions in this form could subject the applicant to the penalties of section 705-A(e) of PA Act 44 of 2009.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)