

## Subcontractor Campaign Contribution Information

**These forms are not for Applicants or Contractors to complete. Disclosure forms for Applicants and Contractors must be completed online and submitted through the eContract Philly website. These forms will not be accepted as substitution. These forms are for use by prime contractors who wish to collect campaign contribution information from their subcontractors to verify the eligibility of those subcontractors.**

The following forms are provided for applicants and contractors who want to ensure their subcontractors are eligible to work on a contract with the City of Philadelphia.

Under Chapter 17-1400 of the Philadelphia Code, the eligibility restrictions are as follows:

- If an individual makes contributions totaling over \$2,900 in one calendar year to a candidate for City elective office or to an incumbent, the individual is not eligible to receive a non-competitively bid contract over \$10,000 during that candidate's or incumbent's term of office.
- If a business makes contributions totaling over \$11,500 in one calendar year to a candidate for City elective office or to an incumbent, the business is not eligible to receive a non-competitively bid contract over \$25,000 during that candidate's or incumbent's term of office.

→ **Note on Eligibility:** If a candidate for any City elective office contributes \$250,000 or more from his or her personal resources to his or her campaign, then the eligibility thresholds for individuals and businesses shall double with respect to contributions to all candidates for that same elective office (i.e. \$5,800 for individuals and \$23,000 for businesses).

### **Getting Started**

Because the eligibility restrictions are based on whether the applicant, contractor, or subcontractor is an individual or a business (see Definitions on page 3 and 4), there are two sets of questions that asks about campaign contributions. To help you consider whether a contribution must be disclosed, the questions will ask you whether you or your business made any contributions (defined as a provision of money, in-kind assistance, discounts, forbearance or any other valuable thing) during the two years prior to the application deadline for the non-competitively bid contract opportunity for which an application is being submitted or the two years prior to the disclosure forms being submitted.

You must disclose any contributions made to:

- A candidate for nomination or election in any public office in the Commonwealth of Pennsylvania
- An incumbent in any public office in the Commonwealth of Pennsylvania
- A political committee or state party in the Commonwealth of Pennsylvania
- A group, committee, or association organized in support of any candidate, office holder, political committee or state party in the Commonwealth of Pennsylvania

*Attribution Rules.* In addition to disclosing contributions made directly by the individual or business, the questions will also request that you supply information on other types of contributions. The campaign contribution disclosure forms will include questions that specifically

ask for information on these other types of contributions. These contributions will be attributed to the individual or business and are used to determine the eligibility to work on a contract.

Businesses (i.e. corporation, limited liability company, partnership association, joint venture, or any other legal entity) have to disclose contributions made by the following:

- Business
- Parent, subsidiary, or otherwise affiliated entity of the business (“affiliate”)
- An individual or business that is then reimbursed by the business or affiliate
- Officers, directors, controlling shareholders, or partners of the for-profit business or for-profit affiliate
- Political action committee controlled by business or affiliate
- Political action committee controlled by officer, director, controlling shareholder, or partner of the for-profit business or for-profit affiliate
- Businesses must also disclose all contributions to candidates or incumbents which are attributed to an immediate family member of an officer, director, controlling shareholder, or partner of the for-profit business or the for-profit affiliate of the business. Please disclose full amount of contribution, although only the amount above \$2,900 will be attributed to the officer, director, controlling shareholder, or partner (and, by extension, the applicant business).

Individuals have to disclose contributions made by the following:

- Individual
- Member of individual’s immediate family (i.e., spouse, life partner, or dependent child living at home), when contributions are in excess of \$2,900

In addition to direct contributions to candidates, incumbents, or political committees in the Commonwealth of Pennsylvania, applicants are also required to disclose:

1. Contributions not directly given to a candidate, incumbent, or political committee but made with the intent that the contribution will benefit the candidate, incumbent, or political committee;
2. Solicitation of contributions on behalf of a candidate, incumbent, or political committee, including the hosting of or solicitation at fundraising events (required to disclose details regarding the date of event and amount raised); and
3. Contributions not made directly by the individual/business to a candidate, incumbent, or political committee but furnished by the individual / business (as an “intermediary”).

## Definitions

Affiliate	A parent, subsidiary, or otherwise affiliated entity of a business
Applicant	An individual or business who has filed an application to be awarded a non-competitively bid contract
Business	A corporation, limited liability company, partnership, association, joint venture or any other legal entity (including non-profit organizations) that is not an Individual
Candidate	Any individual who seeks nomination or election to public office, other than a judge of elections or inspector of elections, whether or not such individual is nominated or elected. An individual shall be deemed to be seeking nomination or election to such office if he or she has (1) received a contribution or made an expenditure or has given his consent for any other person or committee to receive a contribution or make an expenditure, for the purpose of influencing his or her nomination or election to such office, whether or not the individual has made known the specific office for which he or she will seek nomination or election at the time the contribution is received or the expenditure is made; or (2) taken the action necessary under the laws of the Commonwealth of Pennsylvania to qualify himself or herself for nomination or election to such office.
Contributions	The provision of money, in-kind assistance, discounts, forbearance or any other valuable thing, during the two years prior to the deadline for the filing of the application for the contract opportunity, to any of the following: <ul style="list-style-type: none"> <li>– a candidate for nomination or election to any public office in the Commonwealth of Pennsylvania;</li> <li>– an incumbent in any public office in the Commonwealth;</li> <li>– a political committee or state party in the Commonwealth; or</li> <li>– a group, committee or association organized in support of any candidate, office holder, political committee or state party in the Commonwealth.</li> </ul>
Immediate family	A spouse or life partner residing in the individual’s household or minor dependent children
Incumbent	An individual who holds elective office
Intermediary	A person, who, other than in the regular course of business as a postal, delivery or messenger service, delivers a contribution from another individual or business to the recipient of such contribution
Non-Competitively Bid Contract	A contract for the purchase of goods or services to which the City or City Agency is a party that is not subject to the lowest responsible bidder requirements of Section 8-200 of the Home Rule Charter, including, but not limited to, a Professional Services Contract, and any renewal of such a contract (other than a renewal term pursuant to an option to renew contained in an executed contract)

Person	An individual, corporation, limited liability company, partnership, association, joint venture, or any other legal entity
Political committee	Any committee, club, association or other group of persons which receives money or makes expenditures for purposes of influencing any election
Professional Services Contract	A contract to which the City or a City Agency is a party that is not subject to the lowest competitive bidding requirements of Section 8-200 of the Home Rule Charter because it involves the rendition of professional services, including any renewal of such a contract (other than a renewal term pursuant to an option to renew contained in an executed contract)
Solicit a Contribution	Requesting or suggesting that a person make a contribution. The sponsoring or hosting of a fundraising event is considered soliciting a contribution from the attendees of the event. Any contributions raised at such event are counted as a contribution made by the host of the event.

Forms not accepted for Applicants and Contractors who must complete and submit disclosure forms online.  
 If you have questions, please contact [econtractphilly@phila.gov](mailto:econtractphilly@phila.gov) or 215-686-4914.

*Individual:*  
Subcontractor Campaign Contribution Disclosure Form

You must provide information for the two years prior to the application deadline or prior to when the disclosure forms are being submitted. You only need to complete the *Individual* or the *Business* Campaign Contribution form. Which form you complete depends on whether you are being subcontracted with as an individual or a business.

	<i>Yes</i>	<i>No</i>
Have you made any contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Have you solicited or served as an intermediary for any contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Has a member of your immediate family made any contributions over and above \$2,900?	<input type="checkbox"/>	<input type="checkbox"/>
Has a member of your immediate family solicited or served as an intermediary for contributions over and above \$2,900?	<input type="checkbox"/>	<input type="checkbox"/>

Please use the table provided on page 7 to provide additional information on every contribution.

Forms not accepted for Applicants and Contractors who must complete and submit disclosure forms online. If you have questions, please contact [econtractphilly@phila.gov](mailto:econtractphilly@phila.gov) or 215-686-4914.

*Business:*  
*Subcontractor Campaign Contribution Disclosure Form*

You must provide information for the two years prior to the application deadline or prior to when the disclosure forms are being submitted. You only need to complete the *Individual* or the *Business Campaign Contribution* form. Which form you complete depends on whether you are being subcontracted with as an individual or a business.

	<i>Yes</i>	<i>No</i>
Has the business made any contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Has the business solicited or served as an intermediary for any contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Has an officer, director, controlling shareholder, or partner of the business made any contributions? (See note below.)	<input type="checkbox"/>	<input type="checkbox"/>
Has an officer, director, controlling shareholder, or partner of the business solicited or served as an intermediary for any contributions? (See note below.)	<input type="checkbox"/>	<input type="checkbox"/>
Has an affiliate of the business made any contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Has an affiliate of the business solicited or served as an intermediary for any contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Has an officer, director, controlling shareholder, or partner of a for-profit affiliate of the business made any contributions? (See note below.)	<input type="checkbox"/>	<input type="checkbox"/>
Has an officer, director, controlling shareholder, or partner of a for-profit affiliate of the business solicited or served as an intermediary for any contributions? (See note below.)	<input type="checkbox"/>	<input type="checkbox"/>
Has the business or an affiliate of the business reimbursed another individual or business for a contribution that the individual or business has made?	<input type="checkbox"/>	<input type="checkbox"/>
Has an officer, director, controlling shareholder, or partner of a for-profit business, or of a for-profit affiliate of the business, reimbursed another individual or business for a contribution that the individual or business has made? (See note below.)	<input type="checkbox"/>	<input type="checkbox"/>
Has a political committee controlled by the business or by an affiliate of the business made any contributions?	<input type="checkbox"/>	<input type="checkbox"/>
Has a political committee controlled by an officer, director, controlling shareholder, or partner of the for-profit business, or of a for-profit affiliate of the business, made any contributions?	<input type="checkbox"/>	<input type="checkbox"/>

**Note:** Businesses must also disclose all contributions to candidates or incumbents which are attributed to an immediate family member of an officer, director, controlling shareholder, or partner of the for-profit Applicant or the for-profit affiliate of the Applicant. Please disclose full amount of contribution, although only the amount above \$2,900 will be attributed to the officer, director, controlling shareholder, or partner (and, by extension, the business).

Please use the table provided on page 7 to provide additional information on every contribution.

