

## **MEMO**

**To:** Kinsey Casey, Chief Operating Officer

**From:** Alicia Carberry, Operations Assistant

**Date:** October 17, 2020

**Subject:** Managing disclosed or perceived conflicts of interest among members of the Clean Pittsburgh Commission and respondents to the 'Pick Up PGH' RFP

### **Intro**

The Clean Pittsburgh Commission (CPC) was established in 2005 through [Pittsburgh City Code Title I, Article IX: - Boards, Commissions and Authorities, Chapter 179A](#), and re-authorized by Pittsburgh City Council in 2019. The CPC's mission, in part, is to act as the primary resource for addressing quality of life issues in Pittsburgh's neighborhoods through education, clean-ups, and beautification. The Department of Public Works on behalf of the CPC issued a Request for Proposals (RFP) with the intent to award multiple contracts to businesses and/or organizations to coordinate a year of clean-ups and directly fund neighborhood participants in those efforts. Areas for clean up were be proposed by referencing a combination of maps, visual assessments, and citizen reports of litter and illegal dumping submitted to the City through 311.

[RFP20000346 'Pick Up PGH'](#) opened from August 18, 2020 03:00:00 PM EDT to September 17, 2020 03:00:00 PM EDT.

The two responding organizations, Allegheny CleanWays and Operation Better Block, both have member representation on the Clean Pittsburgh Commission.

### **Clean Pittsburgh Commission Funding and History of the RFP**

2020 is the first year since the creation of the CPC in 2005 that funding was awarded in the City's DPW Operating Budget. The CPC had discussed and outlined budgets many times prior to 2020 when applying for and anticipating funding. All members regardless of potential conflicts had opportunity to comment on the budget before approved by the Commission by majority vote. Initially, the proposed budget was to fund the work of member organization Allegheny CleanWays directly. Allegheny CleanWays is a legislated member organization of the CPC through [ordinance 2005-1579](#), and Allegheny CleanWays representatives on the CPC have played active roles for 15 years. Once it was known that more than one organization and/or business could complete the project scope the CPC intended to fund, it was decided by the CPC as a whole to competitively solicit the opportunity and closely adhere to the City of Pittsburgh's procurement guidelines and contract code.

### **Conflicts of Interest**

When 2020 Operating Budget funding was awarded to the CPC, the CPC decided to [create and adopt a](#)

[formal handbook to be published publicly](#) and require conflict of interest disclosures from all members. The handbook and disclosure policy was adopted prior to the spending of any funds. The handbook defines CPC functions and operations in keeping with founding legislation, and details the mission and values and high standards the commission as a whole and individual members hold themselves to. Conflicts of interest were defined as holding any positions or affiliations with organizations that may apply for or receive funding from the Commission.

Only members with no disclosed or perceived conflict of interests with the RFP were involved with the creation of and parameters for the RFP. Members with a disclosed or perceived conflict of interest were advised to recuse themselves from both discussions and votes specific to awarding the RFP.

Only a very basic project overview was shared at public monthly meetings of the CPC.

### **Clean Pittsburgh Commission meetings with RFP discussion**

Meeting agendas are published on the CPC webpage prior to meeting occurrence (2<sup>nd</sup> Thursdays of the month from 10-11:30am) and minutes are published once approved by majority vote of the CPC at a subsequent meeting (October meeting minutes will be approved at November's meeting)

<https://pittsburghpa.gov/clean-pgh/cpc>

July, August, and September meetings of 2020 all included discussion of the Pick Up PGH RFP, listed in the meeting minutes as:

- **July 9, 2020 - VIII. RFP**
- **Aug. 13, 2020 - VIII. RFP**
- **Sept. 10, 2020 - VI. RFP Update**

### **RFP information sessions**

Public information sessions for the RFP were led by Dan Tobin with Alicia Carberry, Chris Mitchell, and Omoye Aikhuele. Alicia prefaced each session by declaring her relationships with and knowledge of many of the people on the call and underlined that all RFP communication must go through Dan Tobin. Alicia also shared that would not be on the RFP selection committee, but would help to schedule the time and date.

### **RFP selection committee**

The 'selection procedure' section of the RFP states:

“This proposal will be evaluated by a Selection Committee comprised of the following City of Pittsburgh staff.

- Chief Operating Officer or designated staff
- At least two members of the Department of Public Works
- Any other department representatives as deemed necessary. and

- At least two members of the Clean Pittsburgh Commission who have disclosed no conflicts of interest related to the business(es) and/or organization(s) for evaluation”

The selection committee met on September 28, 2020. The committee went beyond the parameters set by the RFP to allow for a robust democratic process and was comprised of the following:

**Dan Tobin** - Office of Management & Budget Procurement Specialist

**Jordan Fields** - Mayor's office Policy Coordinator

**Gisele Betances** - Office of Community Affairs Community Liaison

**Mike Gable** - DPW Director

**Kinsey Casey** - Mayor's office Chief Operating Officer

**Melissa Rosenfeld** - DPW Enviro. Enforcement Coordinator (former Clean Pittsburgh Commission)

**Chris Mitchell** - DPW, Anti-litter Specialist (also Clean Pittsburgh Commission)

**Omoye Aikhuele** - DPW Recycling Specialist (also Clean Pittsburgh Commission)

**Erika Young** - Clean Pittsburgh Commission / Waste Management, Public Affairs Coordinator

**Lori Beth Jones** - Clean Pittsburgh Commission / active West Side neighbor

**Record keeping:**

The CPC keeps many internal records on initiatives, process guides, and action items. Members with conflicts of interest specific to the Pick Up PGH RFP were barred access to the internal files of drafts or discussion of the RFP.

**In sum:** Pittsburgh is a close-knit City full of many neighbors and friends. The Clean Pittsburgh Commission has a 15 year history of bringing City and non-profit representatives together to collaborate on projects related to litter and illegal dumping. Very few degrees of separation exist among the people in Pittsburgh’s self-proclaimed “trash cult”. Careful measures at every step were made to ensure a fair and transparent award process for the Clean Pittsburgh Commission’s Pick Up PGH project.

**Note:** At the time of this writing, minor follow up questions have been sent by Procurement to both respondents. Internal discussions of the Selection Committee and Procurement show intent to award contracts to both respondents.