OFFICIAL BID PACKET

Three (3) ½-Ton Pickup Trucks

Bid Opening: March 4, 2014

The City of Canton
Water Reclamation Facility

Name of Bidder: _____

BIDDER'S CHECKLIST

A complete bid packet will consist of the items listed below.

Complete this checklist to confirm the items required in your bid. Place a checkmark or "X" next to each item that you are submitting to the City of Canton. Failure to submit the listed documents may be cause for rejection of your bid. This checklist should be returned with your proposal.

_____ Cover sheet (Page 1)

_____ Checklist (Page 2)

_____ Legal Notice (Page 3)

_____ Specifications (Pages 4-7)

_____ Proposal Page (Page 8)

_____ Bid Check (Certified or Cashiers) or Bid Bond (Page 9)

_____ Bidder Information/Signature Pages (Pages 10-12)

_____ Personal Property Tax Certification: ORC 5719.042 (Page 13)

_____ EEO Forms and Contract Compliance (Pages 14-19)

_____ City of Canton Codified Ordinances (Pages 20-22)

_____ Additional Information and Considerations for Bidders (Page 23)

_____ Warranty Information (Should be attached to bid)

LEGAL NOTICE
Ordinance 14/2014

The Director of Public Service of the City of Canton, Ohio will accept sealed bids until 2:00 PM, local time on **Tuesday, March 4, 2014**, for the purpose of securing bids for:

Three (3) ½-Ton Pickup Trucks

Submit bid according to the specifications and bid sheet(s) shown on the City's Purchasing website at https://cantonohio.gov/purchasing/?pg=showbids.
Submit all bids to the City of Canton Purchasing Department, 218 Cleveland Avenue SW, Purchasing Department/ Sixth Floor, Canton, Ohio 44702 before 2:00 p.m. on the day of the bid opening. The City will disqualify any bid not received on or before 2:00 PM on **Tuesday, March 4, 2014.**

The Sixth Floor Conference Room of Canton City Hall is the location for the Bid Opening. Contact Randy Dublikar at (330) 438-4185 or randall.dublikar@cantonohio.gov if you have any questions.

Each bid must contain the full name of every person or company participating in the bid. A **certified check**, **cashier's check** or **surety bond** must accompany the bid. Draw this check or bond from a solvent bank or bonding company satisfactory to the Director of Public Service as a guarantee the contract and its performance are properly secured if the bid is accepted.

The Bidder shall verify the **certified check**, **cashier's check** or **bid bond** for **five hundred ($500.00) dollars.** The City of Canton will **only accept original checks and bid bonds**. Therefore, if any company and/or bidder submits a copy (including faxed copies) of his/her $500.00 security, the City will disqualify the bid.

The Director of Public Service reserves the right to waive any technical defects in any bid bond submitted so long as the bond is in substantial compliance with State Law. Any bidder may withdraw his bid, by written request, at any time prior to the hour set for the bid opening. Please be advised, the City of Canton may impose a $500.00 penalty to any bidder that withdraws his bid after the bid opening and prior to a contract award(s).

Should any bid not be awarded or be rejected, such check or bond will be returned to the bidder or bidders after the execution of the contract.

The Board of Control reserves the right to reject any or all bids and to accept the bid(s) deemed most beneficial to the City of Canton.

All companies must submit their Federal ID Number for IRS purposes.

The bidder is responsible to monitor the city website for any official addenda.

The bidder must print this entire packet and submit in its entirety. The City requires that the bidder submits an original completed bid packet and two (2) copies of that completed packet for a total of three (3) bid packet copies.

By order of the Director of Public Service: William Bartos
Published in the Canton Repository: February 17 and 24, 2014

SPECIFICATIONS

1.0 SCOPE AND CLASSIFICATION

1.1 **Scope**: The City of Canton, Water Reclamation Facility, is seeking the immediate purchase of **three (3) ½ Ton Pickup Trucks**. The trucks will be delivered, upon execution of the contract, to the Water Reclamation Facility, 3530 Central Avenue SE, Canton, OH 44707.

1.2 **Classification**: The successful bidder will deliver F.O.B. to the City of Canton, Ohio Water Reclamation Facility three (3) ½ Ton Pickup Trucks to the City of Canton Water Reclamation Facility per the specifications below.

2.0 APPLICABLE PUBLICATIONS & STANDARDS

2.1 N/A

3.0 REQUIREMENTS

3.1 General Requirements

3.1.1 Price: All bidders are requested to bid fixed, firm pricing in the spaces provided on page 8.

3.1.2 Quality: All bids must meet the minimum specifications listed below. All equipment not specifically mentioned, which is normally furnished by the successful bidder, shall conform in strength, quality of material and workmanship, as to what is provided in the automotive industry in general. A complete set of specifications shall be submitted with your bid.

3.2 Vehicle Specifications (for all three (3) trucks): Trucks shall be the most recent model year, ½ ton, regular cab, and shall meet or exceed all of the specifications listed below. The specifications shall apply to all three (3) trucks.

3.2.1 Powertrain
3.2.1.1 Engine Type (Cylinder/Liter) – 6/3.7
3.2.1.2 Horsepower (Net HP) – 280
3.2.1.3 Automatic Transmission
3.2.1.4 Locking differential
3.2.1.5 Drivetrain – 2WD

3.2.2 Chassis
3.2.2.1 Alternative Fuel (type) – E-85
3.2.2.2 Fuel Capacity (gallons) – 26

3.2.2.3 Tires – All Season
3.2.2.4 Spare Tire – Full Size
3.2.2.5 Cooling System – h.d.a.

3.2.3 Safety
3.2.3.1 Restraint System (driver & passenger) required
3.2.3.2 Supplemental restraint system (driver & passenger) required
3.2.3.3 Power anti-lock brakes for front and rear required

3.2.4 Dimensions
3.2.4.1 Wheelbase (inches) – 133
3.2.4.2 Head Room (front) – 40
3.2.4.3 Leg Room (front) – 41
3.2.4.4 Shoulder Room (front) – 65
3.2.4.5 Hip Room (front) – 60
3.2.4.6 Cargo Volume (cu.ft.) – 75
3.2.4.7 Payload (lbs.) – 1,790
3.2.4.8 Gross Vehicle Weight Rating (GVWR) – 6,400

3.2.5 Electrical – Alternator and Battery shall be manufacturer standards

3.2.6 Exterior
3.2.6.1 Body Side Moldings – manufacturer standard
3.2.6.2 Rear door type – Locking tailgate
3.2.6.3 Bed Length (ft) – 8
3.2.6.4 Rear step bumper – manufacturer standard
3.2.6.5 A standard drop in bed liner is required

3.2.7 Seating
3.2.7.1 Seating capacity – 3
3.2.7.2 Front seat type – split bench
3.2.7.3 Seat covering – vinyl
3.2.7.4 Floor covering – vinyl

3.2.8 Additional Accessories (all of the following are required)
3.2.8.1 Air conditioning
3.2.8.2 Tilt Wheel & Cruise Control
3.2.8.3 Power Windows and Door Lock
3.2.8.4 Keyed Door Locks
3.2.8.5 Three (3) sets of keys with FOBS
3.2.8.6 Remote Keyless Entry
3.2.8.7 Intermittent Windshield Wipers
3.2.8.8 AM/FM Radio
3.2.8.9 Dual Exterior Rear View Mirror
3.2.8.10 Cargo Dome Lighting
3.2.8.11 30 Day Tag

3.2.9 Warranty – Manufacturer's Standard Warranty – 3 years/36,000 Miles minimum

3.2.10 Bid price shall include delivery to the address indicated in specification 5.2.

3.2.11 All safety equipment required by the State of Ohio and/or Federal Government shall be considered as part of this bid and must be included.

4.0 SAMPLING, INSPECTION, AND TEST PROCEDURES

4.1 Upon delivery, the trucks shall undergo a thorough physical inspection by the City. If the vehicles are damaged, defective, or substandard they shall be removed by the supplier and replaced at no cost to the City of Canton. In addition, if the vehicles do not conform to these specifications, it will be the responsibility of the dealer or manufacturer to comply with the requirements. Any extra accessories delivered on the vehicle that were not part of this bid will not be paid for.

5.0 PREPARATION FOR DELIVERY

5.1 Dealer preparation, conditioning and full service is required prior to delivery. The vehicles shall be completely serviced and cleaned of all dirt and road film. All equipment is to be completely installed and all adjustments are to be made which are required to prepare the vehicle for immediate and continuous operation upon delivery. A vehicle requiring service of dealer preparation will not be accepted. The vehicles shall contain no less than one-half tank of gasoline upon final delivery.

5.2 Delivery shall be to the City of Canton Water Reclamation Facility:

3530 Central Avenue SE
Canton, OH 44707

5.3 Invoice shall show the City's purchase order number, the item number, the quantity, a brief description of the item, the unit price and the total amount due.

5.3.1 Invoice address: All invoices shall be submitted to the address on the Purchase Order.

6.0 NOTES

6.1 Warranty: Manufacturer's warranty to apply. The successful bidder shall furnish, with the vehicle, the Manufacturer's Owner Service Policy. In addition, the Owner Service Policy shall be recognized and accepted by all authorized dealers. Terms of warranty should be submitted with the bid, including any extension of warranty covering defects

and adjustments not normally covered by the manufacturer's warranty. Warranty coverage may be used as a factor in determining the award of the contract.

6.2 Prospective bidders will take notice that the City of Canton, in determining the lowest and best bidder in the award of this contract, may award a local bidder preference to any qualified bidder pursuant to Section 105.08 of the Codified Ordinances of the City of Canton. The determination of whether a bidder qualifies for the local preference shall be made by the Board of Control. The Board's decision shall be final. City Code section 105.08 can be found on page 20 of this bid packet.

6.3 Award Process: Contracts will be awarded in accordance with Section 105.09 of the City of Canton Codified Ordinances using the standard of lowest and best bidder.

6.4 Proposal Page Instructions: Bidders are required to fill out page 8 completely. Price shall include all of the requirements listed in the specifications. Also, bidders are required to fill in the blanks on page 8 with the actual information for the truck that is being proposed.

PROPOSAL PAGE

We (I), the below signed hereby propose to furnish the following article(s) and/or service(s) at the price(s) and terms stated subject to all instructions, conditions, specifications, and all attachments hereto. We (I) have read all attachments including the specifications and fully understand what is required.

Required Items

Description	**Quantity**	**Total Price for Three Vehicles (In Figures)**	**Total Price for Three Vehicles (In Words)**
½-Ton Pickup Truck	3		

*****Please attach all warranty information to your bid*****

Please state the exact year, make, and model of the vehicles being proposed:

_____

INSERT BID GUARANTY HERE

A **certified check**, **cashier's check** or **surety bond** must accompany the bid. Draw this check or bond from a solvent bank or bonding company satisfactory to the Director of Public Service as a guarantee the contract and its performance are properly secured if the bid is accepted.

The Bidder shall verify the **certified check**, **cashier's check** or **bid bond** for **five hundred ($500.00) dollars.** The City of Canton will **only accept original checks and bid bonds**. Therefore, if any company and/or bidder submits a copy (including faxed copies) of his/her $500.00 security, the City will disqualify the bid.

The Director of Public Service reserves the right to waive any technical defects in any bid bond submitted so long as the bond is in substantial compliance with State Law. Any bidder may withdraw his bid, by written request, at any time prior to the hour set for the bid opening. Please be advised, the City of Canton may impose a $500.00 penalty to any bidder that withdraws his bid after the bid opening and prior to a contract award(s).

Should any bid not be awarded or be rejected, such check or bond will be returned to the bidder or bidders after the execution of the contract.

BIDDER INFORMATION

1. The Bidder shall provide the following information as part of its bid.

a. Name of Bidder _____

b. Business Address _____

_____ _____ _____
City State Zip

c. Business Telephone Number (____) _____

d. Person, address, email and telephone to whom official notices are to be sent _____
_____
_____

e. Person, address, email and telephone for further information regarding this proposal _____
_____
_____

f. State(s) of incorporation (w/dates of incorporation) _____
_____

g. Principal place of business _____

h. Working days necessary to complete project _____days

i. Federal I.D. Number # _____
This is required for IRS purposes

j. Amount of Certified Check, Cashier's Check, Bid Bond $ _____

Bidder Information Page 2 of 3

2. Form of Business Organization.

   ____ Corporation

   ____ Partnership

   ____ Other

3. The bidder shall provide the names and addresses of all persons interested as principals (officers, partners, and associates) in this proposal. Write first name in full, and give titles for offices.

_____ _____
_____ _____
_____ _____
_____ _____

All of the above, including the signatory to this bid, are citizens of the United States, except the following. (Provide names and addresses of those not a citizen of the United States.)

_____ _____
_____ _____
_____ _____
_____ _____

4. Name and address of other person, firms or companies interested in this contract.

_____ _____
_____ _____
_____ _____
_____ _____

Bidder Information Page 3 of 3

The undersigned certifies that the bidder has the facilities, ability and financial resources available for the fulfillment of the contract if such be awarded to said bidder.

Upon request, the bidder will be expected to amplify the foregoing statements as necessary to satisfy the OWNER concerning his ability to successfully perform the work in a satisfactory manner.

Signed this _____ day of _____, 20 _____.

_____
Contractor

By _____
(Signature of individual, partner or officer signing the proposal.)

Please have this page Notarized

PERSONAL PROPERTY TAX CERTIFICATION (ORC 5719.042)

Instructions
The successful bidder shall be required to

1. retype the statement below on the bidder's letterhead,
2. have said statement notarized utilizing either paragraph (A) or (B) as it applies to your company, and
3. submit the **notarized** statement to the City of Canton.

Note: This may be submitted with the bid packet.

Office of the Auditor
City of Canton
City Hall 218 Cleveland Avenue S.W.
Canton, Ohio 44702

Dear Sir or Madame:

(A) The undersigned hereby certifies that the party to whom contract award is being considered was not charged with any delinquent personal property tax at the time of the bid opening the project nor is said party currently charged with such a delinquency on the general tax list of personal property for Stark County, Ohio.

or

(B) The undersigned hereby certifies that the party to whom contract award is being considered has been charged with a delinquency regarding personal property tax on the general tax list of personal property for Stark County, Ohio, either currently, or at the time of bid opening the project. The amount of the due and unpaid delinquent taxes, including any due and unpaid penalties and interest thereon is _____.

and

It is understood that, by law, this statement is to be signed by the party whose bid has been tentatively accepted, and must be affirmed under oath. The law also requires that his statement is to be submitted to the City Auditor and this statement must be incorporated into the pending contract before any payment can be made under the subject contract.

_____ _____
Name of Corporation President

_____
Secretary

CONTRACT COMPLIANCE AND EEO FORMS

Instructions

1. **Contract Compliance Requirements**:
    a. The successful bidder shall be required to comply with the City Contract Compliance Program regarding equal employment opportunity.
    b. Please complete and submit with your bid the Bidder and Contractor Employment Practices Report forms located on pages 15-18.

2. **Affirmative Action Plan/EEO Policy**:
    a. The successful bidder must submit an "affirmative action plan" and/or "EEO policy."
    b. If your company does not have a formal EEO policy, please complete the EEO policy statement included on page 19.

Note: These may be submitted with the bid packet.

Three (3) 1/2 –Ton Pickup Trucks
City of Canton Water Reclamation Facility

PLEASE FILL OUT THIS FORM AND RETURN PROMPTLY TO THE ADDRESS BELOW

BIDDER AND CONTRACTOR EMPLOYMENT PRACTICES REPORT

Minority Coordinator
218 Cleveland Avenue SW
Canton, Ohio 44702

I. INSTRUCTIONS

A. EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENT: This form is designed to provide an evaluation of your policies and practices relating to the extension of equal employment opportunity to all persons without regard to race, religion, color, sex or national origin.

Ordinance No. 179-74 of the City of Canton and the rules and regulations pursuant thereto provide for a contract compliance inspection of personnel policies and practices related to any contract with the City including contracts for work, labor, services, supplies, equipment, materials, leases, concession agreements, and permits.

B. CONTRACTOR AND BIDDER PERFORMANCE: Completion of this Contractor and Bidder Employment Practices Report is one of the steps which demonstrates compliance with the City's Equal Employment Opportunity Program. Responsibility for demonstrating compliance with the Program by the contractor and his subcontractors rests with the contractor or subcontractor. Such demonstration is a prerequisite for continued eligibility for bidding on city contracts, or for continuing in contract with the City.

II. CONTRACTOR AND BIDDER INFORMATION

1. REPORTING STATUS ☐ a. Prime Contractor ☐ b. Prime Subcontractor ☐ c. Supplier ☐ d. Other (Specify)
2. NAME, ADDRESS AND TELEPHONE NUMBER OF BIDDER COVERED BY THIS REPORT
3. NAME, ADDRESS AND TELEPHONE NUMBER OF PRINCIPAL OFFICIAL OR MANAGER OF BIDDER
4. NAME, ADDRESS AND TELEPHONE NUMBER OF PRINCIPAL OFFICE OF BIDDER
5. CONTRACTING CITY AGENCY (OR AGENCIES)
6. SIGNATURE AND TITLE OF AUTHORIZED EQUAL EMPLOYMENT OPPORTUNITY REPRESENTATIVE |DATE

EVALUATION (level blank)

☐ Compliance

☐ Non-Compliance ☐ Follow-up _____

III. POLICIES AND PRACTICES

The bidder and the Contractor will indicate his willingness or unwillingness to comply with the requirements of the Equal Employment Opportunity Program of the City of Canton by encircling the appropriate or applicable letter to the left of each item below. The letters are to be interpreted as follows:

A - This is now a practice of the Company.
B - The Company will adopt this policy.
C - The Company cannot or will not adopt this policy. (If "C" is circled, state reason. Use separate sheet if additional space is needed.)

It is understood that the Company's willingness to participate in the Equal Employment Opportunity Program will be evaluated by the Office of Directors of Contract Compliance. This evaluation will directly influence our decision on the qualifications of each bidder and contractor, and is an integral part of your bid.

CIRCLE ONE	ITEMS	STATE REASON IF (C) IS CIRCLED
A B C	1. The Company will adopt a policy of non-discrimination on the basis of race, religion, color, sex, or national origin with regard to recruitment, hiring, training, upgrading, promotion and discipline of employees or applicants for employment.	
A B C	2. The Company will develop procedures which will assure that this policy is understood and carried out by managerial, administrative, supervisory personnel.	
A B C	3. The Company will state its non-discriminatory policy in writing and communicate it to the following: a. All employees b. All recruitment sources c. All subcontractors d. All relevant employee organizations including labor unions	
A B C	4. The Company will use recruitment sources such as employment agencies, unions, and schools which have a policy of referring applicants on a non-discriminatory basis.	
A B C	5. The Company will participate in training programs for the benefit of employees or prospective employees, according to the intent of City Ordinance Number 179-74.	
A B C	6. Company recruiters will seek a broad recruitment base in order that a representative cross-section of applications might be obtained, and will refrain from a hiring policy which limits job applicants to persons recommended by company personnel.	
A B C	7. The Company will take steps to integrate any position, departments, or plant locations which have no minority persons including African Americans or are almost completely staffed with one particular ethnic or racial group.	
A B C	8. The Company will review its qualifications for each job to determine whether such standards eliminate unemployed persons who could, if hired, perform the duties of the job adequately. The following qualifications should be reviewed: a. education b. experience c. tests d. arrest records	
A B C	9. Residence in a particular geographical area will not be a qualifying or disqualifying criterion for employment with the Company.	
A B C	10. The Company will provide that all bargaining agreements with employee organizations, including labor unions, have non-discrimination clauses requiring equal employment opportunity.	

IV. EMPLOYMENT DATA

Please note that this data may be obtained by visual survey or post-employment records. Neither visual surveys nor post-employment records are prohibited by any Federal, State or local law. All specified data are required to be filled in by law.

JOB CATEGORIES	ALL EMPLOYEES			MINORITY GROUP EMPLOYEES							
	TOTAL			MALE				FEMALE			
	MALE & FEMALE	MALE	FEMALE	African American	Asian American	Native American	Hispanic	African American	Asian American	Native American	Hispanic
Officials, Mgrs and Supervisors											
Professionals											
Technicians											
Part-Time Seasonal											
Office and Clerical											
Craftsmen (Skilled)											
Operatives (Semi-skilled)											
Laborers (Unskilled)											
Service Workers											
TOTAL											
Total employment from previous report (if any)											

REMARKS Use this space to give any identification data appearing on last report which differs from that given above, explain major changes in employment, changes in composition of reporting units, and other pertinent information.

The undersigned certifies that he is legally authorized by the bidder to make the statements and representations contained in this report. That he has read all of the foregoing statements and representations and that they are true and correct to the best of his knowledge and belief. The undersigned, understands that if any of the statements and representations are made knowing them to be false or there is a failure to implement any of the stated intentions or objectives, set forth herein, without prior notice to the Office of Contract Compliance, the bidder will be subject to the loss of all future awards.

FIRM OR CORPORATE NAME _____ DATE OF SIGNING _____

SIGNATURE _____ TITLE _____

SIGNATURE _____ TITLE _____

V. ADDITIONAL INFORMATION (OPTIONAL)

Describe any other actions taken which show that all employees are recruited, hired, trained, and promoted without regard to their race, religion, color, sex, or national origin. Use separate sheet if additional space is required.

DESCRIPTION OF OCCUPATIONAL CATEGORIES

Officials, managers and supervisors - Occupations requiring administrative personnel who set broad policies, exercise over-all responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes officials, executives, middle management, plant managers, department managers and superintendents, salaried foremen who are members of management, purchasing agents and buyers, and kindred workers.

Professionals - Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, physicians, social scientists, teachers, and kindred workers.

Technicians - Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes draftsmen, engineering aids, junior engineers, mathematical aids, nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians, (medical, dental, electronic physical sciences), and kindred workers.

Sales workers - Occupations engaging wholly or primarily in direct selling. Includes advertising agents and salesmen, insurance agents and brokers, stock and bond salesmen, demonstrators, salesmen and sales clerks and kindred workers.

Office and clerical - Includes all clerical type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes bookkeepers, cashiers, collectors (bills and accounts), messengers and office boys, office machine operators, shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, and kindred workers.

Craftsmen (Skilled) - Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgement and usually receive an extensive period of training. Includes the building trades hourly paid foremen and leadmen who are not members of management, mechanics and repairmen, skilled machining occupations, compositors and typesetters, electricians, engravers, job setters (metal), motion picture projectionists, pattern and model makers, stationary engineers, tailors and tailoresses, and kindred workers.

Operatives - (Semi-Skilled) - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training.

Laborers (Unskilled) - Workers in manual occupations which generally require no special training. Perform elementary duties that may be learned in a few days and require no independent judgement. Includes garage laborers, car washers and greasers, gardeners (except farm) and groundskeepers, longshoremen and stevedores, lumbermen, raftsmen and wood choppers, laborers performing lifting, digging, mixing, loading, and pulling operations, and kindred workers.

Service workers - Workers in both protective and nonprotective service occupations. Includes attendants (hospital and other institution, professional and personal service), barbers, charwomen and cleaners, cooks (except household), counter and fountain workers, elevator operators, firemen and fire protection, guards, watchmen, and doorkeepers, stewards, janitors, policemen and detectives, porters, waiters and waitresses, and kindred workers.

Apprentices - Persons employed in a program including work training and related instruction to learn a trade or craft which is traditionally considered an apprenticeship, regardless of whether the program is registered with federal or State agency.

POLICY STATEMENT

THE CITY OF CANTON, OHIO IN CONFORMANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS REQUIRE EACH EMPLOYER, CONTRACTOR, AND MATERIAL SUPPLIERS WORKING CITY PROJECTS TO BE SIGNATURES OF THE FOLLOWING STATEMENTS:

1. IT IS THE POLICY OF _____THAT EQUAL EMPLOYMENT OPPORTUNITY BE AFORDED TO ALL QUALIFIED PERSONS WITHOUT REGARD TO RACE, RELIGION, SEX OR NATIONAL ORIGIN.

2. IN SUPPORT OF THIS DOCUMENT_____ WILL NOT DISCRIMINATE AGAINST ANY EMPLOYEE OR APPLICANT BECAUSE OF RACE, RELIGION, COLOR, SEX OR NATIONAL ORGIN.

3. _____ WILL TAKE AFFIRMATIVE ACTION TO INSURE THAT APPLICANTS ARE EMPLOYED AND THAT EMPLOYEES ARE TREATED DURING EMPLOYMENT WITHOUT REGARD TO THEIR RACE, RELIGION, COLOR SEX OR NATIONAL ORIGIN. SUCH ACTION WILL INCLUDE BUT NOT BE LIMITED TO:
RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT, HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION, SELECTION FOR TRAINING INCLUDING APPRENTICESHIP RATES OF PAY OR OTHER FORMS OF COMPENSATION, LAYOFFS OR TERMINATION.

4. _____ WILL MAKE EVERY EFFORT TO COMPLY WITH MINORITY UTILIZATION GOALS AS FOLLOWS: (9%) NINE PERCENT MINORITIES IN WORKFORCE ON THIS JOB, (6.9%) SIX POINT NINE PERCENT FEMALE UTILIZATION ON THIS JOB, (10%) TEN PERCENT OF CONTRACT AMOUNT EXPENDED WITH MINORITY BUSINESS ENTERPRISES.

5. _____ SHALL REQUIRE EACH SUB-CONTRACTOR WE HIRE ON THIS PROJECT TO ADHERE TO, SIGN, AND RETURN THIS STATEMENT TO THE CITY.

_____ (Date)

_____ (Name of Company)

_____ (Signature and Title of Company Officer)

CITY OF CANTON CODIFIED ORDINANCES

Bidders shall take notice that they are to comply with the Codified Ordinances of the City of Canton, including but not limited, to the following:

1. **Chapter 105.06 – Minority contract provision.**
   a. All contracts with the City shall include the following clause:
   The bidder agrees to expend at least $_____of the Contract in the event the contract is awarded to such bidder for minority/women's business enterprises. For purposes of this pledge, the term "minority/women's business enterprise" means a bona fide business established as a sole proprietorship, partnership or corporation owned, operated and controlled by one or more minority persons or women who have at least fifty-one percent (51%) ownership. "Minority" includes African Americans, Asian/Pacific Islanders, Hispanic/Latino Americans and Native American Indians. The minority or woman must have operational and managerial control, interest in capital, and earnings commensurate with the percentage of ownership. Minority/women's business enterprises may be employed as construction contractors, subcontractors, vendors or suppliers.

   (Ord.185-2011. Passed 10-31-11.)

2. **Chapter 105.08 – Purchase and/or lease of titled vehicles**
   a. Councilmanic approval is required for the proposed purchase and/or lease of any titled vehicle by any city department under Council's fiscal oversight and funding control.
   b. The Board of Control, in determining the lowest and best bidder in the award of contracts for the purchase of titled vehicles, is authorized to award contracts to local bidders as hereinafter defined, whose bid is not more than five percent (5%) higher than the lowest dollar bid submitted by non-local bidders, provided that the bid does not exceed five percent (5%) of the equivalent vehicle pricing and specifications available through the State Cooperative Purchasing Agreement under Ohio R.C. Section 125.04.
   c. Any city department that purchases a vehicle under this section shall maintain sufficient documentation regarding the purchase to verify that the city satisfied the foregoing conditions.
   d. For purposes of this section, "local bidder" means a business entity which at the time of the award of the contract has its principal place of business within the corporate limits of the City of Canton and is registered in official documents filed with the Secretary of State.
   e. All contract specifications and/or bid documents that are distributed by Canton for the purpose of soliciting bids for vehicle purchases shall contain the following notice:

   Prospective bidders will take notice that the City of Canton, in determining the lowest and best bidder in the award of this contract, may award a local bidder preference to any qualified bidder pursuant to Section 105.08 of the Codified

Ordinances of the City of Canton. The determination of whether a bidder qualifies for the local preference shall be made by Board of Control. The Board's decision shall be final. A copy of city code Section 105.08 is attached. *(Ord.84-2013. Passed 04-29-13.)*

3. Chapter 507.03 – Equal Employment Opportunity clause.

b. During the performance of this contract, the contractor agrees as follows:

1. The contractor shall not discriminate against any employee or applicant for employment because of race, age, handicap, religion, color, sex, national origin, sexual orientation or gender identity. The contractor shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to race, religion, color, sex, national origin, military status, sexual orientation or gender identity. As used herein, the word "treated" shall mean and include without limitation the following: recruited, whether by advertising or other means; compensation, whether in the form of rates or pay or other forms of compensation; selected for training, including apprenticeship; promoted; demoted; upgraded; downgraded; transferred; laid off; and terminated. The contractor agrees to and shall post in conspicuous places available to employees and applicants for employment notices to be provided by the contracting officers setting forth the provisions of this nondiscrimination clause.
2. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, age, handicap, religion, color, sex, national origin, military status, sexual orientation or gender identity.
   (Ord. 153-2012. Passed 9-24-12.)
3. The contractor shall send to each labor union or representative of workers, with which he has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or workers' representative of the contractor's commitments under the equal opportunity clause of the City; and he shall post copies of the notice in conspicuous places available to employees and applicants for employment.
4. The contractor shall submit in writing to the City his affirmative action plan, and each subcontractor and supplier of equipment or supplies shall submit to the general contractor his affirmative action plan. The responsibility for securing these affirmative action plans falls upon the general contractor and shall be on file at the office of the general contractor. The contractor shall furnish all information and reports required by the City or its representative pursuant to this chapter, and shall permit access to his books, records, and accounts by the contracting agency and by the Executive Secretary for purposes of investigation to ascertain compliance with the program.
5. The contractor shall take such action with respect to any subcontractor as the City may direct as a means of enforcing the provisions of this equal

opportunity clause, including penalties and sanctions for noncompliance; provided, however, that in the event the contractor becomes involved in or is threatened with litigation as the result of such direction by the City, the City will enter into such litigation as is necessary to protect the interests of the City and to effectuate the City's equal opportunity program and, in the case of contracts receiving Federal assistance, the contractor or the City may request the United States to enter into such litigation to protect the interests of the United States.

6. The contractor shall file and shall cause his subcontractors, if any, to file compliance reports with the City in the form and to the extent prescribed by the City or its representative. Compliance reports filed at such times as directed shall contain information as to the employment practices, policies, programs and statistics of the contractor and his subcontractors.
7. The contractor shall include the provisions of this equal employment opportunity clause in every subcontract or purchase order, so that such provisions will be binding upon each subcontractor or vendor.
8. Refusal by the contractor or subcontractor to comply with any portion of this program as herein stated and described will subject the offending party to any or all of the following penalties:
   A. Withholding of all future payments under the involved public contract to the contractor in violation, until it is determined that the contractor or subcontractor is in compliance with the provisions of this contract.
   B. Refusal of all future bids for any public contract with the City or any of its departments or divisions, until such time as the contractor of subcontractor demonstrates that he has established and shall carry out the policies of the program as herein outlined.
   C. Cancellation of the public contract and declaration of forfeiture of the performance bond.
   D. In cases in which there is substantial or material violation or the threat of substantial or material violation of the compliance procedure or as may be provided by contract, appropriate proceedings may be brought to enforce these provisions, including the enjoining within applicable laws of contractors, subcontractors or other organizations, individuals or groups who prevent, directly or indirectly, or seek to prevent, directly or indirectly, compliance with the policy as herein outlined. (Ord. 179-74. Passed 6-17-74.)

ADDITIONAL INFORMATION AND CONSIDERATIONS

1. Please be advised that when you submit a bid to the City of Canton, the City will assume that an authorized representative of your company reviewed said bid to assure that the bid is correct and/or accurate.

2. Any bidder may withdraw a bid, by written request, at any time **prior** to the time set for the bid opening.

3. If there is no withdrawal of the bid, in accordance to the above procedure, the City reserves the right to enforce said bid prices(s) and/or contract(s).

4. **Alternate or Optional Bids**: If you submit an alternate or optional bid that meets or exceeds the specifications, said bid may be considered in the evaluation and/or award. However, the Board of Control reserves the right to award the bid which is in the best interest of the City.

5. **Articles of Incorporation:** Please provide a copy of the company's articles of incorporation. The City of Canton may request this information if it is not provided.