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*OFFICIAL BID PACKET*

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**Printing and Mailing of Utility Bills**

Bid Opening: May 28, 2014

The City of Canton  
Utility Billing Department

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Name of Bidder: \_\_\_\_\_

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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)
- \_\_\_\_\_ Insurance Requirements (Pages 13-14)
- \_\_\_\_\_ Personal Property Tax Certification: ORC 5719.042 (Page 15)
- \_\_\_\_\_ EEO Forms and Contract Compliance (Pages 16-21)
- \_\_\_\_\_ City of Canton Codified Ordinances (Pages 22-24)
- \_\_\_\_\_ Additional Information and Considerations for Bidders (Page 25)

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**LEGAL NOTICE**  
**Ordinance 2/2014**

The Director of Public Service of the City of Canton, Ohio will accept sealed bids until 2:00 PM, local time on **Wednesday, May 28, 2014**, for the purpose of securing bids for a three (3) year contract for the:

**Printing and Mailing of Utility Bills**

Submit bids according to the specifications and bid sheet(s) shown on the City's Purchasing Department 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 **Wednesday, May 28, 2014**.

The Sixth Floor Conference Room of Canton City Hall is the location for the Bid Opening. Contact Randy Dublikar at [randall.dublikar@cantonohio.gov](mailto: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: May 13 and 20, 2014**

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**SPECIFICATIONS**

**1.0 SCOPE AND CLASSIFICATION**

- 1.1 **Scope:** The City of Canton Water/Utility Billing Department is seeking bids for a three (3) year contract for the printing and mailing of utility bills.
- 1.2 **Classification:** The successful bidder will print and mail the City of Canton's utility bills pursuant to the specifications enclosed in this bid packet.

**2.0 APPLICABLE PUBLICATIONS & STANDARDS**

- 2.1 NA

**3.0 REQUIREMENTS**

3.1 Description and Overview

- 3.1.1 The contract will be for printing approximately 29,000 utility bills per month. Approximately 12,000 blue bills will be printed for mailing on the 1st business day of the month, 3,000 red bills will be printed for mailing on the 5<sup>th</sup> business day of the month, 11,000 blue bills will be printed for mailing on the 15<sup>th</sup> business day of the month and 3,000 red bills will be printed for mailing on the 20<sup>th</sup> business day of the month.
- 3.1.2 The bills may be multiple pages, laser printed with a 300 DPI or higher resolution, one side on blue or red preprinted, white 24# stock, folded, inserted into a #10 white window envelope along with a #9 white courtesy reply envelope, pre-sorted and mailed first class.
- 3.1.3 Turnaround time to USPS must be 48-72 hours from receipt of data.

3.2 Data Format

Data will be provided in two distinct ASCII text files. Data from these files will be used to create a record. Bidder must be able to change data format annually, based on City of Canton requirements. The following is a description of the two files:

- 3.2.1 1st file (Master File - one record per account) will contain an account number that will permit the location and selection of records in the 2nd file in addition to name, address and other information.
- 3.2.2 2nd file (Variable Data) will contain at least one but possible more records for each account in the first file.

**Printing and Mailing of Utility Bills  
Utility Billing Department**

3.3 Electronic Access

- 3.3.1 Data files will be provided by one of the following methods, based on advice from bidder and relative cost and efficiency:
- Data files will be sent directly to bidder's computer using a BBS.
  - Data files will be sent to bidder's FTP site using encrypted Internet File Transfers.
  - Bidder will request data files from Canton Water Department and file transfer will take place via encrypted E-mail attachment using an agreed upon encryption vehicle. Vendor should state recommended encryption product.

3.3.2 Bidder must provide a means for tracing and verifying the number of records processed from the two file types mentioned in Data Format section and also provide a means for recovering from printer or communications errors. E-mail for direct communications will be available. Bidder must provide local phone number for file transfers.

3.4 Sorting and Inserting

Bidder must be able to sort bills that have the same name and mailing address and insert those into one envelope.

3.5 Supplemental Letters and Forms

3.5.1 The City occasionally mails additional notices to customers. Notices will be printed in a letter format using 8-1/2" x 11" 24# white sheets and mailed in #10 white wove envelope with a #9 return envelope.

3.5.2 The City of Canton Water Department will provide input as to the design of the forms and envelopes. The design/layout charges will be the responsibility of the bidder.

3.6 Postage

3.6.1 All postage charges will be the responsibility of the City of Canton Water Department.

3.6.2 Bidder will provide the most economical way of mailing envelopes first class, including but not limited to the use of CASS and bar coding of addresses.

3.6.3 Postal bar codes are to be printed on the bills or envelopes.

3.6.4 All mailings must be dropped at any US Post Office located in Stark County, Ohio.

3.6.5 High and low postage estimates should be included in the bid.

**Printing and Mailing of Utility Bills  
Utility Billing Department**

3.7 Disaster Recovery

- 3.7.1 Bidder's computer processing, printing and mailing shall be in a 24/7 secured data center with full disaster recovery backup.
- 3.7.2 If necessary, upon proper notification, personnel from the City of Canton Water Department must be permitted access to your site.

3.8 Materials

Bidder to supply all materials as follows:

- 758,200 8-1/2 x 11 24# white with blue on one side.
- 200,600 8-1/2 x 11 24# white with red on one side.
- 958,000 #10 white wove window envelopes with return address or double window.
- 958,000 #9 white wove courtesy reply envelopes with return address and bar code.

3.9 Stock and Storage

- 3.9.1 The bidder shall store and insure all materials at their facility and bill upon usage.
- 3.9.2 The bidder will deliver additional forms and envelopes to the Utility Billing Department upon their request on an as needed basis.
- 3.10 The contract term shall be for three (3) years beginning on August 1, 2014 and ending on July 31, 2017. Proposals for contract terms other than three (3) years will not be considered.
- 3.11 All bidders are required to bid fixed, firm pricing. Any bid containing an escalator clause will not be considered.
- 3.12 The successful bidder shall be required to comply with the insurance requirements contained in the bid packet.

**4.0 SAMPLING INSPECTION**

- 4.1 The City of Canton reserves the right to periodically inspect all items purchased under this contract to ensure that they are meeting the required specifications.

**5.0 INVOICING**

5.1 Invoicing

- 5.1.1 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.

**Printing and Mailing of Utility Bills  
Utility Billing Department**

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

**6.0 NOTES**

6.1 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 105.12 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. A copy of City Code Section 105.12 is attached.

6.2 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. 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.

6.3 Questions and Addenda

6.3.1 All questions should be submitted in writing at least five (5) business days prior to the bid opening. Answers to questions will be issued in writing as official addenda no later than seventy two (72) hours prior to the time of the bid opening. Said addenda will become a component of the official bid packet and must be acknowledged as received on the proposal page. **Failure to acknowledge all official addenda in this manner may result in your bid being disqualified.**

6.3.2 Any questions concerning the City's requirements and/or bid forms may be directed to:

Mr. Randall Dublikar  
City of Canton Purchasing Department  
Email: [randall.dublikar@cantonohio.gov](mailto:randall.dublikar@cantonohio.gov)

6.3.3 Bidders are expected to and responsible for monitoring the City's website for all official addenda.

6.3.4 Oral instructions or decisions, unless confirmed by addenda, will not be considered valid, legal or binding.

6.4 Proposal Page Instructions: Bidders are required to fill out the proposal page completely. Failure to do so may result in your bid being disqualified. Prices shall include all of the requirements listed in the specifications.

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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.

**Utility Bills:**

Pricing per page processed \_\_\_\_\_ each x 29,000/month = \_\_\_\_\_ month

Estimated postage per record \_\_\_\_\_ each x 29,000/month = \_\_\_\_\_ month

Startup time from award of contract \_\_\_\_\_

Recommended encryption product \_\_\_\_\_

**Supplemental Notices:**

Pricing per page processed \_\_\_\_\_ each x 3,500/month = \_\_\_\_\_ month

Estimated postage per record \_\_\_\_\_ each x 3,500/month = \_\_\_\_\_ month

**Optional Charges:**

Intelligent inserting \_\_\_\_\_ each

Additional page printing \_\_\_\_\_ each

Layout and black static printing charges \_\_\_\_\_ each

Form modification charges \_\_\_\_\_ each

**Purchase Terms and Delivery Time:**

Purchase Terms: \_\_\_\_\_ % Net \_\_\_\_\_ Days Delivery Time: \_\_\_\_\_

**Addenda Acknowledgement**

I hereby acknowledge the following official addenda (leave blank if no addenda were issued)

Addenda Number(s) \_\_\_\_\_

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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.



**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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.

_____	_____
_____	_____
_____	_____
_____	_____

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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**

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**INSURANCE REQUIREMENTS**

**Overview**

All successful bidders will be required to possess the insurance outlined below. The City of Canton reserves the right to request proof that these requirements are met.

1. Liability Insurance Certificate (with the City of Canton listed as an additional insured)
2. Proof of coverage under the State of Ohio Workers Compensation Law

**Insurance Requirements**

The following standard indemnity agreement and minimum insurance requirements are incorporated in the Specifications for all work performed by the Contractor for the Owner, its affiliated and associated organizations or subsidiaries, hereinafter referred to as Owner.

- I. The Contractor agrees to indemnify and save the Owner harmless from and against any and all costs, loss and expense, liability damages, or claims for damages, including cost for defending any action, on account of any injury to persons (including death) or damage to or destruction of property of the Owner, arising or resulting from the work provided for or performed, or from any act, omission, or negligence of the Contractor, Subcontractor and his or their agents or employees. The foregoing provisions shall in no way be deemed released, waived or modified in any respect by reason of any insurance or surety provided by the Contractor.
  
- II. The Contractor shall maintain liability insurance and furnish the Service Director with Certificates of Insurance as evidence thereof in the prescribed form. If any work provided for or to be performed under any Specifications is sublet (as otherwise permitted by the terms of such Specifications), the Contractor shall require the sub-contractors to maintain and furnish him with satisfactory evidence of Workmen's Compensation, Employer's Liability and such other forms and amounts of insurance which Contractor deems reasonably adequate.
  
- III. In accordance with Item II, the Contractor shall maintain the following insurance:
  1. Workmen's Compensation and Employer's Liability Insurance affording:
    - a. Protection under the Workers' Compensation Law in the **State of Ohio**.
    - b. Employer's Liability protection subject to a minimum limit of \$100,000.00.
  
  2. General Liability Insurance in amounts not less than:

a. General Aggregate Limit	\$2,000,000.00
b. Personal and Advertising Injury Limit	\$1,000,000.00
c. Each Occurrence Limit	\$1,000,000.00
d. Fire Damage	\$ 50,000.00
e. Medical Expense Limit	\$ 5,000.00

**Printing and Mailing of Utility Bills  
Utility Billing Department**

This insurance shall:

- a. include coverage for the liability assumed by Contractor under Item I (Indemnity);
  - b. and the Certificates of Insurance furnished by the Contractor shall show by specific reference that each of the foregoing items have been provided for.
3. Comprehensive Automobile Liability Insurance in the following minimum amounts:
- a. Bodily Injury and Property Damage  
any one accident or loss: \$1,000,000.00

**Please Note:**

The liability insurance policy required under this section shall name the City of Canton “**as an additionally named insured**” and shall **contain an endorsement by the insurance carrier providing ten (10) days notice to both the City and insured in the event of any change in coverage under the policy**. No less than ten (10) days advance notice of cancellation of the insurance policy shall be given to the City by the insurer. A copy of the foregoing policy shall be filed with the Director of Public Service.

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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: Bidders are encouraged to submit this 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

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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 the following pages.
- c. **Please be sure to fully complete section IV. This includes reporting a number for ALL categories even if the answer is zero (0).**

**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 after the Bidder and Contractor Employment Practices Report.

**Note: Bidders are encouraged to submit this information with the bid packet.**

Printing and Mailing of Utility Bills  
Utility Billing Department

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 <input type="checkbox"/> a. Prime Contractor <input type="checkbox"/> b. Prime Subcontractor <input type="checkbox"/> c. Supplier <input type="checkbox"/> 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 \_\_\_\_\_

Printing and Mailing of Utility Bills  
Utility Billing Department

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                                      d. All relevant employee organizations including labor unions b. All recruitment sources c. All subcontractors	
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                      c. tests b. experience                    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.	

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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												
<b>TOTAL</b>												
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 \_\_\_\_\_

Printing and Mailing of Utility Bills  
Utility Billing Department

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.

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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 tailresses, 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.

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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)

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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. Section 105.12 – Local Bidder Preference.**

(a) The Board of Control, in determining the lowest and best bidder in the award of contracts, is authorized to award contracts to local bidders as hereinafter defined, whose bid is not more than ten percent (10%) higher, subject to a maximum amount of one hundred thousand dollars (\$100,000.00), than the lowest dollar bid submitted by non-local bidders, provided that the project bid does not exceed ten percent (10%) of the engineer's estimate. The Board of Control's decision in making such an award shall be final.

*(Ord. 86-2009. Passed 5-18-09.)*

(b) For purposes of this section, "local bidder" means an individual or business entity which at the time of the award of the contract:

- (1) Is a resident of the City and/or has its principal place of business in the City; and
- (2) Which has filed a City of Canton "Resident" Income Tax Return for the past two tax years.

(c) All contract specifications and/or bid documents that are distributed by Canton for the purpose of soliciting bids for goods and/or services 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 105.12 of the Codified Ordinances of the City of Canton. The determination of whether a bidder

**Printing and Mailing of Utility Bills  
Utility Billing Department**

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 105.12 is attached.  
(Ord.112-97. Passed 6-2-97.)

(d) This section shall be applicable to all contracts for the purchase of material, equipment, supplies or services, which are purchased, leased or constructed at a cost in excess of twenty thousand dollars (\$20,000) and which require bidding pursuant to Ohio R.C. 735.05 through 735.09 and Ohio R.C. 737.03.  
(Ord. 112-97. Passed 6-2-97; Ord. 52-99. Passed 3-29-99; Ord. 240-2005. Passed 11-21-05.)

**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

**Printing and Mailing of Utility Bills  
Utility Billing Department**

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 or 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.)

**Printing and Mailing of Utility Bills  
Utility Billing Department**

**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.