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*OFFICIAL BID PACKAGE*

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Analytical Testing Services  
For The Water Reclamation Facility

Bid February 11, 2013

The City of Canton

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# LEGAL NOTICE

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## Ordinance 5-2013

The Director of Public Service of the City of Canton, Ohio will accept sealed bids until 2:00PM, Local Time on **MONDAY, February 11, 2013**, for the purpose of securing bids for,

### **Analytical Testing Services for the Water Reclamation Facility**

Submit bid according to the specifications and bid sheet(s) on file and available in the Contract Office/Sixth Floor, Purchasing Department, Canton City Hall Building. The Sixth Floor Conference Room of Canton City Hall is the location for the Bid Opening.

Submit all bids to the City of Canton Contract Office, 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 IN THE CONTRACT OFFICE ON OR BEFORE 2:00 PM ON **MONDAY, February 11, 2013**. Contact Steve Henderson, Purchasing Director at (330) 438-4185 or [steve.henderson@cantonohio.gov](mailto:steve.henderson@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 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**. PLEASE NOTE. 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 YOUR 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 be rejected, such check or bond will be returned to the bidder or bidders within ten (10) days after the contract is awarded, and should any bid be accepted, such check or bond will be returned upon execution and securing of contract. Bidders shall be prepared to furnish any information requested regarding return of bond or check.

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.

BY ORDER OF THE WARREN PRICE, DIRECTOR OF PUBLIC SERVICE  
PUBLISHED IN THE CANTON REPOSITORY: January 26 and February 2, 2013



## **ATTENTION**

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*PLEASE BE ADVISED THAT THIS CONTRACT WILL BE FOR A ONE-YEAR PERIOD.WITH UP TO THREE ONE-YEAR EXTENSIONS AT THE CONTRACT PRICE IF REQUESTED BY THE CITY AND MUTUALLY AGREED TO BY THE SUPPLIER.*

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*EACH BIDDER MUST SUBMIT AN "AFFIRMATIVE ACTION PLAN" AND/OR "EEO POLICY." BIDDER MUST READ ALL EEO AND MBE REQUIREMENTS. PLEASE SUBMIT A REQUEST FOR WAIVER ON COMPANY LETTERHEAD IF YOU DO NOT HAVE OPPORTUNITY TO SUBCONTRACT ANY WORK. ENCLOSE THE COMPANY EEO POLICY. IF THE COMPANY DOES NOT HAVE A FORMAL EEO POLICY, PLEASE COMPLETE THE EEO POLICY STATEMENT INCLUDED IN THIS BID PACKAGE.*

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*EACH BIDDER MUST SUBMIT THEIR FEDERAL ID NUMBER FOR IRS PURPOSES.*

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*The undersigned agrees to furnish analytical testing services to the City of Canton Water Reclamation Facility per the attached specifications. Prices shall be that as quoted in the bid and in accordance with the terms and conditions of the contract.*

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**PLEASE ACKNOWLEDGE THAT YOU HAVE READ THE ABOVE REQUIREMENTS BY SIGNING BELOW.**

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DATE

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SIGNATURE



## **LABORATORY ANALYSIS SPECIFICATIONS**

The service shall be provided by a company qualified to perform analysis of wastewater for the City of Canton Water Reclamation Facility (WRF). The City requests a statement of qualifications and a copy of your laboratory results for USEPA's most recent two (2) DMRQA or WP performance evaluations.

The sample analysis shall conform to the procedures recommended by the Ohio Environmental Protection Agency. The analysis for the United States Environmental Protection Agency Organic Priority Pollutants shall be performed using United States Environmental Protection Agency methods 624 and 625 for influent and effluent samples, and methods 8240 and 8270 for sludge samples.

In addition to the priority pollutants, a reasonable attempt shall be made to identify and quantify the ten most abundant constituents of each fraction (excluding priority pollutants and un-substituted aliphatic compounds) shown to be present by peaks on the total ion plots (reconstructed gas chromatograms) more than ten times higher than the adjacent background noise. Identification shall be attempted through the use of U. S. EPA/NIH computerized library of mass spectra, with confirmation by an experienced analyst. Quantification may be based on an order of magnitude estimate based upon comparison with an internal standard. When necessary, sample preservative material shall be furnished to the WRF. Chain of custody procedures shall be followed for all samples.

The bid price shall include shipping containers, sample containers, preservatives, custody seals, and all necessary reports delivered to the WRF. The Bidder is responsible for pickup of all samples. The successful laboratory must be able to pickup samples at the WRF at no charge given 24 hours advance notice.

Quality control procedures will include blanks, standards, duplicates and spikes as required. GC/MS tuning data should be available on request. At a minimum, the QA/QC program should conform to that detailed in SW-846. Please include with your bid package a copy of your QA/QC manual. At a minimum, the following topics should be addressed:

- a. Sample Custody
- b. Calibration Procedures and Frequency
- c. Analytical Procedures with PQLs and Detection Limits
- d. Data Reduction, Validation, and Reporting  
Internal Quality Control Checks
- e. Performance and System Audits

- f. Preventative Maintenance
- g. Specific Routine Procedures Used to Assess Data Precision, Accuracy, and Completeness
- h. Corrective Action
- i. Equipment List
- j. Safety and Chemical Hygiene Plan

Please list all subcontracted parameters, the laboratory performing these tests and state if any audit results are available for these services as conducted by your QC Manager.

Please list three (3) wastewater treatment facilities, including contact names and telephone numbers, that your firm currently provides analytical services.

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## Attachment A

### Biomonitoring

#### Sampling:

The WRF will procure all samples required for biomonitoring.

#### Testing Requirements:

1. Acute and Chronic Bioassays:

7-day *Ceriodaphnia* Survival and Reproduction Tests and 7-day fathead minnow *Pimphales promelas* Larval Survival and Growth Tests. The tests shall be conducted using 24-hour composite samples of final effluent from outfall 3PE00000601. All tests shall be renewed on days 1, 3 and 5 using 24-hour composite samples of the final effluent. Endpoints for acute toxicity shall be recorded after 48 hours for *Ceriodaphnia* and after 96 hours for *Pimphales promelas*.

2. Chemical Analysis:

Chemical analysis must be performed on each water sample for bioassay analysis. The analyses detailed in the Final Effluent Limitations and Monitoring Requirements tables shall be conducted for the water sample. In addition alkalinity and hardness (as CaCO<sub>3</sub>) shall also be measured. Chemical analyses must comply with Ohio EPA accepted procedures.

#### Data Review:

1. The tests shall be conducted using procedures contained in the Ohio EPA Quality Assurance Manual (or current revisions). Any requests to use a different methodology must be approved by the OEPA prior to the initiation of testing.
2. The laboratory shall determine a median lethal concentration (LC50) and /or media effective concentration (EC50) for acute and chronic bioassays, and a lowest observed effect concentration (LOEC) and a no observed effect concentration (NOEC) for chronic bioassays for each test species.
3. Effluent concentrations (required by OEPA) shall be used in each effluent bioassay. Dilution and control water shall be collected as a grab sample at a site upstream of the outfall (outside the zone of effluent and receiving water interaction). Reconstituted water or rearing unit water (Water in which the test organisms were reared) shall be used as a second dilution and control water in the event that receiving stream water as described above shows signs of toxicity.

USEPA Bioassay Performance Evaluation shall be analyzed by the lab at no cost to the City.

If, in any control (rearing or ambient), more than 10 percent of the test organisms die in 96 hours, or more than 20 percent of the test organisms die in 7 days that test (control and effluent) shall be repeated.

**Reporting:**

All bioassay results (5 copies) shall be submitted to the WRF to be included with Monthly Operating Report (MOR) no later than 30 days following the sampling date. Results to be reported for acute bioassays include:

1. Cover page which provides condensed test results for easy reference of permit compliance.
2. Name of testing laboratory.
3. Effluent tested and source.
4. Receiving water used.
5. Dates and times of sample collection.
6. Collector(s) name(s).
7. Type of bioassay.
8. Test organisms used.
9. Test organisms origin and acclimation process.
10. Number of organisms per container and per concentration.
11. Test containers size, number per concentration, and depth of test solution.
12. Concentration tested and volume.
13. Test temperature.
14. Results of chemical analyses.
15. Results of physicochemical measurements taken.
16. Definition of adverse effects measured in test (endpoints).

17. Number of organisms in each concentration showing the adverse effects at specified times.
18. Median lethal concentrations and/or the median effective concentrations at 24, 48, 72 and 96 hours, and confidence limits, and methods used for these calculations.
19. Any other relevant information.

Results to be reported for chronic bioassays include the above results for acute bioassays and:

1. All raw data obtained in the bioassays concerning test organism survival, growth of fathead minnow larvae, and reproduction of the daphnid species. The raw data shall be in tabular form according to date and effluent concentrations or receiving water locations.
2. Median lethal concentrations and/or the median effective concentrations for each day of the chronic bioassays.
3. Effluent concentrations or receiving water locations which result in significantly reduced growth of fathead minnow larvae and reproduction of ceriodaphnia.
4. The median effective concentrations that cause reduction in fathead minnow growth and daphnid reproduction.
5. Average daily discharge of the effluent(s) of concern and the receiving water during the bioassay sampling.
6. The seven-day flow with a ten-year recurrence interval (7Q10) of the receiving water.

Please include a copy of your biomonitoring methods and quality control manual.

The WRF requires that the bioassay and bioassay chemistry be performed by the same laboratory.

**Pricing**

1. Acute and Chronic Bioassay *Ceriodaphnia* \$ \_\_\_\_\_ ea. Descriptive Report
2. Acute and Chronic Bioassay *Pimphales promelas* \$ \_\_\_\_\_ ea. Descriptive Report  
Deduct for Data Only Report \$ \_\_\_\_\_ ea. *Ceriodaphnia*  
Deduct for Data Only Report \$ \_\_\_\_\_ ea. *Pimphales promelas*
3. Acute Bioassay *Ceriodaphnia* \$ \_\_\_\_\_ ea.
4. Acute Bioassay *Pimphales promelas* \$ \_\_\_\_\_ ea.
5. Acute Screening Testing \$ \_\_\_\_\_ ea.

**NOTE: In the event of test failure attributable to the test laboratory, the test laboratory shall be responsible for retesting at no additional cost to the WRF.**

**Attachment B**  
**Analytical Parameters by Grouping**

**Physical and Aggregate Properties**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
Color	_____
Turbidity	_____
Acidity	_____
Alkalinity	_____
Hardness, Calcium	_____
Hardness, Total	_____
Conductivity	_____
Salinity	_____
Asbestos	_____

**Solids**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
Total Solids	_____
Total Dissolved Solids	_____
Total Suspended Solids	_____
Suspended Solids Volatile	_____
Percent Solids	_____
Percent Volatile Solids	_____
Specific Gravity	_____
Paint Filter Test	_____
Viscosity	_____
Flash Point	_____
BTU	_____

**Inorganic Non-Metals**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
Boron	_____
Bromide	_____
Cyanide, Amenable to Chlorination	_____
Cyanide, Free (Weak Acid Dissociable)	_____
Cyanide, Reactive	_____
Cyanide, Total	_____
Chloride	_____
Fluoride	_____
pH	_____
Iodine	_____
Iodide	_____
Nitrogen, Ammonia	_____
Nitrogen, Nitrite	_____
Nitrogen, Nitrate	_____
Nitrogen, Nitrate-Nitrite	_____
Nitrogen, Total Kjeldahl	_____
Nitrogen, Total Organic	_____
Phosphorus, Total	_____
Dissolved Phosphorus, Total	_____
Phosphorus, Ortho (Reactive)	_____
Dissolved Phosphorus, Ortho (Reactive)	_____
Phosphorus, Acid-Hydrolyzable	_____
Dissolved Phosphorus, Acid Hydrolyzable	_____
Silica	_____
Sulfide, Dissolved	_____
Sulfide, Total	_____
Sulfide, Reactive	_____
Sulfite	_____
Sulfate	_____
Inorganic Carbon	_____

**Aggregate Organic Constituents**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
BOD – 20 day	_____
BOD – 5 day	_____
CBOD – 5 day	_____
COD	_____
Total Organic Carbon (TOC)	_____
Total Organic Halogen (TOX)	_____
Oil and Grease 1664	_____

Oil and Grease Silica Gel Treated 1664	_____
Total Petroleum Hydrocarbons (418.1 or Equivalent)	_____
Phenols	_____
Anion/Cation Balance	_____
Surfactants	_____
Surfactants, MBAS	_____
Surfactants, CTAS	_____
Tanin and Lignin	_____

**Metals by Flame AA Analysis, GFAA, ICP, ICP-MS**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
Aluminum	_____
Antimony	_____
Arsenic	_____
Barium	_____
Beryllium	_____
Bismuth	_____
Cadmium	_____
Calcium	_____
Cesium	_____
Cerium	_____
Chromium, Total	_____
Chromium, Hexavalent	_____
Cobalt	_____
Copper	_____
Gold	_____
Indium	_____
Iron	_____
Lanthanum	_____
Lead	_____
Lithium	_____
Magnesium	_____
Manganese	_____
Mercury (Method 245.1)	_____
Molybdenum	_____
Nickel	_____
Osmium	_____
Palladium	_____
Potassium	_____
Radium, Total	_____
Radium 226	_____
Radium 228	_____

Rubidium	_____
Selenium	_____
Silver	_____
Sodium	_____
Strontium	_____
Sulfur	_____
Tantalum	_____
Thallium	_____
Tin	_____
Titanium	_____
Tungsten	_____
Uranium	_____
Vanadium	_____
Zinc	_____
Zirconium	_____

**Radiological Parameters**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
Gross Alpha	_____
Gross Beta	_____

**Bacteriological Parameters**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
Total Coliform	_____
Fecal Coliform Membrane Filter	_____
Fecal Streptococcus Multiple Tube	_____
Fecal Streptococcus Membrane Filter	_____
E. Coli	_____
Total Plate Count	_____

**Group Discount Pricing**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
NPDES Metals Group (Ba, Cd, Cr, Cu, Pb, Ni, Se, Zn)	_____
RCRA Metals Group (As, Ba, Cd, Cr, Pb, Hg, Se, Ag)	_____

When quoting prices for Attachment B, assume all parameters to be analyzed in a wastewater matrix. Please list any additional surcharges for the testing of soil, sludges and solids.

Blanket discount rate for additional inorganic analytical testing not listed herein \_\_\_\_\_%

Blanket discount rate for additional metallic testing not listed herein \_\_\_\_\_%

**Attachment C**

**Priority Pollutants Analysis**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
Extraction for Volatile Organic Compounds (31)	_____
Analysis of 31 Volatile Organic Compounds – Method 624	_____
Extraction for Base/Neutral Compounds (46)	_____
Analysis of 46 Base Neutral Compounds – Method 625	_____
Extraction for Acid Fraction Compounds (11)	_____
Analysis of 11 Acid Fraction Compounds – Method 625	_____
Extraction for Pesticide/Herbicide Compounds (26)	_____
Analysis of 26 Pesticide/Herbicide Compounds – Method 608	_____
Extraction for PCB's	_____
Analysis for PCB's – Method 608	_____
Metals (13)	_____
Asbestos	_____
BTEX – Method 8260	_____
Total Cyanide	_____
Phenols	_____
Dioxin Screen with Priority Pollutant Analysis – Method 625	_____
Mass Spectral Library Search for Determining “Tentatively Identified Compounds” (TIC) on all Fractions – Base/Neutral and Acid – Method 625	_____
Mass Spectral Library Search for Determining “Tentatively identified Compounds” (TIC) on a Single Fraction – Base/Neutral or Acid Method 625	_____
Total Toxic Organics – Method 624, 625, and 608	_____
Individual Volatile Organic Compound – Method 624	_____
Individual Base/Neutral/Acid Compound – Method 625 (semi-volatile compounds – SVOC)	_____
Individual Pesticide/Herbicide Compound – Method 608	_____
Individual PCB Compound – Method 608	_____
Results Printed on OEPA Forms (4221) and others as appropriate	_____
Total Cost of Priority Pollutant Analysis for the following 3 samples:	_____*
- Raw Influent	
- Final Effluent	
- Sludge	

\* Note: Analyses required for priority pollutant samples are: CN (total) Phenols, Priority Pollutant Metals, Priority Pollutants Organics including “TIC” compounds and all results reported on Form 4221.

Blanket Discount Rate for Additional Testing not listed herein: \_\_\_\_\_ %

**Attachment D**

**TCLP Extraction and Analysis**

<b><u>Parameter</u></b>	<b><u>Price/Test</u></b>
TCLP Extraction for Metals	_____
Analysis of 8 RCRA Metals (As, Ba, Cd, Cr, Pb, Hg, Se, Ag)	_____
TCLP Extraction for Semivolatile/Pesticides	_____
Analysis of Semivolatile Fraction	_____
Analysis of Pesticide Fraction	_____
TCLP Zero Headspace Extraction	_____
Analysis of Volatile Fraction	_____
Total Price for Full TCLP	_____

Attachment E

Mercury - Method 1631

<u>Sample Type</u>	<u>Unit Price</u>
Actual Sample	_____
Field Blank	_____
QC Duplicate	_____
	_____ Total Cost Per Sample

**NOTE:** Price includes all bottles, coolers, shippers, and any other necessary items required for Method 1631. The WRF assumes that each sample submitted for Method 1631 will be comprised of the 3 components listed above.

Mercury - Method 245.7

<u>Sample Type</u>	<u>Unit Price</u>
Actual Sample	_____
Field Blank	_____
QC Duplicate	_____
	_____ Total Cost Per Sample

**NOTE:** Price includes all bottles, coolers, shippers, and any other necessary items required for Method 245.7. The WRF assumes that each sample submitted for Method 245.7 will be comprised of the 3 components listed above.



**Attachment F**

**Turnaround Times & Rush Charge**

**Normal Turnaround**

Metals	_____	Working Days
Inorganics	_____	Working Days
VOC's	_____	Working Days
Pesticides & Herbicides	_____	Working Days
PCB's	_____	Working Days
Semivolatiles (SVOC's)	_____	Working Days
Mercury (Method 1631)	_____	Working Days

State rush turnaround times and conditions for your lab along with % increase.

24 Hours	_____
48 Hours	_____
72 Hours	_____
1 Week	_____

Specifically for Mercury (Method 1631), state rush turnaround times and conditions for your lab along with % increase.

5 - 7 Working Days	_____
7 - 12 Working Days	_____



## Attachment G

### INSURANCE

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 Workmen's 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

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

**Further, the 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.**

**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, and telephone to whom official notices are to be sent \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. Person, address 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 anticipated to complete project \_\_\_\_\_ N/A \_\_\_\_\_ days

i. Federal I.D. Number # \_\_\_\_\_

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.

_____	_____
_____	_____
_____	_____
_____	_____

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 \_\_\_\_\_



PLEASE READ CAREFULLY

PLEASE BE ADVISED THAT BY SUBMITTING YOUR BID(S) TO THE CITY OF CANTON, THE CITY ASSUMES THAT SAID BID(S) HAS BEEN REVIEWED BY AN AUTHORIZED REPRESENTATIVE OF YOUR COMPANY TO ASSURE THAT THE BID(S) IS/ARE CORRECT AND/OR ACCURATE.

ANY BIDDER MAY WITHDRAW THE BID(S), BY WRITTEN REQUEST, AT ANY TIME PRIOR TO THE HOUR SET FOR THE BID OPENING.

IF THERE IS NO WITHDRAWAL OF THE BID(S), IN ACCORDANCE WITH THE ABOVE PROCEDURE, THE CITY RESERVES THE RIGHT TO ENFORCE SAID BID PRICE(S) AND/OR CONTRACT.

ALTERNATE OR OPTIONAL BIDS

IF YOU SUBMIT AN ALTERNATE OR OPTIONAL BID THAT MEETS OR EXCEEDS SPECIFICATIONS, SAID BID WILL BE CONSIDERED IN THE EVALUATION AND/OR AWARD. HOWEVER, REMEMBER THAT THE BOARD OF CONTROL RESERVES THE RIGHT TO AWARD THAT BID WHICH IS IN THE BEST INTEREST OF THE CITY.

## **ARTICLES OF INCORPORATION**

**UNLESS THE BIDDER SUBMITS, WITH ITS BID, THE "ARTICLES OF INCORPORATION" SHOWING EXACTLY WHAT NAME YOU ARE INCORPORATED UNDER WITH THE STATE OF OHIO, CANTON MAY REQUEST THE BIDDER PROVIDE THIS INFORMATION.**

**THE ARTICLES OF INCORPORATION ARE THE DOCUMENTS FILED WITH THE STATE (OHIO OR OTHERWISE) CREATING THE CORPORATE ENTITY.**

# **SUPPLEMENTARY GENERAL CONDITIONS**

## **GENERAL CONDITIONS/CANTON INCOME TAX**

Each bidder, by the act of submitting its bid agrees to withhold all City Income Taxes due Or payable under Chapter 181 of the Codified Ordinances of the City of Canton for wages, salaries, fees and commissions paid to its employees and further agrees that any of its subcontractors shall be required to agree to withhold any such City Income Taxes due for service performed under this contract.

Furthermore, any person, firm, or agency that has a contract, or agreement with the City shall be subject to the City Income Tax whether the work being done is in the City or out of the City. In addition to the tax withheld for employees, the net profit on the contract shall be subject to City Income Tax.

Questions regarding this matter shall be directed to the City of Canton, Income Tax Department at 330-430-7900.

## **GENERAL CONDITIONS**

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. Section 105.03 – U.S. steel usage required; exception.  
All City contracts shall stipulate or provide that all steel necessary in the construction of any work performed under such contracts shall be steel that is produced in the United States unless a specific product which is required is not produced by manufacturers in the United States in which event this prohibition does not apply. This section shall apply to only contracts awarded by the Board of Control of the City. (Ord. 224-77. Passed 6-27-77.)
2. Section 105.05 – Materials to be purchased locally.  
In all future contracts for the construction of buildings, structures, or other improvements under the Capital Improvement Budget, the following clause shall be printed or typewritten on each contract:  
  
It is the desire of the City of Canton that all materials used in the construction covered by this contract shall be purchased in the Canton area except such materials which are unavailable in the Canton area. (Res. 49-77. Passed 2-7-77.)
3. Section 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.)

4. Section 105.12 – Local 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 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.)

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 \_\_\_\_\_

### 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.	

**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 \_\_\_\_\_

## 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, composers 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.





**GOVERNMENT BUSINESS AND FUNDING CONTRACTS**  
 In accordance with section 2909.33 of the Ohio Revised Code

**DECLARATION REGARDING MATERIAL ASSISTANCE/NONASSISTANCE TO A TERRORIST ORGANIZATION**

This form serves as a declaration by an applicant for a government contract or funding of material assistance/nonassistance to an organization on the U.S. Department of State Terrorist Exclusion List ("TEL"). Please see the Ohio Homeland Security Division Web site for a copy of the TEL.

Any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided. Failure to disclose the provision of material assistance to such an organization or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree.

For the purposes of this declaration, "material support or resources" means currency, payment instruments, other financial securities, funds, transfer of funds, financial services, communications, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.

**COMPLETE THIS SECTION ONLY IF YOU ARE AN INDEPENDENT CONTRACTOR**

LAST NAME		FIRST NAME		MI
HOME ADDRESS				
CITY	STATE	ZIP	COUNTY	
HOME PHONE		WORK PHONE		

**COMPLETE THIS SECTION ONLY IF YOU ARE A COMPANY, BUSINESS OR ORGANIZATION**

BUSINESS/ORGANIZATION NAME			PHONE	
BUSINESS ADDRESS				
CITY	STATE	ZIP	COUNTY	
BUSINESS/ORGANIZATION REPRESENTATIVE NAME			TITLE	

**DECLARATION**

In accordance with section 2909.32 (A)(2)(b) of the Ohio Revised Code

For each question, indicate either "yes," or "no" in the space provided. Responses must be truthful to the best of your knowledge.

- Are you a member of an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you used any position of prominence you have with any country to persuade others to support an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you knowingly solicited funds or other things of value for an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you solicited any individual for membership in an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you committed an act that you know, or reasonably should have known, affords "material support or resources" to an organization on the U.S. Department of State Terrorist Exclusion List?  Yes  No
- Have you hired or compensated a person you knew to be a member of an organization on the U.S. Department of State Terrorist Exclusion List, or a person you knew to be engaged in planning, assisting, or carrying out an act of terrorism?  Yes  No

If an applicant is prohibited from receiving a government contract or funding due to a positive indication on this form, the applicant may request the Ohio Department of Public Safety to review the prohibition. Please see the Ohio Homeland Security Web site for information on how to file a request for review.

**CERTIFICATION**

I hereby certify that the answers I have made to all of the questions on this declaration are true to the best of my knowledge. I understand that if this declaration is not completed in its entirety, it will not be processed and I will be automatically disqualified. I understand that I am responsible for the correctness of this declaration. I understand that failure to disclose the provision of material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List, or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree. I understand that any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided by myself or my organization. If I am signing this on behalf of a company, business or organization, I hereby acknowledge that I have the authority to make this certification on behalf of the company, business or organization referenced on page 1 of this declaration.

APPLICANT SIGNATURE <b>X</b>	DATE
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