
OFFICIAL BID PACKAGE

Car Washes 2013

Bid January 7, 2013

The City of Canton

LEGAL NOTICE

Ordinance 15-2012

The Director of Public Service of the City of Canton, Ohio will accept sealed bids until 2:00PM, Local Time on **MONDAY, JANUARY 7, 2013**, for the purpose of securing bids for,

Canton Automobile and Truck Washing 2013

Submit bid according to the specifications and bid sheet(s) on file and available ON-LINE at <http://cantonohio.gov/purchasing/?pg=bids> or through 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, JANUARY 7, 2013**. 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.

You as 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 DIRECTOR OF PUBLIC SERVICE WARREN PRICE
PUBLISHED IN THE CANTON REPOSITORY: DECEMBER 21 and 28, 2012

NOTICE!

DURING THE COURSE OF THE CONTRACT(S), THE SUCCESSFUL BIDDER(S) MUST NOTIFY THE FOLLOWING INDIVIDUAL, IN WRITING ON YOUR COMPANY STATIONARY, ANY CHANGES TO YOUR COMPANY'S NAME ADDRESS, ETC.:

Mr. Steven Henderson
City Of Canton Contract Office/Sixth Floor/City Hall Building
218 Cleveland Avenue SW
Canton, Ohio 44702.

FAILURE TO DO SO WILL CAUSE A DELAY IN PAYMENT(S) BY THE CITY OF CANTON.

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.

THIS/THESE CONTRACTS WILL BE FOR A ONE-YEAR PERIOD WITH THE CITY OF CANTON. THE CONTRACT ALSO INCLUDES A 30 DAY EXTENSION AT THE SOLE DISCRETION OF THE CITY.

EACH BIDDER MUST SUBMIT AN "AFFIRMATIVE ACTION PLAN" AND/OR "EEO POLICY." YOU MUST COMPLETE BID FORM 9. BIDDER MUST READ ALL EEO AND MBE REQUIREMENTS

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

DATE

SIGNATURE

GENERAL SPECIFICATIONS AUTOMOBILE AND TRUCK WASHING

INTENT It is the intent of the City of Canton to enter into contract(s) for automobile and truck washing.

FORM OF PROPOSAL Each proposal must be made on the form provided for that purpose, and must be enclosed in a sealed envelope marked and addressed as required in the legal advertisement. Blank spaces in the proposal must be properly filled in on all items. Bidders are invited to be present at the opening of proposals.

PROVISIONS Any descriptions, manufacturer's or brand names used in these specifications are for the sole purpose of showing the quality and/or type of service required. All bids must equal or exceed all phases of these standards. You must describe all exceptions to the specifications with supplemental information submitted with and attached to the bid on your company stationary.

The Board of Control reserves the right to award this contract(s) as is in the best interest of the City; consideration will be given to the quality of service provided. If for some reason the services provided under this contract prove not to be satisfactory, the City maintains the option to cancel this contract within (30) thirty days upon a written notification.

GENERAL GUIDELINES FOR AUTOMOBILE AND LIGHT TRUCK WASHING:

- 1) Scope
 - a) Complete washing of exterior and cleaning of interior of automobiles
 - b) Washing of exterior only including cars, pick-ups and vans
 - c) Complete washing of exterior and cleaning of interior of light trucks, pickups and vans.

- 2) Validation - The City driver **MUST** sign his/her vehicle number, license plate number and signature at the office of successful bidder at time of washing. The City **MUST** have all of this information on your invoice in order to authorize payment. **ALSO, INVOICES MUST BE BROKEN DOWN BY INDIVIDUAL DEPARTMENT AND MAILED TO EACH DEPARTMENT ON A MONTHLY BASIS.**

- 3) Periodic inspections will be made to determine the quality of service being provided by your company.

- 4) The procedure for the washing of these vehicles should be by means of an automatic drive-thru, hand- towel drying, and car washing operation.

- 5) **IS YOUR DRIVE-THRU CAR WASH EQUIPPED TO ACCOMMODATE LIGHT TRUCKS, PICKUPS AND VANS WITH BEACONS ON ROOFS?**
YES ____ NO ____

AUTOMOBILE AND TRUCK WASHING

The successful Bidder(s) shall be REQUIRED to furnish the following upon execution of the Contract.

INSURANCE: THE BIDDER SHALL FURNISH CERTIFICATES OF INSURANCE COVERAGE AS FOLLOWS:

- Submit Workmen's Compensation to comply with State Statutes.
- Submit Liability Insurance Certificate, naming the City of Canton as an additional insured indicating coverage for Bodily Injury' and Property Damage and the amounts of those coverage. In the performance of work involved with this contract, the contractor shall be responsible for any accidents, which involve that company's personnel.
-

ADDITIONAL REQUIREMENTS A demonstration of the services you propose to provide in your bid may be required as part of the bid evaluation process. Each bidder has the responsibility to familiarize themselves with the nature and extent of the work required in this bid. Each bidder should have a proven track record in providing the services required in this bid,

- Please list on separate company letterhead at least five (5) clients for whom you are providing similar services and a contact person at that place of business.
- ALL CONTRACTORS WILL BE RESPONSIBLE FOR BILLING EACH INDIVIDUAL DEPARTMENT SEPARATELY ON A MONTHLY BASIS.

BID SHEET
AUTOMOBILE AND TRUCK WASHING

The undersigned agrees to furnish the following services to the City for automobile and truck washing in accordance with the attached specifications.

COST FOR REGULAR WASHES PER INDIVIDUAL VEHICLE:

A. Complete washing of exterior and cleaning of interior of automobiles \$ _____
 CARS PICKUPS VANS

B. Washing of exterior ONLY: TO INCLUDE CARS, PICKUPS AND VANS: \$ _____

C. Complete washing of exterior and cleaning of interior
 of light trucks, pickups and vans \$ _____

Please indicate below the location(s) where the City should take the vehicles washings:

Name of Car Wash _____

Address _____

City, State Zip _____

Phone and email _____
(if Available)

Name of Car Wash _____

Address _____

City, State Zip _____

Phone and email _____
(if Available)

Name of Car Wash _____

Address _____

City, State Zip _____

Phone and email _____
(if Available)

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 necessary to complete project _____ days

i. Federal I.D. Number # _____

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

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 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												
TOTAL												
Total employment from previous report (if any)												

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

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

FIRM OR CORPORATE NAME _____

DATE OF SIGNING _____

SIGNATURE _____

TITLE _____

SIGNATURE _____

TITLE _____

**EEO
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. THE _____ 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. THE OF _____ 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. THE OF _____ 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)

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; exceptions.
2. Section 105.05 – Materials to be purchased locally.
3. Section 105.12 – Local preference.

Copies of the text of the above noted Ordinance Sections are attached to these bid documents for bidders' review and compliance.

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.)

105.04 EMERGENCY CONTRACTUAL PROCEDURES.

(a) Upon the occurrence of any emergency situation within City government that affects the health, safety and welfare of this City and which requires the immediate attention on the part of the executive members of City government, the appropriate City official, i. e. Mayor, Service Director or Safety Director, a written report shall be submitted to the Clerk of Council with a copy of this report to the Chairman of the Finance Committee and, if applicable, a copy to the

chairman of any other committee of Council that normally will be charged with the responsibility of the subject matter of the emergency.

(b) Such written report and copy or copies shall be submitted to Council for the Council agenda for the next succeeding Council meeting, as long as the emergency did not exist seventy-two hours before the preceding meeting.

(c) The written report shall be placed on the Council agenda for the next succeeding Council meeting.

(d) Written reports shall to the extent possible:

- (1) Describe the nature of the emergency;
- (2) Provide the various alternatives being provided to correct the problem;
- (3) Name the appropriate department head charged with the responsibility of coping with the emergency;
- (4) Name contractors or persons who are being considered to undertake the responsibility of dealing with such an emergency;
- (5) Name the contractors or persons who are performing the work necessary to undertake the responsibility of dealing with the emergency;
- (6) Provide the estimate cost for such an undertaking if this information is available; and
- (7) Provide effort and time for the work to be performed by such contractors or persons if available, and other relevant information that is necessary to give Council the full picture and the process being used to determine the resolution of such emergency.

(e) Strict compliance of the foregoing on the part of those who may have to proceed with the remedy or repair of an emergency situation without prior legislative authority will be a substantial consideration on the part of Council in subsequently enacting the legislation to compensate the person who has undertaken such emergency work.

(f) Upon receipt of such written notice, the chairman of the Council committee(s) shall make reasonable efforts to come in contact with the City department director who has assumed the responsibility of coping with such emergency situation.

(g) The Board of Control is directed to notify and invite all contractors to enter their names on a list with the City if they wish to participate in handling work or supplying material for the City on an emergency basis. A copy of the contractors who will participate is to be registered with the Clerk of Council. (Res. 76-76. Passed 3-1-76.)

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.)

105.06 MINORITY CONTRACT PROVISION.

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 business enterprises. For purposes of this pledge, the term "minority business enterprise" means a bona fide business at least fifty percent (50%) of which is owned by minority group members or, in the case of publicly-owned business, at least fifty-one percent (51%) of the stock of which is owned by minority group members. For the purposes of the preceding sentence, "minority group members" means citizens of the United States who are either Negroes, Spanish-speaking, Orientals, American Indians, Eskimos, Aleuts or female. Minority business enterprises may be employed as construction subcontractors or as vendors or suppliers. The bidder must indicate the minority business enterprises it intends to utilize in this document as follows:

(Ord. 331-80. Passed 11-10-80.)

105.08 CAPITAL IMPROVEMENT PROJECTS. (REPEALED)

EDITOR'S NOTE: Former Section [105.08](#) was repealed by Ordinance 86-2009.

105.09 NOTICE AND BIDDING REQUIRED, WHEN.

Contracts for the purchase of material, equipment, supplies or services, other than professional or personal services as defined in Section [105.10](#), 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 737.03, shall first be approved by Council, and the contract shall be made with the lowest and best bidder after advertisement for not less than two or more than four consecutive weeks in a newspaper of general circulation within the City.

(Ord. 224-89. Passed 10-2-89; Ord. 52-99. Passed 3-29-99; Ord. 240-2005. Passed 11-21-05.)

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 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.)

105.14 CHANGE ORDERS TO CONTRACTS.

- (a) Change orders are amendments to contracts to provide for alterations or modifications of the scope and/or cost of the original contract. A proposed amendment to a contract which is outside the general scope of the original contract does not constitute a change order, but is rather a proposal for a new and separate contract which requires independent contractual authority and bidding, if applicable.
- (b) The Director of Public Service and the Director of Public Safety are hereby authorized, without approval of Council, to approve and enter into change orders which do not in the aggregate exceed:
- (1) Ten percent (10%) of the total authorized original contract price; or
 - (2) \$100,000.00, whichever is less.

This authority is subject to the availability of funding. Change orders shall additionally require approval of the Board of Control.

- (c) Change orders in excess of the aggregate amounts set forth in subsection (b) hereof shall require approval of Council. The above stated limitations may be amended by Council in any legislation providing for any contract or in any subsequent amending ordinance. (Ord. 31- 2000. Passed 2-14-00.)