

Volume 4 - Vendor Response Packet

1. Purpose of Volume 4

This volume contains forms, certifications, affidavits, questionnaires, acknowledgements, and other documentation that may be required as part of this solicitation. The checklists below identify which documents are required with the Bid and which documents may be required from the Apparently Successful Bidder prior to award.

2. Submission Checklists

2.1 Bid Package Options

- Bid Package A – General Construction Bid – where Trades are assigned by the City
- Bid Package B – Plumbing Contract
- Bid Package C – Electrical Contract
- Bid Package D – Mechanical Contract
- Bid Package E – Combination Bid –Where all General Construction and Trade work is submitted as one package

2.2 Required Submission Components

Document	Required	Optional	N/A
Completed Volume 3 – Bid Form	All		
Addenda Acknowledgement Form	All		
Economic Inclusion Packet	E		A, B, C, D
Bidder Questionnaire			All
Product Literature / Supporting Documentation			All
Alternate Bid Form		All	
Living Wage Affidavit			All
Bid Bond	All		
Responsible Bidder			All
Inclusion on Alternates Form	E		A, B, C, D

2.3 Potential Pre-Award Documentation Requirements

Document	Required	Optional	N/A
EEO Documentation	All		
Insurance Certificate (ACORD)	All		
Workers' Compensation Documentation	All		
Performance Surety and Payment Bond	All		
Assignment of Contract Form	A, B, C, D		E

3. Documents Required With Bid

3.1 Electronic Certification and Submission

By submitting a Bid through the City's electronic procurement system, the individual submitting the Bid certifies that they are authorized to act on behalf of the Bidder and has the authority to legally bind the Bidder to the terms, conditions, pricing, certifications, representations, and commitments contained within the Bid.

The Bidder acknowledges that submission of a Bid through the City's electronic procurement system constitutes the Bidder's electronic signature and acceptance of the terms, conditions, and requirements contained within this solicitation.

3.2 Acknowledgement of Addenda

When one or more addenda have been issued for this solicitation, Bidders shall acknowledge receipt of all addenda issued by the City utilizing the attached Addenda Acknowledgement Form.

If more than eight (8) addenda are issued, bidders shall reproduce this page and continue listing all additional addenda.

Failure to acknowledge receipt of required addenda may result in the Bid being deemed non-responsive.

3.3 Economic Inclusion Forms

Bid Package E – Combination Bid's Only

This bid is subject to the requirements of CMC 324 – Minority and Women Business Enterprise (M/WBE) Programs. Where State and/or federal funding sources require affirmative action goals, those goals as defined in the contract documents supersede the City's M/WBE Program. The City of Cincinnati has established mandatory subcontracting inclusion goals for this project of:

- 8% Minority-Owned Business Enterprise (MBE)
- 6% Women-Owned Business Enterprise (WBE)

If you are bidding on Combination work, you must submit an inclusion packet and meet the subcontracting inclusion goals. These goals do not apply if you are only bidding on General Construction, Plumbing, Mechanical, or Electrical work. To receive credit toward these goals, subcontractors must:

- Be certified by the City of Cincinnati at the time bids are due.
- Be certified under the commodity codes corresponding to the work they will perform on this project.
- Perform a commercially useful function that is necessary for the completion of the contract.

- All bidders and contractors shall comply with the requirements of Cincinnati Municipal Code (CMC) Chapter 324, including all amendments thereto. Section 324-99 of the Municipal Code is incorporated into this contract by reference.

Additional information regarding the M/WBE Program is available from the Division of Economic Inclusion (DEI) or online through the City's inclusion website.

Contractors are expected to make best efforts to recruit, solicit, and maximize participation by qualified City-certified M/WBEs. Examples of best efforts include:

- Actively soliciting certified M/WBEs for subcontracting opportunities.
- Including qualified M/WBEs in bid invitations and outreach efforts.
- Breaking down work into smaller subcontracting opportunities when economically feasible to encourage M/WBE participation.

It is the bidder's responsibility to verify that all proposed M/WBE subcontractors are properly certified before bid closing. A directory of certified firms is available through the City's Vendor Compliance and Certification System: <https://cincinnati.diversitycompliance.com/>

One of the factors the City uses to determine the lowest and best bid is whether a Bidder subcontracted the minimum percentage of its bid to qualified City-certified M/WBEs. The bidder must list all subcontractors, regardless of amount. Failure to list subcontractors and subcontracting amounts with the bid sufficient to meet or exceed the mandatory subcontracting participation level may cause a bid to be rejected as non-responsive.

The “*MBE/WBE Inclusion Packet*” which includes the applicable forms to be completed and included with the bid is available at the following webpage:

<https://www.cincinnati-oh.gov/inclusion/forms/bid-proposal-forms/>

When on the aforementioned webpage, please click on the weblink called “*MBE/WBE Inclusion Packet*” to download and access the appropriate forms.

For more information, please visit: <https://www.cincinnati-oh.gov/inclusion/doing-business-with-the-city/economic-inclusion-bid-and-proposal-requirements/>.

3.3.1 Compliance and Best Efforts

The Contractor must maintain documentation demonstrating the actions taken to achieve the established M/WBE participation goals. Upon request, the City may require notarized affidavits and supporting records to verify compliance.

Submission of false or misleading information may result in legal action under applicable provisions of the Ohio Revised Code.

Failure to demonstrate good-faith efforts to meet participation goals, provide equal opportunity to certified M/WBEs, or otherwise comply with the requirements of CMC Chapter 324 may be considered a breach of contract. The City may pursue all remedies available under the contract and applicable law, including legal action to enforce compliance.

3.4 Bidder Questionnaire – Not Applicable

3.5 Product Literature / Supporting Documentation – Not Applicable

3.6 Alternate Bid Form

When identified as required in the Submission Checklist, Bidders may submit alternate products, services, materials, equipment, methods, approaches, or other alternatives specifically authorized by this solicitation.

Submission of an alternate bid does not relieve the Bidder of the obligation to submit a bid meeting all minimum requirements of the solicitation unless otherwise expressly authorized by the City.

The City reserves the right to accept or reject any alternate bid and to determine whether the proposed alternative is acceptable and in the best interest of the City.

3.7 Living Wage Affidavit – Not Applicable

3.8 Bid Bond

A Bid Bond, deposit of cash or Certified Check, Bank Cashier's or Bank Official's Check drawn on a solvent bank payable to the Treasurer of the City of Cincinnati, in the amount of not less than ten percent (10%) of the total amount of the bid must accompany each bid as a guarantee that if the bid is accepted a contract will be entered into.

Bidder must use the attached Bid Surety and Signature Form, as none other will be accepted.

3.9 Samples – Not Applicable

3.10 Inclusion on Alternates Form

Bid Package E – Combination Bid submissions must include one (1) *Inclusion on Alternates Form* along with their inclusion goal packet. This form is attached herein.

4. Potential Pre-Award Documentation Requirements

4.1 EEO Documentation

The Apparently Successful Bidder shall submit all Equal Employment Opportunity (EEO) documentation required by the City.

Bidders with a current EEO approval on file with the City may not be required to submit additional documentation. Bidders without current EEO approval may be required to complete and submit the applicable EEO forms prior to award. Failure to provide required documentation may result in the City proceeding to the next eligible Bidder.

The City reserves the right to request additional information or documentation necessary to determine compliance with applicable EEO requirements.

The Equal Employment Opportunity Form 147 can be found here: <https://www.cincinnati-oh.gov/inclusion/forms/equal-employment-opportunity-forms/>.

4.2 Insurance Certificate (ACORD)

As requested by the City, the Apparently Successful Bidder shall provide evidence of insurance meeting the requirements identified in Form Purch 160, Contractors Insurance, as included with this solicitation. Acceptable proof of insurance shall be provided in the manner specified in Form Purch 160 included in Volume 2B of this solicitation.

4.3 Workers' Compensation Documentation

As requested by the City, the Apparently Successful Bidder shall provide evidence of State of Ohio Workers' Compensation coverage meeting the requirements identified in Form Purch 160, Contractors Insurance, as included with this solicitation.

4.4 Performance Surety and Payment Bond

When identified as required in the Submission Checklist, the Apparently Successful Bidder shall execute and provide the required performance surety documentation as part of the award document.

Surety requirements, including required amounts and execution requirements, are identified in Volume 2B and the resulting award document.

Failure to provide required bond documentation may result in the City proceeding to the next eligible Bidder.

4.5 Other Conditions of Award Documentation

Assignment of Contract Form

Should the City deem the lowest and best bid to be a combination of Bid packages A-D, all awarded bidders will be required to complete the Assignment of Contract Form located in Volume 2B.

ADDENDUM ACKNOWLEDGMENT

Each bidder is required to acknowledge receipt of an addendum issued for a specific project. This page is provided for the purpose of acknowledging an addendum.

FAILURE TO ACKNOWLEDGE RECEIPT OF AN ADDENDUM MAY RESULT IN A NON-RESPONSIVE BID.

In order to properly acknowledge an addendum, place an “X” in the box next to the respective addendum.

ADDENDUM NO. 1	
ADDENDUM NO. 2	
ADDENDUM NO. 3	
ADDENDUM NO. 4	
ADDENDUM NO. 5	
ADDENDUM NO. 6	
ADDENDUM NO. 7	
ADDENDUM NO. 8	

If more than eight (8) addenda are issued, bidders shall reproduce this page and continue listing all additional addenda.

Signature

Date

By affixing their signature and date to the designated area on the current page, the bidder acknowledges that they have received and considered all addendum(a) in the preparation of their bid and agrees that the information contained in the addendum(a) will be incorporated into the contract if awarded by the Commission or its designees.

ALTERNATE BIDS

The specifications describe the material or equipment which is deemed necessary to meet the performance requirements of the City. Bidders desiring to quote on material or equipment which deviates from these specifications, but which they believe to be the equivalent, are requested to submit alternate bids on the material or equipment which so deviates; however, **ALTERNATE BIDS SHALL BE CLEARLY INDICATED AS SUCH AND DEVIATIONS FROM THE APPLICABLE SPECIFICATIONS PLAINLY NOTED.** All alternate bids will be given due and utmost consideration. The proposal should be accompanied by complete specifications and illustrations of the material or equipment offered.

Deviations:

Are there any deviations from the City's specifications?

YES _____ NO _____

If yes, list deviations: _____

Unless otherwise stated by the bidder in the spaces provided above, the proposal will be considered as being in strict accordance with the Specifications outlined herein even though the manufacturer's literature indicates deviations from the City's Specification.

Additional copies of this form are available at the Division of Purchasing, Two Centennial Plaza, 805 Central Avenue, Suite 234, Cincinnati, Ohio 45202-1947.

CITY OF CINCINNATI - BID SURETY AND SIGNATURE FORM
(This page must be signed for your bid to be valid.)

BID REFERENCE NO:

In compliance with the provisions of this Bid Document and subject to all conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated.

The copy of the Legal Notice, General Conditions, Instructions and Information for Bidders, Special Conditions, Specification and Plans applying are a part of this bid.

The undersigned has read and understands the Bid Documents and agrees to comply with all requirements of the Bid Documents, regardless of whether the Bidder has actual knowledge of the requirements and regardless of any statement or omission made by the Bidder which might indicate a contrary intention.

BID SURETY (REQUIRED BY LAW):

BOND FORM: USE THIS BOND FORM - NO OTHER FORM OF BOND WILL BE ACCEPTED.

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, are held and firmly bound unto the City of Cincinnati, State of Ohio, in the sum of

dollars to be paid on demand to said City of Cincinnati, its successors for which payments will and truly to be made, we hereby bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the bid submitted to the City Purchasing Agent of the City of Cincinnati, State of Ohio, is accepted and a contract awarded to the undersigned bidder, and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Cincinnati, State of Ohio, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Cincinnati, Ohio, then this obligation shall be null and void; otherwise to be in full force and virtue.

BID CHECK (ALTERNATE FORM OF BID SURETY): Type of Check Check Number

in the sum of Dollars

on Bank of

is herewith submitted and deposited in lieu of bond under the same terms and conditions as set forth in the above bond. **Note:** If check is used as bid surety, attach here.

**BIDDER AND PRINCIPAL
SIGNATURES (BID SURETY)**

THIS FORM MUST BE SIGNED

Legal name of Bidder/Principal (Company, Corporation, etc.) Print or Type

Signature of Person Authorized to Sign for Principal

Date

NAME and TITLE OF PERSON AUTHORIZED TO SIGN FOR PRINCIPAL (TYPE OR PRINT)
Street Address of Bidder

City

State

Zip Code

*Federal Tax ID Number

*Bidders Federal Tax ID Number must be given before an award can be made

Telephone Number

Fax Number

SURETY

Surety Witnessed By:

Surety Incorporated
in the State of

Name of Surety Company – Print or Type

Attach "Attorney in Fact" Authorization – G.C. 14

Bond Number

By:

Date

Signature of person authorized to sign for Surety

Name and Title in Print (or type)



Inclusion on Alternates Form
City of Cincinnati Division of Economic Inclusion
Alternate Bid Submission Acknowledgement

ACKNOWLEDGMENT OF INCLUSION GOAL REQUIREMENTS FOR ALTERNATES IN BID SUBMISSIONS

The undersigned, an authorized representative of the bidding organization ("Bidder"), hereby acknowledges and agrees that the inclusion goals and participation requirements established for this project shall apply to any alternate bid item accepted by the City and incorporated into the resulting contract.

Alternate bid submissions are proposed pricing differences for materials, supplies, equipment, labor, or scopes of work identified in the solicitation documents.

The Bidder understands that inclusion participation information and utilization calculations specific to an alternate bid item are not required to be submitted as part of the bid response. However, if the City elects to accept an alternate bid item, the Bidder agrees that the project's established inclusion goals and requirements shall remain applicable to the contract, including the accepted alternate work.

By signing below, the Bidder acknowledges and agrees that:

The project's established inclusion goals apply to any alternate bid item accepted by the City.

Inclusion participation documentation for alternate bid items is not required at the time of bid submission.

If an alternate bid item is accepted and incorporated into the contract, the Bidder will be responsible for complying with all applicable inclusion goals and requirements associated with the project.

Bidder Acknowledgment

By signing below, the Bidder certifies that it has read, understands, and agrees to the requirements set forth in this Acknowledgment of Inclusion Goal Requirements for Alternate Bid Submissions.

Authorized Signature: _____

Printed Name: _____ Title: _____

Date: _____

Inclusion goals are determined based upon the availability of certified firms in the City of Cincinnati Certified Directory database. Please include, in your response, firm(s) from the directory listed on Form 2003 utilizing the Base Bid amount as the total.

Please be sure to use the following resources when identifying certified firms.

Inclusion Goal Requirements:

Verify on the City of Cincinnati procurement website the inclusion goal percentages and requirements in solicitation documents: <https://www.cincinnati-oh.gov/noncms/cmgr/business-opportunities/>

Division of Economic Inclusion Forms:

DEI Inclusion bid forms and instructions can be found on our department website under "How to Do Business With The City":

<https://www.cincinnati-oh.gov/inclusion/doing-business-with-the-city/economic-inclusion-bid-and-proposal-requirements/>