

Invitation to Bid

City of Canton, Ohio
Purchasing Department
218 Cleveland Ave. SW, 4th floor
Canton, Ohio 44702

Sale of Various Real Property (see spreadsheet for location(s))

Item/Project

Public Service

Responsible Department

April 25, 2023, 2:00 PM local time

Bids Due

Bid Proposal Submitted By:

Company Name

Street Address

City

State

Zip

Contact Person

Phone No.

Email Address

LEGAL NOTICE

The Director of Public Service will accept sealed bids on or before **2:00 PM local time, April 25, 2023**, for the purpose of selling various properties no longer needed for municipal purposes. Bids not received on or before the due date and time will be disqualified. Submit all bids to the City of Canton Purchasing Department, 218 Cleveland Avenue SW, Purchasing Department/Fourth Floor, Canton, Ohio 44702 according to the instructions in the Invitation to Bid posted on the City of Canton Purchasing Department website at <http://cantonohio.gov/purchasing/>.

Companies must submit a certified check, cashier's check or surety bond made payable to the City of Canton with the bid or individuals may submit a personal check. 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. Should any bid not be awarded or be rejected, such check or bond will be returned to the bidder or bidders after the execution of the contract.

Any bidder may withdraw his bid, by written request, at any time prior to the deadline set for the bid opening. Please be advised, the City may impose a \$100.00 penalty to any bidder that withdraws his bid after the bid opening and prior to a contract award(s).

Each bid must contain the full name of every person or company participating in the bid.

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

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

The bidder is responsible for monitoring the above-named website for any official addenda.

It is requested that the bidder print the entire Invitation to Bid and submit the completed bid packet in its entirety.

Please contact Director of Purchasing Andrew Roth at Andrew.roth@cantonohio.gov if you have any questions regarding this bid.

By order of the Director of Public Service: John Highman

Published in the Canton Repository: March 20 and 27, 2023 and April 3, 10, and 17, 2023

Section I: Table of Contents and Bidder's Checklist

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

Complete this checklist to confirm the items required in your bid. Place a checkmark or "X" next to each item that you are submitting to the City of Canton. Failure to submit the listed documents may be cause for rejection of your bid. This checklist should be returned with your bid. *** Required of Companies, Partnerships, etc. ** Required of all respondents including individuals**

- _____ Cover sheet
- _____ Legal Notice
- _____ Section I: Table of Contents and Bidder's Checklist
- _____ Section II: Bid Forms and Instructions
 - _____ Bid Form Instructions
 - _____ Bid Form 1: Bidder and Contractor Employment Practices Report*
 - _____ Bid Form 2: Authority of Signatory*
 - _____ Bid Form 3: Bid Guaranty**
 - _____ Bid Form 4: Bidder Information*
 - _____ Bid Form 5: Non-Collusion Affidavit*
 - _____ Bid Form 6: Insurance Requirements*
 - _____ Bid Form 7: Affidavit for Foreign Corporations*
 - _____ Bid Form 8: Personal Property Tax Certification (Orc 5719.042)**
 - _____ Bid Form 9: Certification – Auditor of the State Of Ohio**
 - _____ Bid Form 10: Articles of Incorporation*
 - _____ Bid Form 11: W9 Tax From*
- _____ Section III: City of Canton Income Tax Information
- _____ Section IV: Canton Codified Ordinances
- _____ Section V: Bid Specifications
- _____ Section VI: Bid and Signature Pages**

Section II: Bid Forms and Instructions

Bid Form Instructions

Failure to submit bid forms 1 through 6 with the bid may cause the bid to be deemed non-responsive, and therefore it may not be considered. *** Required of Companies, Partnerships, etc. ** Required of all respondents including individuals.**

Bid forms 7 through 11 will be required of the successful bidder but may be submitted after the awarding of the contract. *** Required of Companies, Partnerships, etc. ** Required of all respondents including individuals.**

*****The City of Canton does encourage bidders to submit all bid forms with their bids*****

Bid Form 1: Bidder and Contractor Employment Practices Report

This form is designed to provide an evaluation of a bidder's policies and practices relating to the extension of equal employment opportunity to all persons without regard to race, religion, color, sex or national origin. The successful bidder will be required to complete and submit the Bidder and Contractor Employment Practices Report. Additionally, the successful bidder will be required to submit an "affirmative action plan" and/or "EEO policy." If the successful bidder does not have a formal EEO policy, it will be required to complete and submit the provided EEO policy statement.

Bid Form 2: Authority of Signatory

The authority of the bid signatory must be established. Bid Form 2 provides the means by which the bidder can identify the type of business organization it is (corporation, partnership, etc.) and instructions as to how signature authority is commonly established.

Bid Form 3: Bid Guaranty

A **check or surety bond** made payable to the City of Canton 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 guaranty the contract and its performance are properly secured if the bid is accepted. **Companies must submit a certified check, cashier's check or surety bond made payable to the City of Canton with the bid or individuals may submit a personal check.**

Bid Form 4: Bidder Information

The bidder shall submit the required information on the included form and shall supplement the information there given as may be required by the City of Canton after the receipt of bids.

Bid Form 5: Non-Collusion Affidavit

Each bidder is required to submit with the bid an affidavit stating that neither he nor his

agents, nor any other party for him, has paid or agreed to pay, directly or indirectly, any person, firm or corporation any money or valuable consideration for assistance in procuring or attempting to procure the contract herein referred to, and further agreeing that no such money or reward will be hereafter paid. This affidavit must be on the form provided.

Bid Form 6: Insurance Requirements

The successful bidder will be required to have the required insurance as outlined in Bid Form 6 and should be prepared to submit proof thereof.

All bidders would be well advised to consult their insurance agents as soon as possible so that all questions and concerns can be given due consideration.

Bid Form 7: Affidavit for Foreign Corporations

A successful bidder who is a foreign corporation, (a corporation not chartered in the State of Ohio), will be required to submit an affidavit duly executed by the authorized bid signatory stating in said affidavit that said foreign corporation has, in accordance with the provisions of the laws of the State of Ohio, obtained a certificate authorizing it to do business in the State of Ohio.

Bid Form 8: Personal Property Tax Certification (ORC 5719.042)

This form/certification must be retyped on the successful bidder's letterhead and notarized utilizing either paragraph (A) or (B) as it applies to the successful bidder's company.

Bid Form 9: Certification – Auditor of the State Of Ohio

This form is used to certify that the bidder does not have outstanding unresolved finding for recovery issued by the Auditor of the State of Ohio.

Bid Form 10: Articles of Incorporation

The successful bidder may be required to submit a copy of the company's articles of incorporation.

Bid Form 11: W9 Tax Form

Please provide an up to date copy of your Company's W9.

Bid Form 1: Bidder and Contractor Employment Practices Report

Bidder and Contractor Employment Practices Report City of Canton Office of Compliance

I. INSTRUCTIONS

- A. This form is designed to provide an evaluation of your policies and practices as they relate to the extension of equal employment opportunity to all persons regardless to race, religion, color, sex, age, national origin, disability, sexual orientation, or sexual identity.
- B. City of Canton Codified Ordinance 507 and 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.
- C. Completion of this Contractor and Bidder Employment Practices Report is one of the steps which demonstrate compliance with the City's Equal Employment Opportunity Program. Responsibility for demonstrating compliance with the Program by the vendor and its subcontractors' rests with the vendor or subcontractor. Such demonstration is a prerequisite for continued eligibility for the award City contracts.

II. VENDOR OR BIDDER INFORMATION

1. Reporting Status A. Prime Contractor B. Prime Subcontractor C. Supplier D. Other (Specify)
2. Name, Address and Telephone Number of Bidder Covered by This Report
3. Name, Address and Telephone Number of Principal Official or Manager of Bidder
4. Name, Address and Telephone Number of Principal Office of Bidder

Evaluation (Office Use Only)

- Compliant
- Non-Compliant
- Follow up needed _____

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 applicable letter associated with each item below. The letters are interpreted as follows:

A – Current Practice B – Company will immediately adopt this policy C – Company is unwilling or is unable to adopt policy.

Circle One	Items	State Reason if (C) is checked
A B C	1. The company will adopt a policy of non-discrimination on the basis of race, religion, color, sex, age, national origin, disability, sexual orientation, or sexual identity, with regard to recruitment, hiring, training, upgrading, promotion and discipline of employees or applicants for employment. This policy will be communicated in writing to all employees, subcontractors, recruitment sources and all relevant labor organizations and unions.	
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 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	4. The company will participate in training programs for the benefit of employees or prospective employees, according to the intent of City Codified Ordinance 507.	
A B C	5. 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	6. Company will take steps to integrate any position, departments, or plant locations which have no minority persons, or are almost completely staffed with one particular ethnic or racial group.	
A B C	7. 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: Education, Experience, Tests, and Criminal Records.	

A B C	8. Residence in a particular geographical area will not be a qualifying or disqualifying criterion for employment with the Company.	
A B C	9. 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. Please provide truthful and accurate information. If information provided is found to be false, bidder/contractor will be subject to the loss of all future awards.

MALE:

FEMALE:

Categories	Overall Total	Total Male	Total Female	African American	Asian American	Native American	Hispanic	African American	Asian American	Native American	Hispanic
Officials, Managers and Supervisors											
Professionals											
Technicians											
Part-Time Seasonal											
Office & Clerical											
Craftsman (skilled)											
Operatives (semi-skilled)											
Laborers (un-skilled)											
Service Workers											
Total:											

REMARKS: Please explain any identification data appearing on the last report which differs from that given above. This includes major changes in employment, changes in composition of reporting units, and other pertinent information. Use a separate sheet if additional space is required.

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, age, national origin, disability, sexual orientation, or sexual identity. Use a separate sheet if additional space is required.

VI. POLICY STATEMENT

The City of Canton, Ohio in conformance with local, state, and federal regulations, requires each vendor, contractor, and material suppliers working on city projects or awarded City contracts be signatures of the following statements:

- 1) It is the policy of _____ that equal employment opportunities be afforded to all qualified persons without regard to race, religion, color, sex, age, national origin, disability, sexual orientation, or sexual identity.
- 2) In support of this document _____ will not discriminate against any employee or applicant because of race, religion, color, sex, age, national origin, disability, sexual orientation, or sexual identity.
- 3) _____ will take affirmative action to ensure that applicants for employment and current employees are treated fairly without regard to race, religion, color, sex, age, national origin, disability, sexual orientation, or sexual identity. Such action will include but not be limited to recruitment, advertising, or solicitation for employment, hiring, placement, upgrading, transfer or demotion, selection for training including apprenticeship rates of pay or other forms of compensation, layoffs or termination.
- 4) _____ will make every effort to comply with minority utilization goals as follows: (9%) nine percent minorities in your workforce on the job, (6.9%) six point nine percent female utilization on this job, and (10%) ten percent of contract amount expended with minority business enterprises, women-owned business enterprises or a combination of both.
- 5) _____ shall require each sub-contractor hired for this project to adhere to this statement.

VII. SIGNATURE

The undersigned certifies that he/she is legally authorized by the vendor/bidder to affirm all information and statements included in this employment practices report. That he/she has read all of the foregoing statements, representations, and affirmations and that they are true and correct to the best of his/her 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 Compliance, the bidder/contractor could be subject to loss of current and future awards.

Firm or Corporation Name:

Signature:

Title:

Date of Signing:

Bid Form 3: Bid Guaranty

A **check or surety bond** made payable to the City of Canton 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 guaranty the contract and its performance are properly secured if the bid is accepted. **Companies must submit a certified check, cashier's check or surety bond made payable to the City of Canton with the bid or individuals may submit a personal check.**

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 \$100.00 security, the City of Canton will disqualify the bid.

The Director and 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 deadline set for the bid opening. Please be advised, the City of Canton may impose a \$100.00 penalty to any bidder that withdraws his bid after the bid opening and prior to a contract award(s).

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

Please place your bid guaranty at the front of your submitted bid.

Bid Form 4: Bidder Information, Page 1

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

a. Name of Bidder _____

b. Business Address _____

_____ City State Zip

c. Business Telephone Number (____) _____

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

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

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

g. Principal place of business _____

h. Federal I.D. Number # _____

i. Amount of Certified Check, Cashier's Check, Bid Bond \$ _____
(Individuals may submit a personal check)

Bid Form 4: Page 2

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.

_____	_____
_____	_____
_____	_____
_____	_____

5. Local Bidder Preference Information: Does your company have a headquarters, division, sales office, sales outlet, manufacturing facility, or similar significant business-related location in Stark County, Ohio? If yes, please provide the name and address of the location below.

Bid Form 5: Page 2

are true; that such bidder has not, directly or indirectly submitted this bid, or the contents thereof, or divulged information or data relative thereto any association or to any member or agent thereof; and further says that all the statements made by him in said proposal or bid are true.

Affiant

Sworn to and subscribed before me this _____ day of

_____, 20 ____.

Notary Public in and for

_____ County,

My Commission Expires:

_____, 20 ____.

Bid Form 6: Insurance Requirements

Insurance Requirements

All successful bidders will be required to possess the following items per the requirements below and should be prepared to submit proof thereof:

- I. Lessee agrees to purchase and keep in full force and effect throughout the duration of this purchase, or any legitimate extension thereof, general liability insurance covering the property in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence.
- II. This insurance shall:
 1. include coverage for the liability assumed by Contractor under Item I (Indemnity);
 2. be evidenced by Certificates of Insurance furnished by the Contractor shall show by specific reference that each of the foregoing items have been provided for;
 3. not be subject to any of the special property damage liability exclusions commonly referred to as the XCU exclusions pertaining to blasting or explosion, collapse or structural damage and underground property;
 4. include the City of Canton **“as an additionally named insured”** and shall **contain an endorsement by the insurance carrier providing thirty (30) days notice to both the City and insured in the event of any change in coverage under the policy.** No less than thirty (30) days advance notice of cancellation of the insurance policy shall be given to the City by the insurer.
 5. include the City of Canton **“as an additionally named insured”** and shall **contain an endorsement by the insurance carrier providing thirty (30) days notice to both the City of Canton and insured in the event of any change in coverage under the policy.** No less than thirty (30) days advance notice of cancellation of the insurance policy shall be given to the Commission by the insurer.

Bid Form 7: Bidder's Affidavit: Foreign Corporation

Any corporation that is not incorporated in the State of Ohio is a foreign corporation.

The undersigned certifies that _____ is a foreign corporation incorporated in the State of _____, whose principal place of business is _____ and is required to obtain authorization to transact business in the State of Ohio.

The undersigned bidder further certifies that said authorization has been obtained and is in effect and the bidder has a designated statutory agent upon whom process against bidder corporation may be served within the State of Ohio. The designated

statutory agent is _____
(name and address)

Process served upon the designated statutory agent named above shall be effective service, unless the Owner has been informed, by certified mail or its equivalent (return receipt), of a change in the agent upon whom process can be served.

Date

Signed

Title

Note: This statement is to be reproduced on the bidder's letterhead, signed by the authorized bid signatory, notarized and submitted with the bid.

Bid Form 8: Personal Property Tax Certification (ORC 5719.042)

NOTE: The below form and/or certification must be retyped on the bidder's letterhead and notarized utilizing either paragraph (A) or (B), and paragraph (C) as it applies to your company.

Office of the Auditor
City of Canton
218 Cleveland Avenue S.W., 2nd floor
Canton, OH 44702

To Whom It May Concern:

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

Or

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

and

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

Name of Company

Signatory

Secretary

Sworn to and subscribed in my presence this _____ day of _____, 20 _____

(Notary Public)

Bid Form 9: Certification: Auditor of the State of Ohio

I, _____
(Name of person signing affidavit) (Title)

do hereby certify that _____ does not have an
(Company or Individual Name)

outstanding unresolved finding for recovery issued by the Auditor of the State of Ohio as defined

by Ohio Revised Code (ORC) Section 9.24 as of _____.
(Current date)

Signature of Officer or Agent

Name (Print)

Sworn to and subscribed in my presence this _____ day of _____, 20 _____

(Notary Public)

Bid Form 10: Articles of Incorporation

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

Bid Form 11: W9 Tax Form

Please provide an up to date copy of your Company's W9.

Section III: City of Canton Income Tax Information

1. All successful bidders shall be required to comply with all City of Canton income tax ordinances including the following:
 - a. No person, partnership, corporation or unincorporated association may be awarded a contract with the City under Sections 105.09 or 105.10, unless the vendor is paid in full or is current and not otherwise delinquent in the payment of City income taxes, including any obligation to pay taxes withheld from employees under Section 182.05 and any payment on net profits under Section 182.06.
 - b. Falsification of any information related to or any post-contractual violation of the requirement to pay City income taxes set forth in subsection (a) shall constitute cause for the rescission of the balance of the contract at the City's discretion.
 - c. No partnership, corporation or unincorporated association which has as one of its partners, shareholders or owners a person who is a twenty percent (20%) or greater equity owner in such partnership, corporation or unincorporated association and who is delinquent in the payment of City income taxes as set forth in subsection (a), may be awarded a contract with the City under Sections 105.09 or 105.10.
 - d. A person who is a twenty percent (20%) or greater equity owner in any partnership, corporation or unincorporated association which is delinquent in the payment of City income taxes as set forth in subsection (a) may not be awarded a contract with the City under Sections 105.09 or 105.10.
 - e. By entering into contract with the City of Canton the vendor agrees with the City regarding the manner of withholding of City income taxes as provided in Section 718.011(F) of the Ohio Revised Code including the following:
 - i. Municipal income tax withholding provisions of Sections 718.011(B)(1) and 718.011(D) ORC shall not apply to qualifying wages paid to employees for work done or services performed or rendered inside the City or on City property.
 - ii. The vendor agrees to withhold income tax for the City from employees' qualifying wages earned inside the City or on City property, beginning with the first day of work done or services performed or rendered inside the City.
2. Vendors will be registered with the City of Canton Income Tax Department to ensure that the above qualifications are met. Vendors are encouraged to contact the City of Canton Income Tax Department prior to bidding with any questions regarding these provisions and for registration. Please use the contact information on the following page.

City of Canton Income Tax Department

Office Address

424 Market Ave. N
Canton OH 44702

Phone: (330) 430-7900

Fax: (330) 430-7944

Email: cantontax@cantonohio.gov

Correspondence Address

P.O. Box 9940
Canton, OH 44711

3. Additionally, all public improvement, professional services, and services contracts shall also contain the following provisions:

Provision 1

Said _____ hereby further agrees to withhold all City income taxes due or payable under Chapter 182 of the Codified Ordinances 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 services performed under this contract. Furthermore, any person, firm or agency that has a contract or agreement with the City shall be subject to City income tax whether a resident or nonresident in the City, and whether the work being done is in the City or out of the City. In addition to the tax withheld for employees, the net profits on the contract shall be subject to City income tax.

Provision 2

By entering into contract with the City of Canton _____ agrees with the City regarding the manner of withholding of City income taxes as provided in Section 718.011(F) of the Ohio Revised Code.

- i. Municipal income tax withholding provisions of Sections 718.011(B)(1) and 718.011(D) ORC shall not apply to qualifying wages paid to employees for work done or services performed or rendered inside the City or on City property.
- ii. _____ agrees to withhold income tax for the City from employees' qualifying wages earned inside the City or on City property, beginning with the first day of work done or services performed or rendered inside the City.
(Ord. 238-2015. Passed 11-30-15.)

Section IV: City of Canton Codified Ordinances

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

1. Chapter 105.06 – Minority contract provision.

a. All contracts with the City shall include the following clause:

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

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

2. Chapter 105.15 – City Income Tax

- a. No person, partnership, corporation or unincorporated association may be awarded a contract with the City under Sections 105.09 or 105.10, unless the bidder is paid in full or is current and not otherwise delinquent in the payment of City income taxes, including any obligation to pay taxes withheld from employees under Section 182.05 and any payment on net profits under Section 182.06.
- b. Falsification of any information related to or any post-contractual violation of the requirement to pay City income taxes set forth in subsection (a) shall constitute cause for the rescission of the balance of the contract at the City's discretion.
- c. No partnership, corporation or unincorporated association which has as one of its partners, shareholders or owners a person who is a twenty percent (20%) or greater equity owner in such partnership, corporation or unincorporated association and who is delinquent in the payment of City income taxes as set forth in subsection (a), may be awarded a contract with the City under Sections 105.09 or 105.10.
- d. A person who is a twenty percent (20%) or greater equity owner in any partnership, corporation or unincorporated association which is delinquent in the payment of City income taxes as set forth in subsection (a) may not be awarded a contract with the City under Sections 105.09 or 105.10.

- e. A contract awarded under Sections 105.09 or 105.10 for a public improvement project, services other than personal or professional services, and personal or professional services shall not be binding or valid unless such contract contains the following provisions:

Said _____ hereby further agrees to withhold all City income taxes due or payable under Chapter 182 of the Codified Ordinances 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 services performed under this contract. Furthermore, any person, firm or agency that has a contract or agreement with the City shall be subject to City income tax whether a resident or nonresident in the City, and whether the work being done is in the City or out of the City. In addition to the tax withheld for employees, the net profits on the contract shall be subject to City income tax.

(Ord. 238-2015. Passed 11-30-15.)

3. Chapter 182.30 – Contract Provisions

- a. No contract on behalf of the City under Sections 105.09 or 105.10 of the Codified Ordinances of Canton for a public improvement project, services other than personal or professional services, and personal or professional services shall be binding or valid unless such contract contains the following provisions:

Said _____ hereby further agrees to withhold all City income taxes due or payable under Chapter 182 of the Codified Ordinances 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 services performed under this contract. Furthermore, any person, firm or agency that has a contract or agreement with the city shall be subject to city income tax whether a resident or nonresident in the city, and whether the work being done is in the City or out of the City. In addition to the tax withheld for employees, the net profits on the contract shall be subject to City income tax.

- b. By entering into contract with the city of Canton _____ agrees with the City regarding the manner of withholding of City income taxes as provided in Section 718.011(F) of the Ohio Revised Code.
 - i. Municipal income tax withholding provisions of Sections 718.011(B)(1) and 718.011(D) ORC shall not apply to qualifying wages paid to employees for work done or services performed or rendered inside the City or on City property.
 - ii. _____ agrees to withhold income tax for the City from employees' qualifying wages earned inside the City or on City property, beginning with the first day of work done or services performed or rendered inside the City.

(Ord. 238-2015. Passed 11-30-15.)

4. Chapter 507.03 – Equal Employment Opportunity clause.

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

1. The contractor shall not discriminate against any employee or applicant for employment because of race, age, handicap, religion, color, sex, national origin, sexual orientation or gender identity. The contractor shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to race, religion, color, sex, national origin, military status, sexual orientation or gender identity. As used herein, the word "treated" shall mean and include without limitation the following: recruited, whether by advertising or other means; compensation, whether in the form of rates or pay or other forms of compensation; selected for training, including apprenticeship; promoted; demoted; upgraded; downgraded; transferred; laid off; and terminated. The contractor agrees to and shall post in conspicuous places available to employees and applicants for employment notices to be provided by the contracting officers setting forth the provisions of this nondiscrimination clause.
2. The contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, age, handicap, religion, color, sex, national origin, military status, sexual orientation or gender identity.

(Ord. 153-2012. Passed 9-24-12.)

3. The contractor shall send to each labor union or representative of workers, with which he has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or workers' representative of the contractor's commitments under the equal opportunity clause of the City; and he shall post copies of the notice in conspicuous places available to employees and applicants for employment.
4. The contractor shall submit in writing to the City his affirmative action plan, and each subcontractor and supplier of equipment or supplies shall submit to the general contractor his affirmative action plan. The responsibility for securing these affirmative action plans falls upon the general contractor and shall be on file at the office of the general contractor. The contractor shall furnish all information and reports required by the City or its representative pursuant to this chapter, and shall permit access to his books, records, and accounts by the contracting agency and by the Executive Secretary for purposes of investigation to ascertain compliance with the program.
5. The contractor shall take such action with respect to any subcontractor as the City may direct as a means of enforcing the provisions of this equal opportunity clause, including penalties and sanctions for noncompliance;

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

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

(Ord. 179-74. Passed 6-17-74.)

Section V: Bid Specifications

SPECIFICATIONS

1.0 SCOPE AND CLASSIFICATION

Scope and Conditions of Sale: The City of Canton wishes to sell real property to the highest bidder. **Interested Parties may bid on one, multiple or all the properties listed on the included spreadsheet. Only one check is required regardless of the number of properties bid on.**

Conditions of sale/bid:

Location: Various, please see spreadsheet

Parcel #: Various, please see spreadsheet

Minimum Bid> Various, please see spreadsheet

2.0 REQUIREMENTS

2.1 General Requirements

2.1.1 Bidders shall provide a firm and fixed price for the property on the proposal pages provided.

2.1.2 **Easements: Various, please see spreadsheet**

3.0 NOTES AND INSTRUCTIONS

3.1 Prospective bidders will take notice that the City of Canton will award the contract to the highest bidder.

3.2 The City of Canton reserves the right to reject any and all bids.

3.3 Questions and Addenda

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

3.3.2 All questions should be directed to:
Andrew Roth
City of Canton Purchasing Department
Email: andrew.roth@cantonohio.gov

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

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

3.4 Bid Proposal Page Instructions:

3.4.1 Bidders are required to fill out the proposal page completely. Failure to do so may result in your bid being disqualified.

3.4.2 Bidders must provide a fixed firm price.

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

- 3.6 Any bidder may withdraw a bid, by written request, at any time prior to the time set for the bid opening. This request must be made to Andrew Roth, Director of Purchasing at Andrew.roth@cantonohio.gov. If there is no withdrawal of the bid, in accordance to this procedure, the City of Canton reserves the right to enforce said bid prices(s) and/or contract(s).
- 3.7 If a bidder attempts to alter any of the terms and/or conditions of these bid specifications or the proposal page, the City of Canton may reject said bid.
- 3.8 The party submitting a bid is solely responsible for the delivery of the bid to the specified location prior to the deadline for the receipt of bids. The Purchasing Department time stamp clock is the official time used for the deadline of the submission of bids.

Section VI: Bid Proposal and Signature Pages

Bid Page for the Purchase of real property located at:

Various Locations (Parcel Number(s) Various, please see spreadsheet)

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

Bid Item 1

Description	Total Price (In Figures)	Total Price (In Words)
Bid Amount	Please submit your bid on the spreadsheet for the parcels you wish to bid on.	Please submit your bid on the spreadsheet for the parcels you wish to bid on.

Interested Parties may bid on one, multiple or all the properties listed on the included spreadsheet.

Additional Requirements

Please explain any additional requirements that are necessary for the proposed operation. Attach additional sheets if necessary.

Addenda Acknowledgement

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

Addenda Number(s) _____

Signature Page

Sale of real property located at:

Various Locations (Parcel Number(s) Various, please see spreadsheet)

To the Director of Public Service of the City of Canton:

The undersigned, having carefully examined the complete invitation to bid, herewith proposes to purchase the outlined real property located at Various Locations (various parcel number(s), please see spreadsheet) pursuant to all terms and conditions outlined herein and required by the City of Canton Law Department in the resulting contract.

The bidder hereby agrees that the City of Canton has the right to reject any and all bids and to accept the bid(s) deemed most beneficial to the City of Canton.

The bidder herewith encloses a **Bid Bond or Check** (Individuals may submit a person check) in the sum of \$100.00 dollars made payable to the CITY OF CANTON as a guaranty that if awarded the contract _____ will enter into contract therefore, within

(Name-Company or Individual)

the prescribed time of ten (10) days from the date of service of notice of award, otherwise such bond or checks shall become the property of said City.

The bidder acknowledges receipt of Addenda Numbers: _____

SIGNATURE OF BIDDER: _____

NOTE: If bidder is a corporation, set forth the legal name of the corporation, together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation. If bidder is a partnership, set forth the name of the firm, together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership.

Please have this page Notarized.

A	B	D	E	F	G	H
Location of Property	Parcel	Scope and conditions of Sale	Description of Easement	Minimum Bid	Your Bid	Your Name
1						
2	LIPPERT RD NE 214813	None	Any and all existing Easements shall remain in affect. In addition, the City's Engineering Department is requiring a public road right-of-way and city utilities easement as well. Sale is subject to all legal highways, easements, leases or other restrictions. See drawing. (attached)	\$100.00		
3	SYLVAN CT NE CANTON OH 44705 281087	None	7' right of way easement for Sylvan Ct NE Reserved	\$100.00		
4	LAWRENCE RD NE CANTON OH 44705 201291	None	None	\$4,900.00		
5	CRYSTAL PL NE CANTON OH 44705 234733	None	None	\$4,900.00		
6	2156 4TH ST NE CANTON OH 44704 2165 226655	None	5' Right of Way Easement for 4th St NE and Grand Ave NE Reserved	\$1,400.00		
7	2302 11TH ST NW CANTON OH 44708 4232 206609	None	10' right of way easement for 11th St NW Reserved	\$100.00		
8	GIBBS AVE NE CANTON OH 44704 206988	None	10' right of way easement for Gibbs Ave NE Reserved	\$1,100.00		
9	2124 3RD ST NE CANTON OH 44704 2108 246345	None	None	\$100.00		
10	3RD ST NE CANTON OH 44704 233228	None	None	\$100.00		
11	1247 SHADYSIDE AVE SW CANTON OH 44710 2049 232390	None	5' right of way easement for Shadyside Ave SW Reserved	\$100.00		
12	2040 3RD ST NE CANTON OH 44704 2004 207839	None	None	\$100.00		
13	1441 SYCAMORE AVE SE 207768			\$100.00		
14	231 LAWN AVE SW CANTON OH 44706 1121 212906			\$100.00		
15	2302 11TH ST NW CANTON OH 44708-4232 206609			\$100.00		
16	3RD ST NE CANTON OH 44704 233228	City reserves a public right-of-way and utility easement.		\$100.00		
17	917 GIBBS AVE NE CANTON OH 44705 1074 219033	City reserves a public right-of-way and utility easement.	YES. 10' RW ESMT ON SOUTH SIDE OF PARCEL	\$100.00		
18	310 YOUNG AVE SE CANTON OH 44707 3259 220817	City reserves a public right-of-way and utility easement.	YES. 10' RW ESMT ON WEST SIDE OF PARCEL	\$100.00		
19	302 YOUNG AVE SE CANTON OH 44707 3259 201829	City reserves a public right-of-way and utility easement.	YES. 10' RW ESMT ON WEST SIDE OF PARCEL	\$100.00		
20	1943 3RD ST NE CANTON OH 44704 2061 207737	City reserves a public right-of-way and utility easement.	YES. 5' RW ESMT ON WEST AND NORTH SIDE OF PARCEL	\$100.00		
21	1937 3RD ST NE CANTON OH 44704 2060 200559	City reserves a public right-of-way and utility easement.	YES. 5' RW ESMT ON EAST SIDE OF PARCEL	\$100.00		
22	1951 3RD ST NE CANTON OH 44704 2061 209362	NONE	NONE	\$100.00		
23	1960 BENTLEY PL NE CANTON OH 44704 2062 214368	City reserves a public right-of-way and utility easement.	NONE	\$1,000.00		
24	1801 17TH ST NE CANTON OH 44705 1707 231062	City reserves a public right-of-way and utility easement.	YES 5' RW ESMT ON SOUTH SIDE OF PARCEL	\$100.00		
25	4TH ST SE CANTON OH 44707 217358		NONE	\$1,300.00		
26	4TH ST SE CANTON OH 44707 231945	NONE	NONE	\$100.00		
27	4TH ST SE CANTON OH 44707 206484	City reserves a public right-of-way and utility easement.	YES. 10' RW ESMT ON WEST SIDE OF PARCEL. CITY RESERVES USE OF LOT FOR CONSTRUCTION STAGING FOR THE DURATION OF THE 4TH ST SANITARY PROJECT, GP1338. NOT TO EXCEED DEC 31, 2023.	\$500.00		
28	17TH ST SE CANTON OH 44707 283638	City reserves a public right-of-way and utility easement.	YES. 15' RW ESMT ON NORTH SIDE OF PARCEL	\$100.00		

A	B	D	E	F	G	H	
1	Location of Property	Parcel	Scope and conditions of Sale	Description of Easement	Minimum Bid	Your Bid	Your Name
29	1319 WOODWARD PL NW CANTON OH 44709 3322	227179	NONE	NONE	\$100.00		
30	2ND ST NE CANTON OH 44704	236413	City reserves a public right-of-way and utility easement.	YES, 10' RW ESMT ON WEST SIDE OF PARCEL	\$100.00		
31	3222 13TH ST SW CANTON OH 44710 2204	237530	NONE	NONE	\$100.00		
32	208 GREEN CT NE CANTON OH 44704 2032	219794	NONE	NONE	\$100.00		
33	1929 2ND ST NE CANTON OH 44704 2056	202458	NONE	NONE	\$100.00		
34	MAHONING RD NE CANTON OH 44705	285831	City reserves a public right-of-way and utility easement.	5' RW ESMT MAHONING AND 13TH NE	\$100.00		
35	1213 14TH ST NE CANTON OH 44705 1203	215308	City reserves a public right-of-way and utility easement.	5' RW ESMT 14TH NE, STORM ESMT EAST SIDE OF PARCEL	\$100.00		
36	1450 STRUBLE AVE NE CANTON OH 44705 1280	210829	City reserves a public right-of-way and utility easement.	10' RW ESMT STRUBLE NE	\$100.00		
37	BRYAN AVE SW CANTON OH 44706	285028	City reserves a public right-of-way and utility easement.	5' RW ESMT RYAN SW	\$100.00		
38	1430 DOWNING CT NE CANTON OH 44714 2430	228955	City reserves a public right-of-way and utility easement.	10' RW ESMT DOWNING NE	\$100.00		
39	1430 DOWNING CT NE CANTON OH 44714 2430	228955	City reserves a public right-of-way and utility easement.	10' RW ESMT DOWNING NE	\$100.00		
40	1430 DOWNING CT NE CANTON OH 44714 2430	222995	City reserves a public right-of-way and utility easement.	5' RW ESMT SPRING NE	\$100.00		
41	1430 DOWNING CT NE CANTON OH 44714 2430	222995	City reserves a public right-of-way and utility easement.	5' RW ESMT SPRING NE	\$100.00		
42	2040 3RD ST NE CANTON OH 44704 2004	207839	NONE	NONE	\$100.00		
43	1303 9TH ST NE CANTON OH 44705 1005	221676	City reserves a public right-of-way and utility easement.	5' RW ESMT 9TH NE	\$100.00		
44	1631 OLIVE PL NE CANTON OH 44705 1615	215145	City reserves a public right-of-way and utility easement.	10' RW ESMT OLIVE NE	\$100.00		
45	1337 SHRIVER AVE NE CANTON OH 44705 1535	237188	City reserves a public right-of-way and utility easement.	10' RW ESMT SHRIVER NE	\$100.00		
46	VIRGINIA PL NE CANTON OH 44705	226179	City reserves a public right-of-way and utility easement.	10' RW ESMT VIRGINIA NE	\$100.00		
47	VIRGINIA PL NE CANTON OH 44705	226179	City reserves a public right-of-way and utility easement.	10' RW ESMT VIRGINIA NE	\$100.00		
48	VIRGINIA PL NE CANTON OH 44705	226179	City reserves a public right-of-way and utility easement.	10' RW ESMT VIRGINIA NE	\$100.00		
49	WINFIELD WAY NE CANTON OH 44705 1915	215242	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$2,800.00		
50	WINFIELD WAY NE CANTON OH 44705 1915	215242	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$2,800.00		
51	WINFIELD WAY NE CANTON OH 44705	227810	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$2,800.00		
52	WINFIELD WAY NE CANTON OH 44705	227810	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$2,800.00		
53	2211 WINFIELD WAY NE CANTON OH 44705 1915	231191	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$100.00		
54	2211 WINFIELD WAY NE CANTON OH 44705 1915	231191	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$100.00		
55	ALTON PL NE CANTON OH 44705	227809	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$2,800.00		
56	ALTON PL NE CANTON OH 44705	227809	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$2,800.00		
57	WINFIELD WAY NE CANTON OH 44705 1915	210862	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$4,000.00		
58	WINFIELD WAY NE CANTON OH 44705 1915	210862	City reserves a public right-of-way and utility easement.	5' RW ESMT WINFIELD NE	\$4,000.00		
59	1464 SHRIVER AVE NE CANTON OH 44705 1560	232450	City reserves a public right-of-way and utility easement.	10' RW ESMT SHRIVER NE	\$100.00		

A	B	D	E	F	G	H
Location of Property	Parcel	Scope and conditions of Sale	Description of Easement	Minimum Bid	Your Bid	Your Name
1						
60	1936 4TH ST SE CANTON OH 44707 3024	211136 City reserves a public right-of-way and utility easement.	10' RW ESMT SHRIVER NE	\$100.00		
61	1936 4TH ST SE CANTON OH 44707 3024	211136 City reserves a public right-of-way and utility easement.	10' RW ESMT SHRIVER NE	\$100.00		
62	1814 EDWARDS AVE NE CANTON OH 44705 2232	225183 NONE	NONE	\$100.00		
63	354 WEBSTER AVE NE CANTON OH 44704 2048	231322 City reserves a public right-of-way and utility easement.	10' RW ESMT WEBSTER AND OTTO NE	\$100.00		
64	2808 11TH ST SW CANTON OH 44710 2135	245469 City reserves a public right-of-way and utility easement.	10' RW ESMT ARDMORE SW	\$100.00		
65	2808 11TH ST SW CANTON OH 44710 2135	245469 City reserves a public right-of-way and utility easement.	10' RW ESMT ARDMORE SW	\$100.00		
66	1601 GLENDALE PL NE CANTON OH 44705 1603	206288 City reserves a public right-of-way and utility easement.	5' RW ESMT GROSS AND GLENDALE NE	\$100.00		
67	1601 GLENDALE PL NE CANTON OH 44705 1603	206288 City reserves a public right-of-way and utility easement.	5' RW ESMT GROSS AND GLENDALE NE	\$100.00		
68	1601 GLENDALE PL NE CANTON OH 44705 1603	206288 City reserves a public right-of-way and utility easement.	5' RW ESMT GROSS AND GLENDALE NE	\$100.00		
69	1441 ALDEN AVE SW CANTON OH 44706 5412	227258 NONE	NONE	\$100.00		