

Invitation to Bid

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

Sale of Steam Engine No. 3960 and coal tinder car

Item/Project

Director of Public Service

Responsible Department

Thursday, July 12, 2018 at 2:00 PM local time

Bid Opening Date and Time

Bid Proposal Submitted By:

Company Name

Street Address

City

State

Zip

Contact Person

Phone No.

Email Address

BIDDER’S CHECKLIST AND TABLE OF CONTENTS

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

Complete this checklist to confirm the items required in your bid. Place a checkmark or “X” next to each item that you are submitting to the City of Canton. Failure to submit the listed documents may be cause for rejection of your bid. This checklist should be returned with your proposal.

- _____ Cover sheet
- _____ Checklist
- _____ Legal Notice
- _____ Specifications
- _____ Proposal Pages
- _____ Bid Check (Certified or Cashiers)
- _____ Bidder Information/Signature Pages
- _____ Insurance Requirements
- _____ Personal Property Tax Certification: ORC 5719.042
- _____ City of Canton Codified Ordinances

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Sale of Steam Engine No. 3960 and coal tender car

LEGAL NOTICE

Codified Ordinance 140/2018

The Director of Public Service of the City of Canton, Ohio will accept sealed bids on or before **2:00 PM local time Thursday, July 12, 2018**, for a the sale of one (1):

Sale of Steam Engine No. 3960 and coal tender car

The City will disqualify any bid not received on or before 2:00 PM local time on July 12, 2018. Shortly after the deadline for the submission of bids, bids received on time will be publically opened and read aloud. The Sixth Floor Conference Room of Canton City Hall is the location for the Bid Opening.

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 <https://cantonohio.gov/purchasing/?pg=showbids>.

A certified check or cashier's check must accompany the bid. Draw this check from a solvent bank satisfactory to the Director of Public Service as a guarantee the contract and its performance are properly secured if the bid is accepted. The Bidder shall verify the certified check or cashier's check for five hundred (\$500.00) dollars. The City of Canton will only accept original checks. Therefore, if any company and/or bidder submits a copy (including faxed copies) of his/her \$500.00 security, the City will disqualify the bid. Should any bid not be awarded or be rejected, such check 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 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).

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

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

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

The bidder is responsible for monitoring the City website for any official addenda.

It is requested that the bidder print this entire packet and submit in its entirety. The City also requests that the bidder submits an original completed bid packet and two (2) copies of that completed packet for a total of three (3) bid packet copies.

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: June 25, 2018 and July 2, 2018

SPECIFICATIONS

1.0 SCOPE AND CLASSIFICATION

- 1.1 **Scope:** The City of Canton is seeking bids for the Sale of Steam Engine No. 3960 and coal tender car. The Steam Engine No. 3960 and coal tender car are located at the Ohi-Rail Corp. 177 Curry Street, Minerva, Ohio 44657.
- 1.2 **Classification:** The Steam Engine No. 3960 and coal tender car will be awarded to the person or company who bids the highest price.
- 1.3 **Background:** The Steam Engine No. 3960 and coal tender car were given to the City of Canton in 1957 by the New York, Chicago, and St. Louis Railroad to commemorate the era of steam locomotives. The City of Canton requests proposals from qualified steam locomotive restoration, refurbishing, maintenance and preservation companies, individuals or organizations that exist to restore and preserve steam locomotives (and tender cars) and other railroad relics for the edification, enlightenment and entertainment of future generations.

2.0 APPLICABLE PUBLICATIONS & STANDARDS

- 2.1 N/A

3.0 REQUIREMENTS

- a. **Price:** All bidders are requested to bid fixed, firm pricing in the spaces provided on page 7. Indicate your best purchase price of the Train to be paid to the City.
- b. **Time:** After the bids are opened, they will be reviewed and evaluated prior to making an award at the Board of Control meeting. Therefore, it will be at least two (2) weeks or longer after the bid opening before an award letter will be sent out and Steam Engine No. 3960 and coal tender car can be moved from its current location.
- c. The Steam Engine and coal tender car can be viewed/examined at the Ohi-Rail Corp. 177 Curry Street, Minerva, Ohio 44657, from approximately 9:00AM to 2:30PM, Monday through Friday, by contacting the Ohi-Rail representative, Denny Verian at 740-610-1435 or Denise Dunlap at 740-491-0374.
- d. The successful bidder will be responsible for transporting the Steam Engine and coal tender car from its current location following award of the contract.
- e. The Steam Engine and coal tender car will be sold as-is. The City makes no guarantee as to the condition/operability of the items. It is the responsibility of the

Sale of Steam Engine No. 3960 and coal tender car

bidder to familiarize themselves with the location and conditions for removal prior to submitting a bid.

- f. Specifications for the Steam Engine and coal tender car to be sold are not available but pictures are provided on the following pages.
- g. Bidder must demonstrate that they have the means and capacity to transport and restore the engine.
- j. The Steam Engine and coal tender car will be sold for restoration purposes only and will be reflected within the sales agreement with the successful bidder. Bids to purchase the steam locomotive and tender will not be considered for scrapping purposes. Please describe your proposed intended use of the train and how it will preserve its history.
- k. Information illustrating how you are able to financially maintain and preserve the Engine No. 3960 and a description of your plans to keep the Engine No. 3960 safe and well maintained after restoration. Information concerning your plans to repair and restore the Engine No. 3960.
- l. Information on how you are going to move Engine No. 3960 from its current location to a new home and a timeline for moving the train.
- m. Information on how you plan to educate the public on the history of the Engine No. 3960.
- n. Include any additional information you feel is relevant about your company, team and or group.

4.0 SAMPLING, INSPECTION, AND TEST PROCEDURES

- 4.1 The Steam Engine and coal tender car can be viewed, prior to bid submittal, in accordance with the procedures above in Section 3.1.

Sale of Steam Engine No. 3960 and coal tinder car

5.0 INVOICING

- 5.1 The City will invoice the successful bidder. No checks are to be submitted until the City has issued an invoice for the total amount due to the City.
- 5.2 The bid check (\$500.00) will be deducted from the total amount owed to the City once the Steam Engine and coal tinder car has been moved as outlined in the bid.

6.0 NOTES

- 6.1 Proposal Page Instructions: Bidders are required to fill out Page 6. Pricing found elsewhere in the bid will not be considered. Price shall include all of the requirements listed in the specifications.

Sale of Steam Engine No. 3960 and coal tinder car

PROPOSAL PAGES

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.

Equipment to be Sold

Price in Figures

Price in Words

Steam Engine and coal tinder car \$ _____ \$ _____

Addenda Acknowledgement

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

Addenda Number(s) _____

BID GUARANTY HERE

A **certified check** or **cashier's check** must accompany the bid. Draw this check or bond from a solvent bank satisfactory to the Director of Public Service as a guarantee the contract and its performance are properly secured if the bid is accepted.

The Bidder shall verify the **certified check** or **cashier's check** for **five hundred (\$500.00) dollars**. The City of Canton will **only accept original checks**. Therefore, if any company and/or bidder submits a copy (including faxed copies) of his/her \$500.00 security, the City will disqualify the bid.

Any bidder may withdraw his bid, by written request, at any time prior to the hour set for the bid opening. Please be advised, the City of Canton may impose a \$500.00 penalty to any bidder that withdraws his bid after the bid opening and prior to a contract award(s).

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

BIDDER INFORMATION AND SIGNATURE

Bidder Information Page 1 of 3

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. 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.

_____	_____
_____	_____
_____	_____
_____	_____

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Bidder Information Page 3 of 3

The undersigned certifies that the bidder has the facilities, ability and financial resources available for the fulfillment of the contract if such be awarded to said bidder.

Upon request, the bidder will be expected to amplify the foregoing statements as necessary to satisfy the OWNER concerning his ability to successfully perform the work in a satisfactory manner.

Signed this _____ day of _____, 20_____

Contractor

By _____

(Signature of individual, partner or officer signing the proposal.)

Please have this page notarized

INSURANCE REQUIREMENTS

Instructions

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

1. Liability Insurance Certificate
2. Worker's Compensation Certificate

Insurance Requirements

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

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

a. General Aggregate Limit	\$2,000,000.00
b. Personal and Advertising Injury Limit	\$1,000,000.00
c. Each Occurrence Limit	\$1,000,000.00
d. Fire Damage	\$ 100,000.00
e. Medical Expense Limit	\$ 5,000.00

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Bid Form 6: Page 2

3. Commercial Automobile Liability Insurance in the following minimum amounts:
 - a. Bodily Injury and Property Damage
any one accident or loss: \$1,000,000.00

VI. This insurance shall:

- a. include coverage for the liability assumed by Contractor under Item I (Indemnity);
- b. be evidenced by Certificates of Insurance furnished by the Contractor that show by specific reference that each of the foregoing items have been provided for;
- c. 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;
- d. provide the City of Canton **“additional insured status”** 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.

PERSONAL PROPERTY TAX CERTIFICATION (ORC 5719.042)

Instructions

The successful bidder shall be required to

1. retype the statement below on the bidder's letterhead,
2. have said statement notarized utilizing either paragraph (A) or (B) as it applies to your company, and
3. submit the **notarized** statement to the City of Canton.

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

Office of the Auditor
 City of Canton
 City Hall 218 Cleveland Avenue S.W.
 Canton, Ohio 44702

Dear Sir or Madame:

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

or

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

and

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

Name of Corporation

President

Secretary

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 105.03 – U.S. steel usage required; exception.

All City contracts shall stipulate or provide that all steel necessary in the construction of any work performed under such contracts shall be steel that is produced in the United States unless a specific product which is required is not produced by manufacturers in the United States in which event this prohibition does not apply. This section shall apply to only contracts awarded by the Board of Control of the City.

(Ord. 224-77. Passed 6-27-77.)

2. 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.)

1. 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

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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:

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- A. Withholding of all future payments under the involved public contract to the contractor in violation, until it is determined that the contractor or subcontractor is in compliance with the provisions of this contract.
- B. Refusal of all future bids for any public contract with the City or any of its departments or divisions, until such time as the contractor or subcontractor demonstrates that he has established and shall carry out the policies of the program as herein outlined.
- C. Cancellation of the public contract and declaration of forfeiture of the performance bond.
- D. In cases in which there is substantial or material violation or the threat of substantial or material violation of the compliance procedure or as may be provided by contract, appropriate proceedings may be brought to enforce these provisions, including the enjoining within applicable laws of contractors, subcontractors or other organizations, individuals or groups who prevent, directly or indirectly, or seek to prevent, directly or indirectly, compliance with the policy as herein outlined.

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

4. Chapter 107.07 - SALE OF MOTOR VEHICLES AND OTHER MISCELLANEOUS CITY PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

- a. The Director of Public Service is authorized and directed to sell City-owned personal property which in his discretion is deemed no longer needed for municipal purposes, including, but not limited to, City-owned motor vehicles, motor vehicles forfeited to the City by law, and other accumulated personal property and scrap, including, but not limited to scrap water meters, brass and copper and other metals, in accordance with the terms of this section.
- b. The Director of Public Service is authorized to contract with a public auctioneer for public auction of the property sold under this section. Contracts with auctioneers may be obtained without the necessity of public bidding for said services but shall be obtained on the basis of informal bid, at the lowest and best price available. Sales at public auction shall be to the highest bidder.
- c. The Director of Public Service is alternatively authorized to sell property being sold under this section by sealed bid. Scrap water meters, brass, copper and various scrap metals may be sold by sealed bid by unit lot per pound, or other unit of weight, in the discretion of the Director of Public Service. Sales by sealed bid shall be to the highest bidder.
- d. Sales may be conducted as frequently as necessary in the discretion of the Director of Public Service. The Director is further authorized to combine assets from various departments, to include departments within other appointing authorities of the City of Canton, in conducting such sales. Notice of public auctions or the sale of property by sealed bids shall be

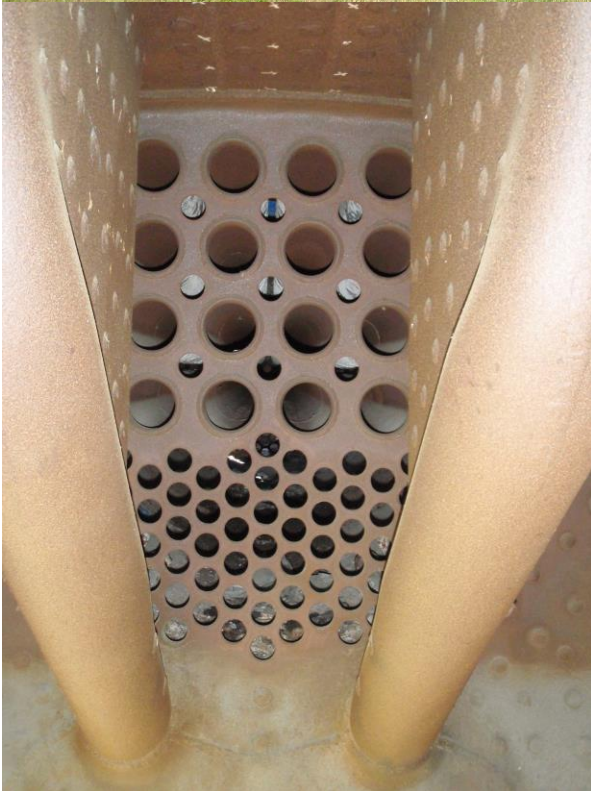
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- published not less than two weeks nor more than four consecutive weeks in a newspaper of general circulation within the municipal corporation.
- e. Proceeds from the sales of the foregoing property shall be disbursed by the Director of Public Service to the appropriate account depending on the origins of the property being sold. (Ord. 100-95. Passed 5-22-95.)

PICTURES OF STEAM ENGINE NO. 3960 AND COAL TINDER



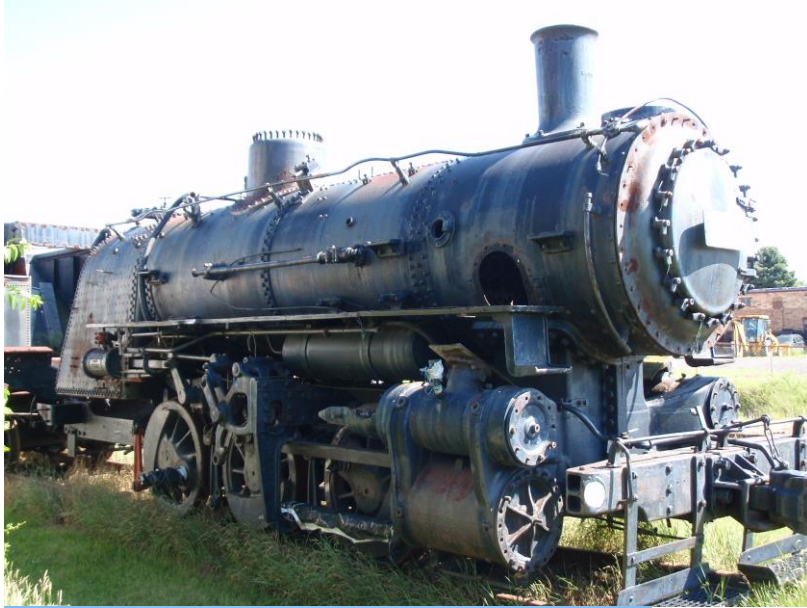
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