

# Request for Proposals

**City of Canton, Ohio**  
Purchasing Department  
218 Cleveland Ave. SW, 4<sup>th</sup> floor  
Canton, Ohio 44702

Private EMS Billing Services

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**Item/Project**

Fire Department

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**Responsible Department**

Tuesday, November 14, 2023 on or before 4:00 PM local time

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**Proposals Due By**

## Proposal Submitted By:

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**Company Name**

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**Street Address**

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**City**

**State**

**Zip**

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**Contact Person**

**Phone No.**

**Email Address**

**PROPOSER’S CHECKLIST**

A complete proposal packet should consist of the items listed below.

Complete this checklist to confirm the items required in your proposal. 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 proposal. This checklist should be returned with your proposal.

- \_\_\_\_\_ Cover sheet (Page 1)
- \_\_\_\_\_ Checklist (Page 2)
- \_\_\_\_\_ Legal Notice (Page 3)
- \_\_\_\_\_ Specifications (Pages 4-10)
- \_\_\_\_\_ Proposer Information/Signature Pages (Pages 11-13)
- \_\_\_\_\_ Income Tax Requirements (Page 14-15)
- \_\_\_\_\_ Insurance Requirements (Page 16-18)
- \_\_\_\_\_ EEO Forms and Contract Compliance (Page 19-22)
- \_\_\_\_\_ City of Canton Codified Ordinances (Page 23-27)
- \_\_\_\_\_ Statement of Qualifications (Include with Proposal)
- \_\_\_\_\_ Cost Structure Breakdown (Include with Proposal)

**LEGAL NOTICE**  
**Ordinance 156/2023**

The Director of Public Safety of the City of Canton, Ohio will accept sealed proposals on or before **4:00 PM local time Tuesday, November 14, 2023** for:

**Private EMS Billing Services**

The City will disqualify any proposal not received on or before 4:00 PM local time on Tuesday, November 14, 2023.

**Please submit your electronic statement of proposal via the City's sourcing tool, Vendor Registry. Vendor Registry is free for your use with City sourcing events:**  
[\(<https://www.cantonohio.gov/448/Purchasing-Procurement>\)](https://www.cantonohio.gov/448/Purchasing-Procurement).

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

The Canton Board of Control reserves the right to reject, in whole or in part, any or all proposals and to accept the proposal(s) deemed most beneficial to the City of Canton.

The City of Canton reserves the right to reject any and all proposals where the Proposer takes exception to the terms and conditions of the Request for Proposals (RFP) or fails to meet the terms and conditions, including but not limited to, standards, specifications, and requirements as specified in the RFP.

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

The proposer is responsible for monitoring the City website for any addenda.

**Firms interested in being considered for this contract must provide a proposal by 4:00 PM on Tuesday, November 14, 2023. Proposals received after this deadline will not be considered.**

**Please submit your electronic statement of proposal via the City's sourcing tool, Vendor Registry. Vendor Registry is free for your use with City sourcing events:**  
[\(<https://www.cantonohio.gov/448/Purchasing-Procurement>\)](https://www.cantonohio.gov/448/Purchasing-Procurement).

Please contact Assistant Director of Purchasing Katie Wise at [purchasing@cantonohio.gov](mailto:purchasing@cantonohio.gov) if you have any questions regarding this request.

**By order of the Director of Public Safety: Andrea Perry**  
**Published in The Repository: October 23, 2023; October 30, 2023 and November 6, 2023**

## **1.0 Scope & Classification**

- 1.1 **Scope:** The City of Canton, in conjunction with Canton Fire Department, is requesting proposals to provide the City with a contract for private (3<sup>rd</sup> party) billing services to assist in the collection of ambulance fees for patients transported by Canton Fire Department Paramedics. The City conducts approximately one thousand five hundred (1,500) EMS runs per month for which billing must be processed under this contract.
- 1.2 **Classification:** The successful Offeror will be responsible for processing all Fire Department Paramedic transports and billing all applicable health insurance companies and individuals for services provided. Offerors are encouraged to submit proposals that demonstrate their ability, past performance and costs as defined in this request.
- 1.2.1 **Specification Questions:** Questions regarding this request for proposals must be sent in writing via email to [purchasing@cantonohio.gov](mailto:purchasing@cantonohio.gov) no later than 4:00pm (local time) on Tuesday, November 7, 2023. Responses will be posted as an addendum to this Request for Proposals on the City's website (<https://www.cantonohio.gov/448/Purchasing-Procurement>) no later than 4:00 PM (local time) on Thursday, November 9, 2023.

## **2.0 Applicable Publications & Standards**

- 2.1 N/A

## **3.0 Specifications**

### **3.1 General Information**

- 3.1.1 **Term:** The initial term shall be for five (5) years from February 29, 2024 through February 28, 2029. The agreement shall have one (1) optional five-year extension period, if mutually agreed upon by both parties.
- 3.1.2 **Quantity Estimate:** The Fire Department transports and bills for approximately 15,000 patient transports annually.
- 3.1.3 **Current Environment:** The City currently uses ESO EHR software to generate Patient Care Reports (PCR). These PCR reports are electronically transferred to the current billing services supplier. Any proposal must include compatibility with the ESO software.
- 3.1.4 The selected vendor **must** be able to have their platform functional before February 29, 2024.
- 3.1.5 The selected vendor will be required to comply with all insurance requirements contained herein.

- 3.1.6 The selected vendor will be required to comply with all income tax requirements contained herein.
- 3.1.7 Discussions and/or negotiations may be conducted with Offerors who submit proposals for the purpose of clarification and/or correction, including any revisions that may occur during negotiations, to assure full understanding of and responsiveness to the requirements, terms and conditions and specifications of the RFP. Offerors shall be accorded fair and equal treatment in any clarification and/or correction and/or negotiation process.
- 3.1.8 Pursuant to section 9.28 of the Revised Code, opened proposals shall not be available for public inspection until the department announces the award of a contract based on the competitive solicitation.

### 3.2 **RFP Overview:**

- 3.2.1 The Offeror's response to this RFP should be a clear and concise description of the Offeror's capabilities and proposed service offerings, including customized reports.
- 3.2.2 **RFP Schedule:** The RFP schedule represents the City's best estimate of the schedule that will be followed. Exact times for questions and answers and due date are noted in this document.

- RFP Issued
- Deadline for written questions: November 7, 2023 by 4:00pm
- City responses to questions: November 9, 2023 by 4:00pm
- RFP due: November 14, 2023 on or before 4:00pm
- Presentations (if needed) will be scheduled approximately 2-4 weeks after receiving RFPs.
- Winning Offeror chosen: Will be approximately 10 to 14 business days after RFP presentations.
- Contract completed: Approximately 30 calendar days after winning RFP is chosen.
- Contract commencement: February 29, 2024

### 3.2.3 **Evaluation Criteria Summary:**

- 3.2.3.1 Section 1 - Quality and Ability (40 points): The quality and feasibility of the Offeror's proposal and the ability of the Offeror to perform the competently required service.
- 3.2.3.2 Section 2 – Past Performance (40 points): The past performance of the Offeror as reflected by evaluations from other local governments and other current and

previous clients. Factors including, but not limited to, quality of work, success in controlling costs, and success in meeting deadlines will be evaluated.

- 3.2.3.3 Section 3 – Cost Structure (20 points): The cost structure of the Offeror’s proposal. The evaluation will take into consideration the complexity of the pricing structure and the ability to manage costs and cost increases.

### 3.3 Requirements

- 3.3.1 **Needs summary:** Responses to the specific items listed in this section (3.3) will be used to evaluate proposals and determine the best offer. The City plans to contract with a private billing company in order to aid in the collection of ambulance fees.

#### 3.3.2 Proposal Requirements:

- 3.3.2.1 **Section 1 – Quality and Ability:** The quality and feasibility of the Offeror’s proposal; and the ability of the Offeror to perform the required service competently.
  - 3.3.2.1.1 Offeror shall provide an overview of their company, including locations, company history, and current services the company handles.
  - 3.3.2.1.2 Offeror shall provide information on those key personnel/employees who will be involved in the day-to-day processing of the services for the City. This shall include any specialized training of the employees, experience in the industry, industry update training and experience with the particular company.
  - 3.3.2.1.3 Offeror shall provide an overview of the proposed services. This shall include a summary of the services that will be provided. Detail shall be given to the proposed process (from beginning to end), expectations of the City, and whether the proposed system is compatible with ESO software.
  - 3.3.2.1.4 Offeror shall provide a detailed timeline of how the company will implement the billing services for the City. The timeline shall include the notification of the award through the estimated date the City will commence using the services of the company.
  - 3.3.2.1.5 Offeror shall describe training provided to Fire Department personnel as would be necessary to understand the proposed system.
  - 3.3.2.1.6 Offeror shall provide sample standard and custom reports that would be available to the City through the proposed system. The City expects to receive, electronically, monthly reports (at a minimum) for the following:

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- Accounts receivable
- First time billed reports
- Daily posting registers
- Monthly credit reports
- Collection reports (as forwarded to collection agency)
- Insurance paid to patient report (IPTP)
- Special reports upon request

Offeror should note that it will be required as a component of the resulting contract to provide the City with a **SOC 1 Report** prior to the end of the first annual quarter for the previous year's activities.

3.3.2.1.7 Offeror shall also provide a description of why your company would be the most suitable solution for the City of Canton. This shall also include information on what makes your company stand out among other EMS billing companies.

3.3.2.1.8 **Company/Billing Practices** - Please answer all of the following questions as part of your bid response:

- How many EMS runs does your company annually bill?
- Do you have a process to find insurance information when unavailable to EMS crews? If so, please describe.
- Do you have a process in place to bill for non-transport patients? If yes, please describe this in detail.
- Does your company perform a SAS 70 audit annually? If so, describe company results over the last three (3) years.
- Has your company had a Medicare/Medicaid audit performed? If so, describe results.
- Please describe the process timeline from the time you receive the PCR until the invoice is sent out. How long does this process take?
- Will you accept paper PCR or do you require paperless report? If paperless reports are required, do you provide an electronic solution?
- If a bill for service is not immediately collected, please describe your follow up process.
- The City currently works with a collection agency on accounts not collected after multiple attempts. Have you

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worked with collection agencies in the past? Please describe the process used.

- How are billing complaints / disputes from the public handled?

- 3.3.2.1.9 **Timeframe:** Please provide specific information on a timetable for processing the City's bills once the contract is officially awarded. Preference may be given to Offerors who will be able to expedite the process.
- 3.3.2.2 **Section 2 – Past Performance:** The past performance of the Offeror as reflected by evaluations of the City's Fire Department, other cities or local governments, and other previous clients. Factors such as experience with local government entities, success in controlling costs and successful customer service will be taken into consideration.
- 3.3.2.2.1 Offeror shall provide a brief history of similar services provided to organizations of similar size and nature. This shall include a list of all organizations for which EMS billing services have been provided in the greater Stark County, or Northeast Ohio area.
- 3.3.2.2.2 **Professional References:** Offeror must provide professional references to verify its capabilities, experience, and work history in EMS billing services over the past five (5) years. A minimum of three (3) references are required, preferably with local government organizations within Northeast Ohio. The City of Canton may contact the reference listed. References shall include the following:
- Customer name, contact name, email address, street address, phone number.
  - Start and end dates of the services.
  - Type of billing services provided and the scope of the services provided.
- 3.3.2.2.3 Offeror shall identify all EMS billing services clients that have terminated services with their company in the past five (5) years. Briefly explain the reasons for any terminations.
- 3.3.2.3 **Section 3 - Cost Structure:** The evaluation will be based on the simplicity or complexity of the pricing structure, the ability to define and manage costs, cost add-ons and the potential for cost increases.
- 3.3.2.3.1 All costs associated with the proposed services are required to be clearly stated in the proposal.



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- 3.3.2.3.2 The structure for all standard costs must be stated (charge per bill/transport run, percentage of collections, etc.)
- What/how do you charge for your services? Flat Rate Fee? Percentage Fee?
  - Please describe the services provided for that fee.
  - Please explain how you normally receive your fees for service, by monthly invoice to the City? Do you take your fees out of monies collected?
  - What is your current collection rate in the State of Ohio?
- 3.3.2.3.3 Are there any additional / special circumstance charges? (i.e.: annual credentialing, audits, start up fees, custom reports).
- 3.3.2.3.4 Provide proposed quantity discounts.
- 3.3.2.3.5 Offeror shall clearly state the period of time for which the costs provided are fixed. Circumstances which would bring about a price increase must also be clearly stated. Prices must be fixed for a minimum of two (2) years after the start of the contract, as stated in 3.1.1.
- 3.4 Contract Non-Performance and Cancellation
- 3.4.1 If it is determined by the City of Canton that the contractor has failed to perform or otherwise breached their contract with the City, the City will give notice to the contractor of said non-performance or breach, and the contractor will have thirty (30) days from the time of said notice to remedy the non-performance or breach to the complete satisfaction of the City of Canton.
- 3.4.2 If a non-performance or breach is not remedied pursuant to specification 3.4.1, the City of Canton reserves the right to terminate the contract and re-award to a different bidder or vendor.
- 3.4.3 The City of Canton reserves the right to terminate this contract if the Director of Public Safety determines that a more efficient manner of obtaining EMS Billing Services becomes available to the City. The City shall provide thirty (30) days written notice of its intent to terminate the contract. Said notice shall indicate the specific reason and/or reasons for termination.
- 3.5 Additional Required Information:
- 3.5.1 Offeror shall assist with insurance enrollment and revalidation applications as needed by the Canton Fire Department.

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- 3.5.2 Offeror shall provide regular training, either in person or via webinar, on proper electronic health record (EHR) documentation.
- 3.5.3 Offeror shall keep the City informed and up to date on Ground Ambulance Data Collection System (GADCS) requirements, as well as any other federal government required programs.
- 3.5.4 Offeror shall provide a secure client portal to easily share patient and insurance information and documentation.
- 3.5.5 Offeror shall regularly update the Canton Fire Department regarding Medicare expiration dates and all other applicable insurance dates.
- 3.5.6 Offeror shall provide compliance assistance.
- 3.5.7 Offeror shall perform and complete audit responses as needed.

**Firms interested in being considered for this contract must provide a proposal by 4:00 PM on Tuesday, November 14, 2023. Proposals received after this deadline will not be considered.**

**Please submit your electronic statement of proposals via the City's sourcing tool, Vendor Registry. Vendor Registry is free for your use with City sourcing events: (<https://www.cantonohio.gov/448/Purchasing-Procurement>).**

**PROPOSER INFORMATION AND SIGNATURE**

**Proposer Information Page 1 of 3**

1. The Proposer shall provide the following information as part of its proposal.

a. Name of Proposer \_\_\_\_\_

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 \_\_\_\_\_

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

**Proposer Information Page 2 of 3**

2. Form of Business Organization.

\_\_\_\_ Corporation

\_\_\_\_ Partnership

\_\_\_\_ Other

3. The proposer 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 proposal, 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.

_____	_____
_____	_____
_____	_____
_____	_____

**Proposer Information Page 3 of 3**

The undersigned, having carefully examined the complete request for proposals, herewith proposes to furnish all of the goods and/or services contained within the request for proposals for **Private EMS Billing Services** in accordance with all specifications on file to the satisfaction of the Director of Public Safety of said City.

The bidder hereby agrees that the Director of Public Safety has the right to reject any and all proposals and to accept the proposal(s) deemed most beneficial to the City of Canton.

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

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

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Proposer

By \_\_\_\_\_

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

**Please have this page notarized**

**CITY OF CANTON INCOME TAX**

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](mailto: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.)*

## **INSURANCE INFORMATION AND REQUIREMENTS**

### **Instructions**

All successful proposers will be required to submit proof of the following items per the requirements below:

1. Liability Insurance Certificate
2. Workers Compensation Certificate

**(Note: Proposers are encouraged to submit these items with their proposals.)**

### **Insurance Requirements**

The contractor shall maintain throughout the term of this agreement the following types and amounts of insurance:

1. A standard form of errors and omissions insurance with a minimum liability coverage of one million dollars (\$1,000,000.00); and
2. Comprehensive general liability insurance with a minimum liability coverage of one million dollars (\$1,000,000.00) each occurrence and two million dollars (\$2,000,000.00) aggregate for bodily injury and property damage (including independent contractors, blanket contractual, personal injury) for claims arising thereunder; and
3. Comprehensive automobile liability insurance with a minimum liability coverage of one million dollars (\$1,000,000.00) each occurrence for bodily injury and property damage; and
4. Worker's compensation insurance to statutory limits on employees engaged in the work covered by this agreement.

### **Form of Insurance**

1. All insurance policies shall be maintained through an insurance company satisfactory to Canton.
2. Contractor shall provide the City of Canton "additional insured status" on said policies.
3. All insurance policies 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.
4. Contractor shall assure that any and all consultant or subcontractors engaged or employed by Contractor carry and maintain similar insurance with reasonable prudent limits and coverages in light of the services to be rendered by such consultants or subcontractors.



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5. Contractor shall submit to Canton proof of such insurance in amounts satisfactory to Canton. The maintenance in full current force and effect of such form and amount of insurance shall be a condition precedent to Contractor's exercise or enforcement of any rights under the agreement with Canton.

**CONTRACT COMPLIANCE AND EEO FORMS**

**Instructions**

**1. Contract Compliance Requirements:**

- a. The successful proposer shall be required to comply with the City Contract Compliance Program regarding equal employment opportunity.
- b. Please complete and submit with your proposal the Bidder and Contractor Employment Practices Report forms located on the following pages.
- c. **Please be sure to fully complete section IV. This includes reporting a number for ALL categories even if the answer is zero (0).**

**2. Affirmative Action Plan/EEO Policy:**

- a. The successful proposer must submit an “affirmative action plan” and/or “EEO policy.”
- b. If your company does not have a formal EEO policy, please complete the EEO Policy Statement included after the Bidder and Contractor Employment Practices Report.

**Note: Proposers are encouraged to submit this information with the proposal packet.**

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

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**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.	

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**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.

Categories	Overall Total	MALE:						FEMALE:			
		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											
<b>Total:</b>											

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.

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**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:**

\_\_\_\_\_

**CITY OF CANTON CODIFIED ORDINANCES**

Proposers 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 105.12 – Local Bidder Preference.**

- a. The Board of Control, in determining the lowest and best bidder in the award of contracts to which this section is applicable, is authorized to award contracts to local bidders as hereinafter defined, whose bid is not more than five percent (5%) higher, subject to a maximum amount of twenty thousand dollars (\$20,000.00), than the lowest dollar bid submitted by non-local bidders. The Board of Control's decision in making such an award shall be final.
- b. For purposes of this section, "local bidder" means an individual or business entity which at the time of the award of the contract has a headquarters, division, sales office, sales outlet, manufacturing facility, or similar significant business-related location in Stark County, Ohio.
- c. All contract specifications and/or bid documents that are distributed by Canton for the purpose of soliciting bids for goods and/or services shall contain the following notice:

Prospective bidders will take notice that the City of Canton, in determining the lowest and best bidder in the award of this contract, may award a local bidder preference to any qualified bidder pursuant to Section 105.12 of the Codified Ordinances of the City of Canton. The determination of whether a bidder qualifies for the local preference shall be made by Board of Control. The Board's decision shall be final. A copy of Section 105.12 is attached.

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- d. This section shall be applicable to all contracts for equipment, goods, machinery, materials, supplies, vehicles and/or services, which are purchased, leased and/or constructed at a cost in excess of fifty thousand dollars (\$50,000.00) and which require bidding pursuant to Ohio R.C. 735.05 through 735.09 and Ohio R.C. 737.03.  
(Ord. 115/2018. Passed 5-14-18.)

**3. 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.)



**4. 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.)*

**5. 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

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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.

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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.
  - 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.)*