



CITY OF BLOOMINGTON

## REQUEST FOR QUOTE

Quote #2016-PW-001

City of Bloomington, Indiana

Board of Public Works

February 16, 2016

### SECTION 1.0

### NOTICE OF QUOTE REQUEST

#### **SCOPE OF QUOTE**

The City of Bloomington Board of Public Works (hereinafter "City") is issuing a Request for Quotes (RFQ) from qualified Vendors for a new LED lighting system, hereafter referred to as the "system", which shall replace the current high wattage stage lighting fixtures with lower wattage multi-colored LED fixtures. The new system will reduce energy usage while expanding the Buskirk-Chumley Theater's (BCT) capacity. The LED lighting system will use current LED technologies and be made from manufacturers of LED fixtures intended for use in the theatrical and entertainment industry. Complete specifications are listed within this Quote Request. Pricing shall include all costs including delivery, handling, or freight charges.

#### **1.1 RFQ TIMELINE**

<b>Quote Title and Number:</b>	BCT LED Light Upgrades – RFQ #2016-PW-001
<b>Issue Date:</b>	Tuesday, February 16, 2016
<b>Quote Submittal Deadline:</b>	Tuesday, February 23, 2016 at 4:30 p.m. local time. Quotes submitted after 4:30 p.m. local time shall be considered late and will be returned unopened. Quote shall be submitted in a sealed envelope, identified on the outside with the words "SEALED QUOTE" and the name of the Quote and the Quote number.
<b>Submit Quote to:</b>	Board of Public Works 401 N Morton St., Ste. 120 Bloomington, IN 47404
<b>Method of Submittal:</b>	US Mail, Overnight or Parcel Delivery, or Hand Delivered. Electronic or Fax submissions are <b>NOT</b> acceptable.
<b>Opening of Quotes:</b>	Quotes shall be publicly opened and read aloud at the Board of Public Works meeting on Tuesday, February 23, 2016 at 5:30 p.m. local time in the Council Chambers of City Hall, 401 N. Morton Street, Bloomington, Indiana.
<b>Award of Quote:</b>	The award, if issued, will be issued at a subsequent meeting of the Board of Public Works.

**Contact Person, Title:**  
**E-mail Address:**  
**Phone/Fax Numbers:**

Julie Martindale, Purchasing Manager  
[martindj@bloomington.in.gov](mailto:martindj@bloomington.in.gov)  
Phone: 812-349-3474, 812-349-3456

## SECTION 2.0

## QUOTE EVALUATION AND AWARD

### 2.1 EVALUATION

Quotes will be evaluated on the basis of overall cost, quality and compliance with specifications included in the quote request. The following criteria may also be used to determine the best value for the City:

- a) Ability to meet specifications or qualifications set out herein,
- b) Life cycle cost of commodity, including purchase cost, operating cost including maintenance, repair, warranty, and other total of cost of ownership considerations,
- c) Vendor's past experience, service history, and technical reputation and capabilities when applicable, and
- d) Ability to meet delivery timelines when included in the request.

### 2.2 AWARD

An Award, if issued, will be made to a responsible and responsive Vendor submitting the best overall value to the City, and complies with the conditions as provided as provided in Section 2.1.

- 2.2.1 The City reserves the right to award on an all or-none basis, or award to multiple Vendors, if it is in the best interest of the City.
- 2.2.2 If an award is to be made, it will be approved and awarded at a subsequent Board of Public Works meeting. Vendors will be notified when these meetings are scheduled.
- 2.2.3 If the City determines that all quotes received should be rejected, Vendors shall be notified by the Purchasing Manager accordingly. The City may, or may not, re-quote the commodity.
- 2.2.4 Quote tabulations shall be sent to all Vendors who submitted a quote. Quote results shall not be given over the telephone, or prior to City's determination. Information regarding the award date of a quote is provided above.
- 2.2.5 Quotes may be withdrawn any time *prior* to the scheduled deadline for receipt of quotes; no quote may be modified or withdrawn for a period of sixty (60) calendar days thereafter.
- 2.2.6 The Vendor must not have any unresolved performance issues with the City of Bloomington. The Vendor's performance as a prime Vendor or second tier Vendor in previous City purchases shall be taken into account when evaluating the Vendor's submittal for this Request for Quote. The City may survey other local agencies during the quote evaluation period to ensure the Vendor does not have any unresolved or unsatisfactory performance issues. The City reserves the right to reject the Vendor's submittal based on its assessment of the Vendor's prior performance.

**3.1 SUBMITTALS**

Quotes must be received by the date and time set for closing receipt of offers. The envelope shall be identified with the RFQ Number and Title, and Vendor Name.

3.1.1 Quotes must be received no later than 4:30 p.m. local time on February 23, 2016. Late submittals shall not be considered, and will be returned unopened.

3.1.2 It is the Vendor's responsibility to assure delivery of quote documents prior to the established deadline. To confirm receipt of your submittal please contact Christina Smith at 812.349.3589, or smithc@bloomington.in.gov.

**3.2 INCOMPLETE INFORMATION**

Failure to complete or provide any of the information requested in this Request for Quote, including reference requests, and/or additional information request when indicated, may result in disqualification by reason of "non-responsiveness."

**3.3 SPECIFICATIONS AND EQUAL PRODUCTS**

Unless otherwise specifically provided in this quote request, reference to any equipment, material, article, or patented process by trade, name, make, or catalog number in these specifications, shall be regarded as establishing a standard of quality, and shall not be construed as limiting competition, and equal products may be substituted, if approved by the City.

3.3.1 The Vendor shall furnish complete detailed specifications, and cut sheets, or brochures on the material they are submitting a quote.

3.3.2 The Vendor shall also be able to, upon request and at its own expense, supply a physical sample of the material being offered in the quote submittal.

**3.4 SPECIFICATION DEVIATIONS**

Any deviation from the specifications for the material requested **MUST** be noted in detail, and a Specification Deviation Statement must be submitted in writing with the Quote Pricing Form. Complete specifications should be attached for any substitutions offered. The absence of the Specification Deviation Statement, and accompanying cut sheets and/or brochures for the substituted material could cause the quote to be rejected depending on the commodity requested.

3.4.1 If deemed necessary by the City, the Vendor shall, at its own expense, have tests conducted to prove the equality of the substituted products. The Vendor shall also be able to supply a physical sample of the substituted material.

3.4.2 The City's decision as to the quality of the materials shall be final. The cost of any redesign, replacement, or repair caused by a substitution shall be borne by the Vendor.

3.4.3 When the City approves a substitution by the Vendor, it is with the understanding that the Vendor guarantees the substituted article or materials to be equal to, or superior to those specified. The Vendor shall bear the complete risk for any unspecified item or material that the Vendor supplied without the City's prior approval. The City has the right to order the item removed, and replaced by the specified item, or material without challenge from the Vendor, and without any additional cost to the City.

**3.5 ESTIMATED QUANTITIES**

The City reserves the right to order decreased or increased amounts from those specified; however, the estimates are as accurate as we are able to determine.

### **3.6 BROCHURES AND CUT SHEETS**

Quotes shall include the most recently printed brochures, cut sheets, diagrams, or literature describing the product(s) offered in such a fashion as to permit ready comparison with our specifications on an item-by-item basis.

### **3.7 INQUIRES AND ADDENDA**

It is the Vendor's responsibility to clarify any details in question before a quote is submitted. All questions should be emailed to the attention of Julie Martindale at [martindj@bloomington.in.gov](mailto:martindj@bloomington.in.gov). Responses shall be in written form via email to the requesting Vendor within one (1) business day, when possible. If necessary, an addendum or addenda will be issued, and accessible on the City's RFP page which can be located here: <https://bloomington.in.gov/rfp>. **It is the Vendor's responsibility to access the City's RFP prior to submitting a quote to insure no updates, additions, omissions, or corrections have been posted.**

### **3.8 BID, OFFER, OR PROPOSAL FOR SALE OR LEASE OF MATERIALS FORM (Exhibit A)**

Each Vendor must submit a completed form, which is included with this packet. The form also includes a Non-Collusion Affidavit which is required and must be completed and notarized. The form must be signed by an authorized person of the company. The quote may be rejected if it shows any omissions, alterations of the form, additions not called for in the quote, or any irregularities of any kind. In case of a discrepancy between the unit price, and the extended price, the unit price shall prevail. Submission of a Quote indicates acceptance of the Terms and Conditions contained within this Quote Request, unless clearly and specifically noted otherwise in the quote submittal.

## **SECTION 4.0**

## **GENERAL TERMS AND CONDITIONS**

### **4.1 REJECTION OR PARTIAL ACCEPTANCE**

The City reserves the right to accept or reject any or all quotes or parts thereof. The City has the right to award by individual line item, by group of line items, or as a total, whichever is deemed most advantageous to the City. The City further reserves the right to waive technicalities and formalities in quotes, as well as to accept in whole or in part such quotes where it is deemed advisable and in the best interests of the City.

### **4.2 ERRORS OR OMISSIONS**

The City is not responsible for the Vendor's errors and/or omissions. It is the responsibility of the Vendor to notify the Purchasing Manager as soon as any ambiguities, inconsistencies, or omissions are identified.

### **4.3 EXTENSION**

Any or all of the awards made as a result of this Request for Quote may be extended for an additional period of time, and made available to other City departments if applicable, and if mutually agreed between the parties.

### **4.4 COMPLIANCE**

The Vendor warrants and agrees that its performance under any type of contract that may be rendered from this quote will at all times comply with all local, state and federal laws, codes, rules, ordinances and regulations.

### **4.5 WARRANTIES**

The Vendor warrants that all articles, equipment, materials and goods shall be consistent with manufacturer's specifications and shall be free from defects. Without limitation of any rights which the City may have by reason of any breach of warranty, goods which are not as warranted may be returned at Vendor's expense within thirty (30) days after delivery, or discovery for either credit or replacement, as the City may direct without additional charge to the City.

#### **4.6 MATERIAL SAFETY DATA SHEETS**

The Vendor awarded the quote will be required to supply current Material Safety Data Sheets (MSDS) pursuant to OSHA Hazard Communications Regulation 29 CFR Part 1910.1200, when applicable.

#### **4.7 INSURANCE**

The Vendor awarded a purchase shall maintain insurance coverage reflecting the minimum amounts and conditions specified by the City. When required, the Vendor must provide Certificates of Insurance in which the City shall be named as an additional insured. Insurance terms and requirements shall be included in any draft contract that will be supplied with the RFQ, when required.

#### **4.8 DELIVERY**

City holiday closures are typically New Year's Day, Martin Luther King Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and the day following, and Christmas Day. Deliveries generally shall not be accepted on those dates.

FOB point in terms of loss or damage is the delivery to destination shown below.

All deliveries must include a packing slip that notes the Vendor's name, city purchase or requisition order number, unit and description of purchase, quantity shipped and backordered, if applicable, and total amount due. Packing slips will not be considered an invoice. See Section 4.12 for invoice information.

Destination and delivery shall be to the address below:

##### **Deliver to:**

Buskirk-Chumley Theater

114 E. Kirkwood Ave.

Bloomington, IN 47408

[tech@buskirkchumley.org](mailto:tech@buskirkchumley.org)

812-345-6969

#### **4.9 VENDOR REGISTRATION**

In order to receive an award, a Vendor must be registered as an approved Vendor with the City of Bloomington Controller's Department. Therefore, to ensure there is no delay in the award all Vendors are strongly encouraged to register prior to submitting a proposal. The Vendor should submit a current and completed Request for Taxpayer Identification Number and Certification form (IRS Form W-9).

A substitute IRS W-9 form can be obtained from the City of Bloomington website located here: <http://bloomington.in.gov/controller>

#### **4.10 PAYMENT PREFERENCE**

The City of Bloomington's preferred method of payment is Electronic Funds Transfer (EFT). Payments processed through an EFT save dollars by increasing efficiency and streamlining the payment process. This eliminates the cost of paper, printing, postage, paperwork, and time.

An EFT form can be obtained from the City website located at: <http://bloomington.in.gov/controller>

#### **4.11 TAX EXEMPTION**

The City of Bloomington is exempt from payment of all state and federal sales and property taxes. Tax documents are available upon request.

#### **4.12 PAYMENT INFORMATION AND INVOICE SUBMITTAL**

Payment terms for invoices shall be net forty-five (45) days upon receipt of an acceptable original invoice and after all material or goods have been received and verified for accuracy.

Invoices shall include the following information:

- Vendor name and address
- Date of shipment
- Total amount due
- Unit price
- Extended price
- Quantity
- Description of goods
- PO number

4.12.1 Surcharges (i.e., fuel surcharges, restocking, etc.) shall NOT be added to invoices as an additional line item unless approved in writing from the Purchasing Manager.

4.12.2 The City is exempt from the payment of state sales taxes. Any charges for taxes from which the City is exempt shall be deducted from invoices before payment is made.

4.12.3 The City may withhold payment for reasons including, but not limited to:

- Goods that are defective, inaccurate, flawed, unsuitable, nonconforming or incomplete
- Damage for which Vendor is liable
- Valid liens or claims of lien
- Delay in the delivery of the goods
- Inability of Vendor to complete the delivery of the goods

#### **4.13 ABANDONMENT**

Notwithstanding any other provision of this Award, if funds for the continued fulfillment of the Award by the City are at any time not forthcoming or are insufficient, through failure of any entity to appropriate the funds or otherwise, then the City shall have the right to terminate this Award without penalty by giving prior written notice documenting the lack of funding in which instance, unless otherwise agreed by the City and Vendor, this Award shall terminate and become null and void. The City agrees that it shall make its best effort to obtain sufficient funds, including but not limited to, including in its budget for each fiscal period during the term of this Award a request for sufficient funds to meet its obligations under the Award in full.

#### **4.14 AFFIDAVITS**

Vendors submitting a quote shall also execute and include in its Quote submission the following affidavits:

- Affidavit Regarding E-Verify (**Exhibit B**)
- Non-Collusion Affidavit (**Included with Exhibit A**)

#### **4.15 AFFIRMATIVE ACTION PLANS (Exhibit C)**

Each Vendor submitting a Quote for over \$10,000.00 shall submit and have approved by the City of Bloomington Contract Compliance Officer, Barbara McKinney, his/her written **Affirmative Action Plan at least twenty-four (24) hours prior to the deadline for submission of quotes.**

Each Vendor must insure that all employees and applicants for employment are not discriminated against because of race, religion, color, sex, national origin, ancestry, disability, sexual orientation, gender identity, veteran status or housing status. All the protected classes must be included in your Affirmative Action Plan for it to be acceptable. In addition to other requirements, your plan **MUST** include a workforce breakdown, an internal grievance procedure, a non-retaliation statement, designation of a person by name or position who is responsible for implementation of the Plan, applicability to both applicants and employees, recruitment of minorities, equal access to training programs, and an explanation of your method of communicating the operations of your Affirmative Action Plan to employees and prospective applicants.

Barbara McKinney, Contract Compliance Officer, may be contacted at (812) 349-3429, 8:00 a.m. to 5:00 p.m. Monday through Friday. The Affirmative Action Plan paperwork is provided in this Request for Quote.

**SPECIFICATION INFORMATION**

**SPECIFICATIONS**

Reference to any equipment, material, trade, name, make, or catalog number in these specifications, shall be regarded as establishing a standard of quality, and shall not be construed as limiting competition, and equal products may be substituted, if approved by the City.

<b>Cyclorama and Backdrop Lighting</b>					
<b>Item #</b>	<b>Qty</b>	<b>Description</b>	<b>MFQ #</b>	<b>Unit Cost</b>	<b>Total Cost</b>
1	5	Chroma Q ColorForce 72 with Cyc Optic	CF72CYCRGBA	\$	\$
1a	10	The Light Source Mega Claw™, Black		\$	\$
1b	10	Safety Cables		\$	\$
<b>Backlighting</b>					
1	10	MAC™ Aura Wash Light	90232000	\$	\$
1a	10	Martin Half Couplers		\$	\$
1b	10	Safety Cables		\$	\$
2	10	Chroma-Q Color One 100 RGBA, IP20, PowerCon and XLR 5 pin In/Out	CHCONE100RGBA	\$	\$
2a	10	The Light Source Mega Clamp, Black		\$	\$
2b	10	Safety Cables		\$	\$
<b>Power and Data Cabling</b>					
1	<b>Lex™ Products PowerCon Extension Cables</b>				
1a	10	5' PowerCon Extension Cable	PE700J-5-PCN	\$	\$
1b	10	10' PowerCon Extension Cable	PE700J-10-PCN	\$	\$
1c	10	25' PowerCon Extension Cable	PE700J-25-PCN	\$	\$
1d	6	50' PowerCon Extension Cable	PE700J-50-PCN	\$	\$
2	<b>Lex™ Products DMX 5 pin Data Extension Cables</b>				
2a	10	5' 5pin DMX Data Cable	DMX-5P-5	\$	\$
2b	10	10' 5pin DMX Data Cable	DMX-5P-10	\$	\$
2c	10	25' 5pin DMX Data Cable	DMX-5P-25	\$	\$
2d	6	50' 5pin DMX Data Cable	DMX-5P-50	\$	\$
2e	4	75' 5pin DMX Data Cable	DMX-5P-75	\$	\$
3	<b>Lex™ Products Extension Cables</b>				
3a	2	Extension Cables 50'	PE105-50-L2130	\$	\$
3b	3	Extension Cables 75'	PE105-75-L2130	\$	\$
4	<b>Connectors and Cable</b>				
4a	4	Hubble L2130 Male Plug	HBL2811	\$	\$
4b	12	Neutrik PowerCon Connector	NAC3FCA	\$	\$
4c	4	Neutrik PowerCon Coupler	NAC3MM-1MM	\$	\$
4d	1	SJOOW 12/3 Raw Cable 200'		\$	\$

**STAGE/THEATRICAL LED LIGHT FIXTURES AND POWER AND DATA CABLING**  
 (PLEASE TYPE OR PRINT MATERIAL NAME)

\_\_\_\_\_  
 (DATE)

- 1. Governmental Unit: City of Bloomington Board of Public Works
- 2. County: Monroe
- 3. Bidder (Firm): \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip Code: \_\_\_\_\_
- 4. Telephone Number: \_\_\_\_\_
- 5. Agent of Bidder (if applicable): \_\_\_\_\_

Pursuant to notices given, the undersigned offers bid(s) City of Bloomington Board of Public Works. In Accordance with the following attachment(s) which specify the class or item number or description, quantity, unit price and total amount.

The Contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he/she has not offered nor received a less price than that price stated in his/her bid for the materials included in said bid. Bidder further agrees that he/she will not withdraw his/her bid from the office in which it is filed. A certified check or bond will be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as case may be.

\_\_\_\_\_  
 SIGNATURE OF BIDDER OR AGENT

**BID OFFER OR PROPOSAL**

Attach separate sheet listing each item bid based on specifications published by governing body. The following is an example of this bid format:

CLASS OR ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT

**NON-COLLUSION AFFIDAVIT**

STATE OF INDIANA                    )  
   )  
 \_\_\_\_\_                          ) SS: COUNTY OF

The undersigned bidder or agent, being duly sworn on oath, says that he/she has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership representative represented by him/her, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He/She further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

\_\_\_\_\_  
 BIDDER (FIRM)

\_\_\_\_\_  
 SIGNATURE OF BIDDER OR AGENT

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_

My Commission Expires: \_\_\_\_\_ Notary Public

County of Residence: \_\_\_\_\_

**ACCEPTANCE**

There now being sufficient unobligated appropriated funds available, the contracting authority of City of Bloomington Board of Public Works hereby accepts the terms of the attached bid for classes or items numbered and promises to pay the undersigned bidder upon delivery of the price quoted for the materials stipulated in said bid.

**BOARD OF PUBLIC WORKS MEMBERS:**

\_\_\_\_\_  
 KELLY BOATMAN, VICE-PRESIDENT

\_\_\_\_\_  
 KYLA COX DECKARD, PRESIDENT

\_\_\_\_\_  
 MELANIE CASTILLO-CULLATHER

STATE OF INDIANA )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

**AFFIDAVIT REGARDING E-VERIFY**

The undersigned, being duly sworn, hereby affirms and says that:

- 1. The undersigned is the \_\_\_\_\_ of \_\_\_\_\_.  
(Job title) (Company name)
- 2. The company named herein that employs the undersigned has contracted with or is seeking to contract with the City of Bloomington to provide services.
- 3. The undersigned hereby states that, to the best of his/her knowledge and belief, the company named herein does not knowingly employ an "unauthorized alien," as defined at 8 United States Code 1324a(h)(3).
- 4. The undersigned hereby states that, to the best of his/her knowledge and belief, the company named herein is enrolled in and participates in the E-verify program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name

STATE OF INDIANA )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

Before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ and acknowledged the execution of the foregoing this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
Printed name

My Commission Expires: \_\_\_\_\_  
County of Residence: \_\_\_\_\_



## EXHIBIT C

### City of Bloomington Human Rights Commission

2016

RE: Affirmative Action and Living Wage Ordinance To: Prospective Bidders/Vendors

**Affirmative Action:** All bidders and vendors with the City of Bloomington for projects in excess of \$10,000.00 must submit an affirmative action plan to my office. This plan must insure that applicants are employed and that employees are treated in a manner that provides equal employment opportunity and tends to eliminate inequality based upon race, religion, color, sex, national origin, ancestry, disability, sexual orientation, gender identity, veteran status and housing status. Please note that the last four categories are new, adopted by the Common Council in September, 2015.

Even if your company already has a plan on file with the City, you must check with me to make sure that it complies with our current and recently updated requirements. If you already have a plan, but it does not cover all of the City's current requirements, you may submit a separate supplement with your plan to fill any gaps.

You must submit your written affirmative action plan (or supplement) to me at least twenty-four hours before the bid, quote or proposal deadline. You must submit your plan to me separately from your bid or quote. The twenty-four hours will give me sufficient time to review your and the other plans. I recommend that you submit your affirmative action plan to me earlier, if possible, so that you and I will have time to work out any problems that may be in your plan. Vendor's who fail to submit acceptable plans by the deadline are subject to disqualification.

I strongly advise you to confirm with me that I have received your plan and that it meets our requirements well before the submittal deadline. We will make every effort to work with you to clear up problems. But it remains your responsibility to confirm that I received your plan and that it complies with our requirements. If you fail to confirm that I received and approved your plan, you risk losing your eligibility to submit a bid or quote. We will be glad to provide a receipt upon request. Please let us know if you want a receipt when you submit your plan.

You must insure that all the protected classes listed above are included in your plan. In addition to other requirements, your plan **MUST** include a current workforce breakdown, an internal grievance procedure, a non-retaliation statement, designation of a person by name or position who is responsible for implementing the plan, applicability to both applicants and employees, recruitment of minorities, equal access to training programs, and an explanation of your methods of communicating the operations of your affirmative action plan to your employees and prospective applicants.

Accompanying this letter you will find the following materials:

- (1) A workforce breakdown form. You MUST submit a workforce breakdown (sometimes called a "utilization report") with your Affirmative Action plan. This form is provided for your convenience. If you already have a current form you have completed for another jurisdiction that includes the same type of information, you may substitute a copy of that form instead of using our form. Your workforce breakdown figures must be updated every six months. Even if you already have an acceptable affirmative action plan on file with my office, you should submit a new workforce breakdown each time you bid for a City Contract, to be sure we have up-to-date figures.
- (2) An Affirmative Action Plan checklist. I will use this checklist to review your affirmative action plan. If you compare your plan with this list, you should be able to tell whether your plan fulfills the City's requirements. If you omit any of the elements on the checklist, your plan will not be approved.
- (3) A sample affirmative action plans. These may be useful if your company has never designed an affirmative action plan before. Feel free to adopt this plan as your own or to amend it to meet your needs.

Additional materials, such as the City of Bloomington's Contract Compliance Regulations, are available from my office upon request.

**Living Wage:** Also, please be aware that you may be required to comply with the Bloomington Living Wage Ordinance. Whether the LWO applies to your project depends upon the size and type of your project and the number of people you employ. If you have questions about the applicability of the LWO, click on the LWO flow chart at: [www.bloomington.in.gov/livingwage](http://www.bloomington.in.gov/livingwage) or call me. For 2016, the living wage for covered employees is \$12.32 an hour. If you have any questions, contact me at 812.349.3429 or email me at the following address: [mckinneb@bloomington.in.gov](mailto:mckinneb@bloomington.in.gov). My office hours are Monday through Friday, 8-5.

Thank you.

Barbara E. McKinney, Human Rights Director/Contract Compliance Officer

## **BLOOMINGTON HUMAN RIGHTS COMMISSION**

### **Model Affirmative Action Plan for Bidders Covered by Responsible Bidder Ordinance Policy Statement**

\_\_\_\_\_, Inc., declares its policy to provide equal opportunity in employment, training and advancement, and to administer its employment practices without regard to race, color, religion, sex, national origin, ancestry, disability, sexual orientation, gender identity, veteran status, or housing status.. Our policy of nondiscrimination will prevail throughout every aspect of our employment practices, including recruitment, hiring, training and all other terms and conditions of employment. We shall implement an affirmative action plan to make it widely known that equal employment opportunities are available on the basis of individual merit. We shall survey and analyze our employment workforce annually to determine what steps, if any, are needed to conform effectively to this equal employment policy.

#### **Responsible Officer**

Mr. or Ms. \_\_\_\_\_ (or the \_\_\_\_\_ officer)  
is the equal employment opportunity officer for our company and is responsible for implementing this affirmative action policy.

#### **Publication of Policy**

Our employees will be made aware of our commitment to affirmative action through the following procedures:

- a. posting notices on employee bulletin boards,
- b. including our policy statement and plan in our personnel manual,
- c. regularly sending out notice of our policy in paycheck envelopes,
- d. and training supervisors to recognize discriminatory practices.

We will make potential employees aware of our policy through the following procedures:

- e. including the words "Equal Opportunity Employer" in all of our advertisements and notices for job openings,
- f. notifying employment agencies about our commitment, and
- g. sending notice of our policy to unions.

#### **Implementing Our Policy**

Our affirmative action plan will be implemented by widening our recruitment sources. We shall advertise in newspapers and other media that reach people in protected classes. We shall send job notices to schools with large percentages of students in the protected classes and to local groups that serve these classes.

We shall examine our hiring practices periodically to insure that we consider only job-related qualifications in filling our positions. We shall discard irrelevant educational requirements and unnecessary physical requirements. We shall retain only job-related questions on our employment application.

We shall keep affirmative action information on each applicant, but separate from his or her application. We shall keep records on our hiring decisions to evaluate the success of our affirmative action measures. We shall decide placement, duties, benefits, wages, training prospects, promotions, layoffs and terminations without regard to race, sex, religion, color, national origin, ancestry, disability, sexual orientation, gender identity, veteran status or housing status.

### Grievance Procedure

If an employee feels he or she has been discriminated against on the basis of race, sex, religion, color, national origin, ancestry, disability, sexual orientation, gender identity, veteran status or housing status, he or she may bring the complaint to his or her immediate supervisor. If the complaint is not resolved readily at that level, he or she may submit it to \_\_\_\_\_ (personnel officer, corporate president, other) who will make a final decision on its validity. This grievance process does not preclude his or her complaining to local, state or federal civil rights agencies. We will not retaliate against an employee or applicant for voicing a grievance or for filing a complaint with the appropriate agency.

Our current workforce breakdown is shown on the attached form.

\_\_\_\_\_  
Corporate President

\_\_\_\_\_  
Date

## AFFIRMATIVE ACTION PLAN CHECKLIST

NOTE: This is **not** an Affirmative Action Plan

Effective Date: \_\_\_\_\_

<b>Contractor: Plan MUST Include:</b>		<b>Yes</b>	<b>No</b>	<b>Comments:</b>
Policy statement of equal employment opportunity		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Covers:</b>	Applicants for employment	<input type="checkbox"/>	<input type="checkbox"/>	
	Employees	<input type="checkbox"/>	<input type="checkbox"/>	
<b>On basis of:</b>	Race	<input type="checkbox"/>	<input type="checkbox"/>	
	Religion	<input type="checkbox"/>	<input type="checkbox"/>	
	Color	<input type="checkbox"/>	<input type="checkbox"/>	
	Sex	<input type="checkbox"/>	<input type="checkbox"/>	
	National Origin	<input type="checkbox"/>	<input type="checkbox"/>	
	Ancestry	<input type="checkbox"/>	<input type="checkbox"/>	
	Disability	<input type="checkbox"/>	<input type="checkbox"/>	
	Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	
	Gender Identity	<input type="checkbox"/>	<input type="checkbox"/>	
	Veteran Status	<input type="checkbox"/>	<input type="checkbox"/>	
	Housing Status	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Designates a person responsible for implementation of the Plan</b>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Provides for communication of the policy:</b>				
	Within the Organization	<input type="checkbox"/>	<input type="checkbox"/>	
	Outside the Organization (e.g., recruitment sources, unions)	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Applies to all terms and conditions of employment (e.g., hiring, placement, promotion, duties, wages, benefits, use of facilities, layoff, discipline, termination)</b>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Provision for: Recruitment from minority groups</b>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Provision for: Equal access to training programs</b>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Grievance Procedure</b>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Prohibits retaliation for filing grievances</b>		<input type="checkbox"/>	<input type="checkbox"/>	
<b>Workforce Breakdown (figures up to date within 6 months)</b>		<input type="checkbox"/>	<input type="checkbox"/>	

