

CITY OF CLEVELAND, OHIO
FRANK G. JACKSON, MAYOR

DEPARTMENT OF ECONOMIC DEVELOPMENT
TRACEY A. NICHOLS, DIRECTOR



Department of Economic Development

RFP for Property Appraisal Services

David Ebersole
August 29, 2012

August 29, 2012

The City of Cleveland's Department of Economic seeks proposals from firms that can provide property appraisal services.

Dear Candidate:

The City of Cleveland (“City”), through its Director of Economic Development (“Director”), is soliciting proposals from qualified firms interested in providing real estate appraisal services. The successful proposers will maintain a contractual relationship with the Director throughout the duration of funds availability or for one year. These services are needed to expedite the Department of Economic Development’s real estate needs in relation to commercial and industrial properties located across the City of Cleveland.

A pre-proposal conference will be held at Cleveland City Hall, Department of Economic Development, 601 Lakeside Ave., Room 210, Cleveland, Ohio 44114 on **Wednesday, September 19 at 10 AM**. At or before the conference, interested parties may submit or ask questions pertaining to the enclosed Request for Proposals (“RFP”) and the services desired. Proposers are encouraged to attend the conference although attendance is not mandatory.

If your firm is interested please submit to the City, no later than **5 PM on Friday, September 28, 2012**, an original and three (3) duplicates of your technical proposal and your fee proposal, in hard copy and an electronic copy on CD-ROM. Submit the technical proposal and the fee proposal in separate sealed envelopes, marked appropriately on the outside and, if possible, enclosed in one package. No proposals will be accepted after that date and time unless the City extends the deadline by a written addendum.

Sealed proposals may be mailed or delivered to the address below and must be identified on the outside of the envelope(s) as: **Property Appraisal Services Proposal**. Envelopes should be addressed or hand delivered to:

**Cleveland City Hall
ATTN: David Ebersole, Brownfield Program Manager
Department of Economic Development
601 Lakeside Ave., Room 210
Cleveland, Ohio 44114**

The City reserves the right to reject any or all proposals or portions of them, to waive irregularities, informalities, technicalities, or re-issue or to proceed to obtain the service(s) desired otherwise, at any time or in any manner considered in the City’s best interests. The Director may, at her sole discretion, modify or amend any provision of this notice of the RFP.

Should you have any questions regarding this solicitation, please Contact David Ebersole, Brownfield Program manager at 216.664.2204.

Sincerely,

Tracey A. Nichols
Director of Economic Development

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Introduction and Background

The Department of Economic Development (“Department”), through the Director of Economic Development (“Director”), helps businesses relocate to and expand in the City of Cleveland. As part of its efforts, the Department engages in commercial and industrial real estate acquisitions and sales.

The City of Cleveland (“City”), through its Director of Economic Development (“Director”), is soliciting proposals from qualified firms interested in providing real estate appraisal services. The successful proposers will maintain a contractual relationship with the Director throughout the duration of funds availability or for one year.

A pre-proposal conference will be held at Cleveland City Hall, Department of Economic Development, 601 Lakeside Ave., Room 210, Cleveland, Ohio 44114 on **Wednesday, September 19, 2012 at 10 AM**. At or before the conference, interested parties may submit or ask questions pertaining to the enclosed Request for Proposals (“RFP”) and the services desired. Proposers are encouraged to attend the conference although attendance is not mandatory. Those planning to attend the pre-proposal meeting **must register by 5 PM on Monday, September 17, 2012** by calling 216.664.3621 or by-email to cslife@city.cleveland.oh.us. When registering, it will be necessary to provide the names of all attendees. Please note that a government-issued photo id is required to enter Cleveland City Hall. Questions will be accepted after the conference until close-of-business on **Friday, September 21, 2012**.

No later than **5 PM on Friday, September 28, 2012** each interested candidate must submit an original and three (3) duplicates of its technical proposal and its fee proposal, in hard copy and an electronic copy on CD-ROM. A technical proposal and a fee proposal shall be submitted in separate sealed envelopes, marked appropriately on the outside and, if possible, enclosed in one package. No proposals will be accepted after that date and time unless the City extends the deadline by a written addendum.

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Scope of Services

The Department is soliciting proposals from qualified firms interested in providing real estate appraisal services. Successful proposers will maintain contractual relationships with the Director throughout the duration of funds availability or for one year. The amount of funding reserved for appraisals is \$45,000; the City is prepared to enter into multiple contracts to meet its appraisal needs. Successful proposers will demonstrate their ability to provide the most accurate property appraisals. These services are needed to expedite the Department's real estate needs in relation to commercial and industrial properties located across the City on an ongoing basis.

As requested by the Department, successful proposers will perform property appraisals across the City of Cleveland. Proposers must demonstrate their ability to adhere to project-specific timelines that will be determined by the Department at the time of the service request. Lastly, the Department will require copies of invoices for each project and, if applicable, an explanation of comparison properties used to complete an appraisal.

If a continued professional relationship is beneficial to the City and productive for its needs, the term may be extended if funds are available.

Project Schedules and Deliverables

The city has established the following list of reports that Proposers will be required to provide as deliverables. The City reserves the right to modify the list of deliverables at any time before execution of a contract, to add, delete, or otherwise amend any report or deliverable, as it deems necessary, in its sole judgment, and in the best interested of the City:

- Post-appraisal summary that includes an explanation of chosen comparison properties, if applicable
- Post-appraisal invoice;
- The City reserves the right to add related services as needed
- Unless otherwise expressly provided, the term of the agreement shall begin upon its date of execution and, unless extended by the City or unless sooner canceled or terminated under the provision of the Agreement, shall expire when all required deliverables have been submitted to and approved by the Director and all other services have been satisfactorily performed and accepted by the Director.

Proposal Submission, Conditions, Schedule, and Processing

A. Submission of Proposal

Each Proposer shall submit its proposal in the number, form, and manner, and by the date and time and at the location required in the Introduction and Background section above.

1. Each Proposer shall provide all information requested in this RFP. The Proposer must organize its proposal package to address each of the elements in this RFP in the order listed in the Scope of Services Section. The Proposer should carefully read all instructions and requirements and furnish all information requested. If a Proposal does not comply with all terms, conditions, and requirements for submittal, the City may consider it unacceptable and may reject it without further consideration.

2. The City wishes to promote the greatest feasible use of recycled and environmentally sustainable products and to minimize waste in its operations. To that end, all proposals should comply with the following guidelines: Unless absolutely necessary, copies should minimize or eliminate use of non-recyclable or non-reusable materials. Materials should be in a format permitting easy removal and recycling of paper. A Proposer should, to the greatest extent possible, use products consisting of or containing recycled content in its proposal including, but not limited to, folders, binders, paper clips, diskettes, envelopes, boxes, etc. Do not submit any or a greater number of samples, attachments or documents not specifically requested.

3. If you find discrepancies or omissions in this RFP or if the intended meaning of any part of this RFP is unclear or in doubt, send a written request for clarification or interpretation to Mr. David Ebersole, Brownfield Program Manager, Cleveland City Hall, Department of Economic Development, 601 Lakeside Avenue, Cleveland, Ohio 44114 no later than Friday, September 21, 2012. Requests for clarification or interpretation may be submitted via e-mail to David Ebersole, Brownfield Program Manager, at: debersole@city.cleveland.oh.us.

B. The City's Rights and Requirements

1. The Director, at her sole discretion, may require any Proposer to augment or supplement its proposal or to meet with the City's designated representatives for interview or presentation to further describe the Proposer's qualifications and capabilities. The requested information, interview, meeting, or presentation shall be submitted or conducted, as appropriate, at a time and place the Director specifies.

2. The City reserves the right, at its sole discretion, to reject any proposal that is incomplete or unresponsive to the requests or requirements of this RFP. The City reserves the right to reject any or all proposals and to waive and accept any informality or discrepancy in the proposal or the process as may be in the City's best interest.

3. Proposal as a Public Record.

Under the laws of the State of Ohio, all parts of a proposal, other than trade secret or proprietary information and the fee proposal, may be considered a public record which, if properly requested, the City must make available to the requester for inspection and copying. Therefore, to protect trade secret or proprietary information, the Proposer should clearly mark each page - but only that page - of its proposal that contains that information. The City will notify the Proposer if such information in its proposal is requested, but cannot, however, guarantee the confidentiality of any proprietary or otherwise sensitive information in or with the proposal. Blanket marking of the entire proposal as "proprietary" or "trade secret" will not protect an entire proposal and is not acceptable.

4. CLEVELAND AREA BUSINESS CODE

Requirements. During performance of this Agreement, Contractor shall comply with all applicable requirements of the Cleveland Area Business Code, Chapter 187 of the Codified Ordinances of Cleveland, Ohio, 1976 ("C.O."), and any Regulations promulgated under the Code, which Code and Regulations are incorporated into and made part of this RFP by this reference as fully as if rewritten in it or attached. Specifically, compliance under any resulting agreement shall include, but not be limited to, the Contractor's:

- Compliance with its proposal representations regarding CSB, MBE, and/or FBE participation in performance of the Agreement;
- Compliance and cooperation with Project Monitors, whether from the Mayor's Office of Equal Opportunity (the "OEO") or the contracting department;
- Accurate, complete, and on-time submission of all reports, forms, and documents including, but not limited to, employment reports, certified payrolls, monitoring forms, and other information the Director of the OEO may require, whether in printed or electronic form, to ascertain and verify Contractor's compliance; and
- Attendance at and participation in all required project meetings, including OEO compliance meetings, and progress meetings called by the contracting department director(s) at key intervals during performance of the contract services (e.g. 25% completion, 50% completion, 75% completion).

Failure to Comply. When determining the contractor's future eligibility for a City contract, the City shall consider a contractor's failure to comply with the representations of its proposal and the requirements under the Code as a failure to faithfully perform a contract.

- a. Under the Cleveland Area Business Code, the City of Cleveland is firmly committed to assisting Minority Business Enterprises (MBEs), Female Business Enterprises (FBEs), and Cleveland- area small businesses (CSBs) by providing and enhancing economic opportunities to participate in City contracts. The successful Proposer for a contract will be a firm that shares that commitment. Accordingly, a Proposer is strongly encouraged to utilize the services of qualified MBE/FBE/CSB sub-contractors that are certified by the Mayor's Office of Equal Opportunity (the "OEO") in its proposal.
- b. The standard subcontracting goal for professional services contracts is 10% Cleveland Area Small Business ("CSB") subcontractor participation. Please review the attached Office of Equal Opportunity documents to ascertain the goal for the proposed contract. Proposers are required to make a good-faith effort to subcontract portions of the work to certified Minority Business Enterprise ("MBE"), Female Business Enterprise ("FBE"), and CSB firms, consistent with the subcontracting goal(s) applicable to this RFP.
- c. To document its good-faith effort to utilize certified MBE, FBE and CSB sub-consultants, each Proposer must complete Schedules 1 through 4 found in the Cleveland Area Business Code - Notice to Bidders and Schedules. These schedules identify the Proposer's proposed use of MBE, FBE and CSB sub-consultants on the project, which evidences the Proposer's good-faith effort to obtain the participation of certified sub-consultants. The Proposer shall submit the completed forms with its proposal and they will be forwarded to the City's Office of Equal Opportunity for evaluation. Failure to submit complete schedules may result in the rejection of a proposal

Proposers may obtain a listing of firms certified by the OEO as CSBs, MBEs and FBEs by checking the City's website at <http://www.city.cleveland.oh.us>. On the home page, select "Office of Equal Opportunity" from the drop-down menu of City departments. On the Office of Equal Opportunity page, you will find a selection in the left-hand column for "CSB/MBE/FBE Registry".

Proposers are responsible for obtaining the most current list and for contacting potential CSB/MBE/FBE sub-consultants. The City assumes no responsibility for matching prime consultants with qualified, certified MBE, FBE, and/or CSB sub-consultants.

The City Office of Equal Opportunity will monitor participation of MBE, FBE, and/or CSB sub-consultants throughout the duration of the engagement or project. The successful Proposer, as contractor, will be responsible for providing the OEO with all information necessary to facilitate this monitoring.

The Cleveland Area Business Code, any Regulations promulgated under the Code, and the OEO Notice to Bidders & Schedules are, by this reference, incorporated in and made part of this solicitation and any resulting contract as fully as if written in it or attached.

- d. The successful Proposer, as contractor, will be required to comply with all terms, conditions, and requirements imposed on a “contractor” in the following Equal Opportunity Clause, Section 187.22(b) of the Cleveland Codified Ordinances, and shall make the Clause part of every subcontract or agreement entered into for services or goods and binding on all persons and firms with which the Proposer may deal, as follows: No Contractor shall discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status. Contractors shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status. As used in this chapter, “treated” means and includes without limitation the following: recruited whether by advertising or other means; compensated, whether in the form of rates of pay or other forms of compensation; selected for training, including apprenticeship, promoted, upgraded, demoted, transferred, laid off and terminated. Contractors shall post in conspicuous places available to employees and applicants for employment, notices to be provided by the hiring representative of contractors setting forth the provisions of this nondiscrimination clause.
- e. Within 60 calendar days after entering into a contract, the successful Proposer, as Contractor, shall file a written affirmative action program with the OEO containing standards and procedures and representations assuring that the Contractor affords all qualified employees and applicants for employment equal opportunities in the Contractor’s recruitment, selection, and advancement processes.

5. Term of Proposal's Effectiveness.

By submission of a proposal, the Proposer agrees that its proposal will remain effective and eligible for acceptance by the City until the earlier of the execution of a final contract or 180 calendar days after the proposal submission deadline (the "Proposal Expiration Date").

6. Execution of a Contract

The Successful Proposer shall, within ten (10) business days after receipt of a contract prepared by the City Director of Law, exclusive of Saturdays, Sundays and holidays, execute and return the contract to the City together with evidence of proper insurance and intent to conform to all requirements of the contract. Attached hereto or which are a part hereof and all applicable federal, state and local laws and ordinances prior to or at the time of execution of the contract.

7. "Short-listing".

The City reserves the right to select a limited number (a "short list") of Proposers to make an oral presentation of their qualifications, proposed services, and capabilities. The City will notify the Proposers selected for oral presentations in writing.

8. Proposer's Familiarity with RFP; Responsibility for Proposal

By submission of a proposal, the Proposer acknowledges that it is aware of and understands all requirements, provisions, and conditions in and of this RFP and that its failure to become familiar with all the requirements, provisions, conditions, and information either in this RFP or disseminated either at a pre-proposal conference or by addendum issued prior to the proposal submission deadline, and all circumstances and conditions affecting performance of the services to be rendered by the successful Proposer will not relieve it from responsibility for all parts of its Proposal and, if selected for contract, its complete performance of the contract in compliance with its terms. Proposer acknowledges that the City has no responsibility for any conclusions or interpretations made by Proposer on the basis of information made available by the City. The City does not guarantee the accuracy of any information provided and Proposer expressly waives any right to a claim against the City arising from or based upon any incorrect, inaccurate, or incomplete information or information not otherwise conforming to represented or actual conditions.

C. Anticipated Proposal Processing

The City anticipates that it will - but neither promises nor is obligated to - process proposals received according to the following schedule:

1. Issue Request For Proposals
2. Pre-proposal Conference
3. Deadline for Submitting Questions
4. Deadline for Submitting Proposal

Wednesday, August 29, 2012
Wednesday, September 19, 2012
Friday, September 21, 2012
Friday, September 28, 2012

D. Interpretation

The City is not responsible for any explanation, clarification, interpretation, representation or approval made concerning this RFP or a Proposal or given in any manner, except by written addendum. The City will mail, e-mail, or otherwise deliver one copy of each addendum issued, if any, to each individual or firm that requested and received a RFP. Any addendum is a part of and incorporated in this RFP as fully as if originally written herein.

Proposer Qualifications

Each Proposer, regardless of the form of its business entity, must meet the following requirements. Failure to meet all requirements may be cause for rejection of a proposal. If Proposer is a partnership or a joint venture, at least one general partners or constituent member must meet the requirements. Each proposer must:

- A. Be a licensed appraisal organization in the State of Ohio;
- B. Have sufficient experience appraising sites within the City of Cleveland or within a regional city with an inner city market similar to that of Cleveland;
- C. Proven experience contracting with the City of Cleveland and/or other public entities;

Proposal Contents: What a Proposer Must Submit

Each proposal shall include the following parts in the below order. Please separate and identify each part by tabs for quick reference. Each proposal should be organized so as to facilitate its evaluation.

A. Cover Letter

The cover letter shall identify and introduce the Proposer and provide other general information about Proposer's business organization including, at least, in one or more attachments or in the Proposal, Proposer's name, principal address, federal ID number, telephone and facsimile numbers, and e-mail address.

If a corporation, provide the state of incorporation, and the full name, title, and experience of each high level corporate officer. If the Proposer is not an Ohio corporation, please state

whether or not the Proposer is qualified to do business in the State of Ohio as a foreign corporation. A foreign corporation must provide evidence, prior to execution of a contract, that is qualified to do business in the State of Ohio or it must register with the Ohio Secretary of State.

If the Proposer is a sole proprietorship, state the name of the proprietor doing business.

If a partnership, state the full name, address and other occupation, if any, of each partner; whether the partner is a general or limited partner, and whether active or passive; state each partner's experience and the proportionate share of the business owned by each partner.

If a joint venture, state the name of each firm participating in the joint venture and each principal officer of each firm; each officer's experience and the proportionate share of the joint venture owned by each joint venture partner.

B. Executive Summary

The Executive Summary should provide a complete and concise summary of Proposer's background, area(s) and level(s) of expertise, relevant experience and ability to meet the requirements of this RFP. The Executive Summary should briefly state why Proposer is the best candidate for the engagement. The Summary should be organized so it can serve as a stand-alone summary apart from the remainder of the proposal.

C. Exceptions

Proposer shall itemize any exceptions it has to the RFP. If it has no exceptions to or deviations from any part of this RFP, it shall so state on an "Exceptions" page. If no deviations or exceptions are identified, Proposer understands that if the City accepts the Proposer's proposal, it must comply with and conform to all of the requirements of the RFP.

D. Qualifications

In the Qualifications section, each Proposer should state in detail its qualifications, and experience, and how its services and/or products are unique and best suited to meet the requirements and intent of this RFP. Proposer may include as much information as needed to differentiate its services and product(s) from other Proposers. At a minimum, please include, the following:

1. How Proposer meets or exceeds the qualifications;
2. A list of the Proposer's principals and their pertinent experiences;
3. A description of the firm's comparable experience in providing the service(s) and/or product(s) sought by this RFP and the number of persons currently employed for such purpose, including:

- a. Firm's experience with the City of Cleveland;
 - b. Firm's experience with like parcels of land;
4. The total number of such engagements and the clients comparable to the City for which the firm has provided like or similar services within the last five (5) years, including sales results for all comparable sites;
 5. The name, location, and date of all Proposer's agreements for like services that have been terminated, canceled, or suspended prior to completion of the engagement or expiration of the full term within the past five (5) years, and any judgment terminating, or any pending lawsuits or unresolved claims or disputes for damages or termination of such agreements within the past five (5) years;
 6. The names and addresses of at least three (3) references for the firm's professional capabilities. Include the name, e-mail address, and telephone number of a contact person; and
 7. A description of all of the Proposer's anticipated contractors along with contractors' relevant qualifications and experience.

E. Proposed Services

1. Proposer shall describe in detail how Proposer's management and operating plan for delivery of the services for the engagement or project will achieve the intent and goal(s) of the RFP. In its response to this sub-section, Proposer shall provide or describe:
 - a. An organizational chart specific for the proposed engagement or project;
 - b. Resumes of key management personnel;
 - c. An operational plan describing in detail how Proposer will achieve the intent and purpose(s) of the engagement or project, including a preliminary marketing plan;
 - d. If applicable, a detailed description of the professional services/training to be provided;
 - e. Trouble shooting/follow-up protocols;
 - f. Project management tools to be used in implementation;
2. Description of Completed Project

Proposer shall submit a detailed description of the engagement or project, as completed.

3. Environmental Sustainability: Describe how the proposed services/project/solution incorporate environmental sustainability

F. Fee Proposal

Proposers should submit their fee proposals for all services in a separately sealed envelope clearly marked on the outside. The fee proposal shall include a fee structure that delineates an appraisal's approximate costs.

Proposer shall also provide cost estimates for third party services or reimbursable expenses requested in the Scope of Services section of this RFP and identify an hourly rate for its staff for services outside the scope of brokerage.

No qualification of the financial offer will be accepted. The fee proposal shall be a firm and final amount including the costs and expenses for all anticipated services.

G. Financial Information

The Proposer shall include the following financial information

1. Balance sheet and income statement for the last two (2) fiscal years, prepared in accordance with generally accepted accounting principles, reflecting the current financial condition of the Proposer. If a publicly held corporation, the Proposer should provide in lieu of the foregoing: consolidated financial statements as submitted to the Securities and Exchange Commission ("SEC") on Form 10K, the most recent Form 10Q, and any Forms 8K filed with the SEC in the last 12 months. Owners of closely-held corporations must submit a personal financial statement, current to within ____ () months of the proposal date;
2. Ownership of the Proposer. If the Proposer is a corporation and its outstanding stock is held by fewer than 10 persons, the name and residence address of each shareholder and his/her shares of outstanding stock must be listed.); and
3. Three bank and three trade references.

H. Proposer's Affidavit

Proposer shall submit with its proposal an affidavit stating that neither it nor its agents, nor any other party acting for it has paid or agreed to pay, directly or indirectly, any person, firm or corporation any money or valuable consideration for assistance in procuring or attempting to procure the contract proposed to result from its proposal, and further agreeing that no such money or reward will be paid.

I. Additional Required Documents

Proposer shall complete, execute, and return with its proposal the following documents, blank copies of which are attached to this RFP:

1. The Office of Equal Opportunity Notice to Bidders and Schedules;
2. Federal Form W-9 including Taxpayer Identification Number;
3. Non-Competitive Bid Contract Statement for Calendar Year 2011

Selection Criteria

A. Evaluation Methodology

The City department/division issuing this RFP will evaluate each proposal submitted. The department will present its recommendations to the City Board of Control (“Board”). The Board may, but shall not be obligated to, entertain formal presentations. The Board may approve one or more contracts to one or more firms. The City will only consider proposals that are received on or before the proposal submission deadline, and which meet all the requirements of this RFP. The City reserves the right to request a “best and final offer” from Proposers meeting the minimum requirements.

B. Scoring of Proposals

The City will score each Proposal in each of the following categories:

1. Threshold criteria:
 - a. Licensed appraiser;
 - b. Proposal’s responsiveness to the RFP;
 - c. Technical appropriateness, sufficiency, and justification of proposed methodologies;
2. Proposal specifics:
 - a. Relevant experience of Proposer;
 - b. Relevant experience:
 - i. Working with the City of Cleveland;
 - ii. Working with similar properties/projects;
3. Cost to the City and ability to complete the project expeditiously;

4. CSB/FBE/LPE/MBE;

5. Incorporation of sustainable practices into planning and implementation.

These ratings are not intended or to be interpreted as a reflection of a Proposer's professional abilities. Instead, they reflect the City's best attempt to quantify each Proposer's ability to provide the services sought by the City and to meet the specific requirements of this RFP, for comparison purposes.

C. Disqualification of a Proposer/Proposal

The City does not intend by this RFP to prohibit or discourage submission of a proposal that is based upon a Proposer's trade experience in relation to the nature or scope of work, services, or product(s) described in this RFP or to prescribe the manner in which its services are to be performed or rendered.

The City will not be obligated to accept, however, significant deviations from the work or services sought by this RFP, including terms inconsistent with or substantially varying from the services or the financial and operational requirements of the RFP, as determined solely by the City. The City reserves the right to reject any proposal that does not furnish or is unresponsive to the information required or requested herein. The City reserves the right to reject any proposal or to waive or to accept any deviation from this RFP or in any step of the proposal submission or evaluation process so as to approve the award of the contract considered in the City's best interest, as determined in the City's sole discretion.

Although the City prefers that each Proposer submit only one proposal including all alternatives to the proposal that the Proposer desires the City to consider, it will accept proposals from different business entities or combinations having one or more members in interest in common with another Proposer. The City may reject one or more proposals if it has reason to believe that proposers have colluded to conceal the interest of one or more parties in a proposal, and will not consider a future proposal from a participant in the collusion. In addition, the City will not accept a proposal from or approve a contract to any Proposer that is in default as surety or otherwise upon an obligation to the City or has failed to perform faithfully any previous agreement with the City, or is currently in default under any agreement with the City.

The City reserves the right to reject any or all proposals. Failure by a Proposer to respond thoroughly and completely to all information and document requests in this RFP may result in rejection of its proposal. Further, the City reserves the right to independently investigate the financial status, qualifications, experience, and performance history of a Proposer.

The City reserves the right to cancel the approval or authorization of a contract award, with or without cause, at any time before its execution of a contract and to later enter into a contract that varies from the provisions of this RFP, if agreed to by another Proposer.

Agreement

Proposers are reminded that the City's contract terms are final and non-negotiable. Additionally, all contractors of the City of Cleveland are required to adhere to the following employment requirements as mandated by CCO 187.22b and enforced by the City of Cleveland Office of Equal Opportunity:

1. "The contractor shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status. 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, sexual orientation, national origin, age, disability, ethnic group, or Vietnam-era or disabled veteran status. As used in this chapter, "treated" means and includes without limitation the following: recruited, whether by advertising or other means; compensated, whether in the form of rates of pay or other forms of compensation; selected for training, including apprenticeship, promoted, upgraded, demoted, downgraded, transferred, laid off and terminated. The contractor agrees to and shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the hiring representatives of the contractor setting forth the provisions of this nondiscrimination clause.
2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal opportunity employer.
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 worker's representative of the contractor's commitments under the equal opportunity clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
4. It is the policy of the City that local businesses, minority-owned businesses and female-owned businesses shall have every practicable opportunity to participate in the performance of contracts awarded by the City subject to the applicable provisions of the Cleveland Area Business Code.
5. The contractor shall permit access by the Director or his or her designated representative to any relevant and pertinent reports and documents to verify compliance with the Cleveland Area Business Code, and with the Regulations. All such materials provided to the Director or designee by the contractor shall be considered confidential.
6. The contractor will not obstruct or hinder the Director or designee in the fulfillment of the duties and responsibilities imposed by the Cleveland Area Business Code.

7. The contractor agrees that each subcontract will include this Equal Opportunity Clause, and the contractor will notify each subcontractor, material supplier and supplier that the subcontractor must agree to comply with and be subject to all applicable provisions of the Cleveland Area Business Code. The contractor shall take any appropriate action with respect to any subcontractor as a means of enforcing the provisions of the Code.”