

**Request for Proposals
To Provide, Design and Implement
Cleveland Division of Police
Promotional Testing**



CITY OF CLEVELAND
Mayor Frank G. Jackson

Issued by the Civil Service Commission

July 29, 2020

Schedule of Critical Dates:

| | |
|---|---------------------------------|
| 1. Intent to Propose Form Due: | August 7, 2020 at 5:00 PM EST |
| 2. Pre-Proposal Proposer Conference (optional): | August 11, 2020 at 12:00 PM EST |
| 3. Last Day to Submit Provider Questions: | August 14, 2020 at 5:00 PM EST |
| 4. Proposal is due at Civil Service: | August 27, 2020 at 3:00 PM EST |

LATE PROPOSALS WILL NOT BE ACCEPTED

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I. Introduction

The City of Cleveland (City), Civil Service Commission, through this Request for Proposal (RFP), is soliciting proposals from qualified Proposers to provide for the development, administration, grading and statistical analysis of examinations for Promotional examinations for the positions of Sergeant, Lieutenant, and Captain within the Division of Police. The goal of the testing service is to provide a fair, proven and comprehensive testing solution from start to completion that meets the requirements and expectations of the City and best practices of 21st century policing.

The evaluation and ranking of proposals will consist of four phases. For the first phase, a compliance review of proposals related to the criteria outlined in this RFP. Second phase, a review committee will rank and score the written proposals based upon the evaluation criteria. In the third phase, the City will short list a number of Proposers to proceed to a supplemental written question and/or oral presentation by the Proposer (at the City's discretion) outlining qualifications, proposed services and capabilities. The fourth and final phase is evaluating the proposed fee schedules.

This RFP does not obligate the City to complete the selection and contract award process. The City reserves the right to accept or reject any and all proposals; request additional information from any or all proposers to assist the City in its evaluation process; amend or withdraw this RFP prior to the announcement of the selected firm and award the proposed services in whole or in part, to one or more firms. In case of an amendment to the RFP, all Proposers will be provided with a copy of any such amendment(s) and be afforded the opportunity to revise their Proposals in response to the RFP amendment.

Deadline for any questions or written requests for clarification is August 14, 2020, and must be submitted in writing to:

**Lila Abrams-Fitzpatrick, Administrative Manager
City of Cleveland Civil Service Commission
601 Lakeside Ave.
Room 119
Cleveland, Ohio 44114
labrams-fitzpatrick@city.cleveland.oh.us**

Sealed proposals may be mailed or delivered to the address below and must be identified on the outside of the envelope(s) as: **“Response to RFP to Provide Promotional Testing Services for The City of Cleveland”**

**Lila Abrams-Fitzpatrick, Administrative Manager
City of Cleveland Civil Service Commission
601 Lakeside Ave.
Room 119
Cleveland, Ohio 44114**

If proposals are hand-delivered, proposals should be addressed as above and taken to **Lila Abrams-Fitzpatrick, Cleveland City Hall, 601 Lakeside Avenue, Room 119, Cleveland, Ohio 44114**. Faxed submissions, in whole or in part, will be rejected.

II. Scope of Services

The Civil Service Commission is seeking professional testing services for Public Safety promotional testing as set forth in more detail below in the [Functional Requirements](#) section. The scope of this Request for Proposal encompasses all tasks associated with the development, administration, grading, and statistical analysis of placement exam administration services for the assessment of patrol officers in promotional ranks.

RFP Objectives

The City of Cleveland (City) is issuing this Request for Proposal (RFP) for the purpose of selecting a qualified firm to provide services for the development, administration, grading and statistical analysis of examinations for Promotional examinations for the positions of Sergeant, Lieutenant, and Captain within the Division of Police.

The City reserves the right to modify the scope of services at any time before execution of a contract to add, delete, or otherwise amend any item(s), as it deems necessary, in its sole judgment, and in the best interest of the City.

III. Functional Requirements

Listed below are the Functional Requirements the Proposer is expected to address.

A. Test Administration

1. The Proposer will be required to complete a job analysis study for each position to be tested. Criteria shall include, but not be limited to, job performance, job knowledge and job skills/abilities such as planning, organization, decision-making, problem solving, community policing, interpersonal skills, delegation, etc.
2. The Proposer shall provide administration and proctoring of the examinations, including written examination and any applicable oral examinations, in-basket exercises, boards or similar processes.
3. Assessors for testing (including oral panels) shall be provided by or arranged by the Proposer.
4. The Proposer shall provide information describing how the tests are designed to evaluate candidates based on problem solving, strategic thinking, community policing, interpersonal skills, emotional maturity, cognitive thinking, management and leadership ability and the ability to collaborate, as consistent with the job analyses performed.
5. The Proposer shall provide an overall timeline for completion of all assessment steps of candidates following approval of their completed application.
6. The Proposer must provide detail on the validation methodology utilized and demonstrate compliance with the general validity standards set forth in the EEOC Guidelines.

7. The Proposer shall provide information on how the City will access scoring results and how the Proposer performs all grading (providing scoring system information), statistical analysis, and computer processing necessary for the City to establish a final eligible list.
8. The Proposer shall provide a list to the City of all test results for all candidates.
9. The Proposer shall coordinate with Civil Service to handle disputes from applicants' results and the timeframe for which this process is permissible (provide process overview of handling appeals).
10. The Proposer shall provide information and preparation guides for all applicants to review and use for test preparation, including sample or practice exams.
11. The Proposer shall demonstrate the ability to handle test security and prevent any cheating or other violations of test process integrity, including the oral assessment portion of the process.
12. The Proposer, if possible, shall provide evidence of Master Service Contract, Sole Source Letter or other evidence that they are an approved vendor and/or unique provider of services for the City and/or State of Ohio.
13. The Proposer shall provide a sample of what information is provided on the test results for each applicant. It will be the responsibility of the Proposer to compile the following details about each candidate from the standard application form provided by the Civil Service Commission. Example fields include, but are not limited to, the following:
 - a. Full name
 - b. Full address
 - c. Email address
 - d. Phone number
 - e. Social Security Number
 - f. Date of Birth
 - g. Age
 - h. Registration/Seat Number
 - i. Race
 - j. Sex
 - k. Education Level
 - l. Written Exam Score, in-basket score, oral assessment score
 - m. Seniority Credit
 - n. Total Exam Score
 - o. Rank on Eligible List
 - p. Ethnicity/national origin
14. Proposer shall describe and provide the means by which they will deliver a final eligible list (Microsoft Excel format) to the Civil Service Commission.

15. Upon completion of the final eligible list, the Proposer shall provide the means by which they will submit a final validation report detailing the job-relatedness of the examination, EEOC statistics, Item Analysis, Impact Analysis and any other pertinent facts that would prove beneficial to the Civil Service Commission and the City of Cleveland to demonstrate the validity of the test under EEOC guidelines and related laws and regulations.
16. The Proposer shall provide the means by which they will submit the final report to the Commission no later than three weeks following the submittal of the final eligible list. The final project validation report shall serve as the primary documentation of the development of the examination items and production of the actual test booklets. The report must be sufficiently detailed to serve as the primary supporting evidence with respect to the development of the test items in any future administrative or judicial review of the examination components of the promotion process.
17. The Proposer will include a detailed plan describing how they intend to conduct each step of the testing process in compliance with applicable health and safety requirements relating to the COVID-19 virus, including, but not limited to, staggering of testing stages, physical spacing and disinfecting procedures. Any requirements to be provided by the City relating to the testing site must be clearly and specifically identified.

B. Promotional Testing

The Proposer shall provide information, details and/or confirmation on the following Promotional testing components:

1. Estimated total questions per test indicating, if applicable, what portion of the test will be “open-book”, and which portion of the test will be “closed book.”
2. Promotional examinations shall have multiple components: Written examination, in-basket exercises and oral examinations, or other evaluation steps proposed by the Proposer. The written examination must use a multiple-choice format, requires locally based job relatedness and must be consistent with nationally recognized police standards. (i.e., general police orders, manual of rule, local and state laws, constitutional items, textbook on leadership, textbook on community policing). The Proposer will coordinate the identification of appropriate and desirable source materials with the Division and the Civil Service Commission.
3. The Proposer is to provide the City a choice of methods in conduction of oral examinations. Options must include, at minimum, assessment center, videotaped interviews and audio taped interviews. If one of these methods is unacceptable to the Proposer, a detailed explanation must be provided along with alternate proposed evaluation steps.
4. Preparation of three separate written job knowledge examinations for promotion to the ranks of Sergeant, Lieutenant, and Captain
5. Preparation of separate in-basket exercises for promotion to the ranks of Sergeant, Lieutenant and Captain

6. Preparation of separate oral examinations for promotion to the ranks of Sergeant, Lieutenant, and Captain
7. The examination for promotion to the rank of Sergeant will likely consist of approximately six hundred (600) employees.
8. The examination for promotion to the rank of Lieutenant will likely consist of approximately one hundred twenty (120) employees.
9. The examination for promotion to the rank of Captain will likely consist of approximately thirty (30) employees.

Note: Exact candidate quantities for examinations cited will be provided to the Proposer by the Civil Service Commission post-application and prior to printing test materials by Proposer.

If requested, the Proposer will be prepared to present their proposal before a committee selected by the Civil Service Commission. To effectively verify all proposals, the Civil Service Commission reserves the right to conduct site visits at the Proposer's location.

Should any litigation arise from this examination, it will be the duty and responsibility of the Proposer to appear at the direction of the Civil Service Commission and/or the Department of Law, City of Cleveland. Proposals shall also include professional fees, if any, for such services.

The Civil Service Commission will only accept and respond to inquiries in writing. All inquiries must be directed to the Secretary. On request, these questions and answers will be made available to all other prospective Proposers. **No questions will be accepted after AUGUST 14, 2020, at 5:00 PM EST.**

Rights to Materials (data)

All materials (data) generated under this RFP is work made for hire. The Proposer shall inform the City in writing of any scheduled deletion of files and shall not delete files without prior written consent from the City.

IV. Project Team

The following Project Team information is required:

1. Proposer shall provide the project team included roles and responsibilities that will be assigned to this project.
2. Proposer shall provide resumes for each of the team members planned for this project.

V. Project Schedule and Deliverables

Provide a detailed but concise description of your approach to this project. Include a description of the task required for each area or evaluation step, and the time required for their completion.

- **Project Management** – The Proposer shall assign a Project Manager to the project that is familiar with similar size projects.
- **Job Analysis Tasks**–Proposer shall provide schedules for Job Analysis tasks including a communication plan.
- **Promotional Assessment Design and Applicant Orientation**– This phase will include, but is not limited to, the design and development of written exams, assessment exercises, study and practice guides and materials and orientation sessions.
- **Scoring, applicant feedback, and process reviews with City’s stakeholders** – This phase includes, but is not limited to, the scoring of the exams, applicant survey(s), and a process review with Civil Service Commission.
- **Final Acceptance Phase** – Once all services are completed successfully, a Final Acceptance Review will be performed that focuses on the testing delivery.

Proposers must submit a preliminary draft of the Project Plan as part of their response. The preliminary project plan must not be generic boilerplate information, and must provide specific details including project staffing and the proposed master implementation milestone and deliverable schedule.

Provide a detailed but concise description of your approach to this project. Include a description of the task required for each area and the time required for their completion.

Provide an itemized list of all costs related to the testing services proposed, and the total lump-sum cost to the City that incorporates all requirements as contained in this solicitation.

A. Costs

The Proposer shall detail the costs associated with each of the items below.

Please note: Costs are to be provided in a separate, sealed document.

Initial Assessment Cost

- Job Analysis cost
- Communication Plan cost
- Test Development Cost
- Test Administration, including Scoring and Completion Costs
- Other (detail each type of other cost)

Additional Products/Services

- Detail the cost associated with any additional products/services

VI. Proposal Requirements

1. Submission of Proposal

Each Proposer shall submit its proposal(s) in the number, form, manner, and by the date and time and at the location required in the Sections below.

- i. 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 Section VIII - Proposal Contents. 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.
- ii. 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 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.
- iii. 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 **not later than 5:00 PM EST on August 14, 2020**. Requests for clarification or interpretation may be submitted via e-mail to:

**Lila Abrams-Fitzpatrick, Administrative Manager
City of Cleveland Civil Service Commission
labrams-fitzpatrick@city.cleveland.oh.us**

| Event | Dates/Deadlines |
|--|---------------------------------|
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2. The City's Rights and Requirements

- i. The Secretary of the Civil Service Commission (the "Secretary"), at his/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 specified by the Secretary.

- ii. 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.

iii. 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.

iv. 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 270 calendar days after the proposal submission deadline (the "Proposal Expiration Date").

vi. 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.

vii. Short-listing

The City reserves the right to select a limited number (a "short list") of Proposer's to receive supplemental questions and/or make an oral presentation of their qualifications, proposed services, and capabilities.

viii. 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.

ix. 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.

x. Confidentiality

The Proposer cannot make use of any information obtained through this Agreement for any activity outside the scope of this project. Proposer will utilize its “best efforts” to protect all information gathered and records developed during the course of this Agreement from examination by unauthorized agencies or persons. Such records include all collected data, forms, provided/developed configuration and topology data, computer files, program listings, manuals, documentation, correspondence files, contract records, and reports. The Proposer shall retain all copies in a secure manner until the project is closed and all documents will be returned to the Civil Service Commission. No information, materials or any summary of these materials shall be released to any individual or organization (verbally or in writing) without prior written permission from the Secretary.

No work involving information furnished under this RFP will be subcontracted without the specific approval of the Secretary.

In performance of the Agreement, the Proposer agrees to comply with and assume responsibility for compliance by employees with the following requirements:

- All work will be performed under the supervision of the Proposer or the Proposer’s responsible employees.
- Any information provided to the Proposer, in any format, will be used only for the purpose of carrying out the provisions of this contract. This information will be treated as confidential and will not be made known in any manner to any person except as may be necessary in the performance of the Agreement.

- All information provided to the Proposer shall be accounted for upon receipt and properly stored before, during, and after processing. In addition, all related output shall be given the same level of protection as required for the source material.

xi. Rights in Data and Copyright

Throughout the period of this Agreement, the Department of Finance reserves exclusive and unlimited rights to the information provided to the Proposer, except for the information the City makes available to the public. The City also reserves exclusive rights to the results and findings produced by this project.

xii. Cleveland Area Business Code

Requirements During performance of this Agreement, Proposer 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 Proposer’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 Proposer’s compliance; and
- Attendance at and participation in all required project meetings, including OEO compliance meetings, and progress meetings called by the Secretary at key intervals during performance of the contract services.

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

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-consultants that are certified by the Mayor’s Office of Equal Opportunity (the “OEO”) in its proposal.

The standard subcontracting goal for professional services contracts is 10% Cleveland Area Small Business (“CSB”) subcontractor participation. That participation requirement

has been waived for the services to be provided under this RFP; however, 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.

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”.

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*, 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.

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.

3. Anticipated Proposal Schedule

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

| Event | Dates/Deadlines |
|-----------------------------|-------------------------------|
| Issue Request For Proposals | July 29, 2020 |
| Intent to Propose Form Due: | August 7, 2020 at 5:00 PM EST |

| | |
|--|---------------------------------|
| Pre-Proposal Proposer Conference (optional): | August 11, 2020 at 12:00 PM EST |
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| Proposal is due at Civil Service Commission: | August 27, 2020 at 3:00 PM EST |

VII. Qualification for Proposal

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 partner or constituent member must meet the requirements. Each Proposer must:

- Confirm that the background, qualifications, and experience of the firm has a minimum of five (5) continuous years of experience with the development, administration, grading, and statistical analysis of promotional exam administration services for law enforcement.
- Demonstrate the ability to provide recruitment and placement exam administrative services solutions for Governments/Municipalities.
- Submit with its proposal at least three (3) written, verifiable, Government/Municipality references dated within the last five years from clients for which the Proposer has rendered services substantially similar to those sought by this RFP. Proposer is required to provide the names, contact, and a brief project scope for each of the references.

Insurance: The successful Proposer, at its expense, shall at all times during the term of the contract resulting from this RFP, maintain the following insurance coverage. The insurance company (ies) providing the required insurance shall be authorized by the Ohio Department of Insurance to do business in Ohio and rated “A” or above by A. M. Best Company or equivalent. The Successful Proposer, as contractor, shall provide a copy of the policy or policies and any necessary endorsements, or a substitute for them satisfactory to and approved by the Director of Law, evidencing the required insurances upon execution of the contract.

- i. Professional liability insurance (including errors and omissions coverage) with limits of not less than \$1,000,000.00 for each occurrence and subject to a deductible for each occurrence of not more than \$50,000.00 per occurrence and in the aggregate, and if not written on an occurrence basis, shall be maintained for not less than two (2) years after satisfactory completion and written acceptance of the services under the contract.
- ii. Workers’ compensation and employer’s liability insurance as provided under the laws of the State of Ohio.
- iii. Statutory unemployment insurance protection for all of its employees.

Such other insurance coverage(s) as the City may reasonably require.

VIII. Proposal Contents

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.

The proposal is recommended to be No Longer Than 50 Single-Sided Printed Pages, excluding appendices.

Page size shall be 8.5 x 11 inches. Font size shall be no less than 12 pt. Tabs, dividers, and appendices are excluded from the page count.

One (1) original, two (2) copies, and one electronic (CD or Thumb Drive) shall be delivered to the following address: Civil Service Commission, 601 Lakeside Avenue, Cleveland, OH 44114.

Proposals must be mailed to the attention of **Lila Abrams-Fitzpatrick**.

Proposals will be accepted up **until 3:00 PM EST, August 27, 2020**. The proposal response shall consist of the following sections:

Section 1: Cover Letter and Executive Summary

The Executive Summary should provide a complete and concise summary of Proposer's experience and ability to meet the requirements of this RFP. The summary should be organized so it can serve as a stand-alone summary apart from the remainder of the proposal.

Section 2: Profile

The Proposer will provide a profile of its organization and all other sub-consultants who will be providing services. At a minimum, the Proposer will provide the following information:

- Number of years in business
- Number of years involved with services as proposed
- Total number of employees
- Number of signed contracts in progress

Section 3: Qualifications

Each Proposer should state in detail its qualifications, and experience, and how its services are unique and best suited to meet the requirements and intent of this RFP. This should include the qualifications of sub-consultants included in the proposal. Proposer may include as much information as needed to differentiate its services and product(s) from other Proposer's. At a minimum, please include the following:

- A. **Staffing:** Qualifications must include resumes and description of organizational and staff experience including the Project Manager and key staff proposed for the project. Additional resumes are not required unless that resource will likely play a key role in the project.
- B. **Organizational and Staff Experience:** Proposer must describe their qualifications and experience of the organization as a whole to perform the work described in this RFP. Relevant experience must be associated with projects completed not more than five years prior to the date of this RFP.
- C. **Litigation or Other Challenges to Test Products:** Proposer must disclose and describe all litigation, claims, investigations or similar inquiries or challenges within

the last ten (10) years (1) questioning or challenging the legality, validity or job relatedness of any test or assessment process which they have developed or designed, in whole or in part, for any public safety job or position; and/or (2) the administration and/or scoring of any such test or assessment process.

Section 4: Response to Scope of Services

Provide a response to each of the Functional Requirements listed in the [Scope of Services: Functional Requirements](#) section of this RFP.

Section 5: List of Representative Projects

Provide a list of at least three similar projects that the Proposer has successfully completed within the last five years.

Provide at least three client references (verified name and telephone number) of someone closely familiar with each project and your firm's performance.

Each project description shall be presented in the format consistent with the table below.

| PROJECT NAME AND DESCRIPTION |
|---------------------------------------|
| Agency & Department: |
| Address: |
| Point of Contact |
| Verified Telephone Number for Contact |
| Date of Contract |

Section 6: Project Management Approach/Project Methodologies

- A. Describe the Methodologies you will employ on this project to complete the recruitment and placement exam administration services. Describe and/or provide examples of the Deliverables requested in the Scope of Services.
- B. Provide a detailed project work break down structure to include tasks, subtasks, timeline, milestones, work efforts and resource assignments.
- C. Define the approach and document project deliverables to address the requirements outlined in the scope.

Section 7: Financial Statements

Any financial statements that would be required will be requested only from those Proposers that are "short-listed".

Fee Proposal: Proposer should submit its fee proposal for each service in a separately sealed envelope clearly marked on the outside. See [Appendix: Fee Proposal](#) for the Fee Proposal template.

There is no limit to the number of pages submitted as part of the fee proposal.

Proposers are required to provide a complete fee proposal of costs associated with the administration, development and examination services proposed herein.

All costs are to be expressed in unit cost and total cost to the City. One-time charges, and annual licensing and maintenance charges must be detailed. Any additional charges above the annual maintenance costs should also be listed in detail.

Proposers should differentiate all costs clearly so that they may be properly evaluated without interpretation.

Proposer shall provide a description of any other cost the City might expect to pay.

Section 8: Required City Forms

Proposer shall complete, execute, and return with its fee proposal the following documents:

- Federal Form W-9 including Taxpayer Identification Number;
- Non-Competitive Bid Contract Statement for Calendar Year 2020;
- Northern Ireland Fair Employment Practices Disclosure.

IX. Proposal Evaluations

Proposals shall be evaluated based on the following criteria (not listed in order of importance):

- Proposer experience and industry expertise
- Proven successful past performance on similar projects
- Qualification and experience of project staff
- Oral Presentation and Solution demonstrations

Fees will not be considered in the initial evaluation. Proposals shall be evaluated first on qualifications and experience. Once rankings are established, the fee submittals shall be considered.

A firm's involvement in any current litigation with the City may be taken into account during proposal evaluation.

The 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.

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.

X. Appendix: Proposal Checklist

Proposers should be sure to address all of the following areas in their proposal.

A. Functional Proposal Submission

- Section 1: Cover Letter and Executive Summary
- Section 2: Profile
- Section 3: Qualifications
- Section 4: Response to Scope of Services
- Section 5: List of Representative Projects
- Section 6: Project Management Approach/Project Methodologies
- Section 7: Financial Statements
- Section 8: Required City Forms

B. Fee Proposal and Required Forms (Marked and Sealed Envelope) Proposer should submit its fee proposal for each service in a separately sealed envelope clearly marked on the outside. See [Appendix: Fee Proposal](#) for the Fee Proposal template.

There is no limit to the number of pages submitted as part of the fee proposal.

Proposers are required to provide a complete fee proposal of costs associated with the administration, development and examination services proposed herein.

All costs are to be expressed in unit cost and total cost to the City. One-time charges, and any annual licensing and maintenance charges must be detailed. Any additional charges above the annual maintenance costs should also be listed in detail.

Proposers should differentiate all costs clearly so that they may be properly evaluated without interpretation.

Proposer shall provide a description of any other cost the City might expect to pay.

C. Proposal Format

One (1) original, two (2) copies, and one electronic (CD or Thumb Drive) shall be delivered to the following address: Civil Service Commission, 601 Lakeside Avenue, Cleveland, OH 44114.

Proposals must be mailed to the attention of **Lila Abrams-Fitzpatrick, Office of the Civil Service Commission**

Proposals will be accepted up until 3:00 PM EST, August 27, 2020.

XII. Appendix: Intent to Propose

Intent to Propose Form

Project: **City of Cleveland, Public Safety Promotional Testing**

Date _____

It is the intention of _____ to submit a proposal
[COMPANY NAME]
on the above project for the City of Cleveland. We accept the terms, conditions,
and proposal guidelines. **Our proposal will be submitted no later than August
27, 2020, at 3:00 PM EST.**

Representative/Contact:

Signature

Title (Print)

Print Name

Phone #

Street Address

City/State/Zip

E-Mail

Fax #

RETURN TO **LILA ABRAMS-FITZPATRICK** (labrams-fitzpatrick@city.cleveland.oh.us)
**BY THE REQUIRED SUBMISSION DATE IDENTIFIED IN THE REQUEST FOR
PROPOSALS**



MAYOR'S OFFICE OF EQUAL OPPORTUNITY

SUBCONTRACTOR PARTICIPATION GOAL

PROFESSIONAL SERVICES CONTRACT

The Subcontractor Participation (Utilization) Goal for this contract is:

0% CSB Participation
These goals have been waived

A searchable database of all CSB firms eligible to fulfill the subcontractor participation goal can be found on the City of Cleveland Office of Equal Opportunity Website:

<http://cleveland.diversitycompliance.com>

On the website, click on [CSB/MBE/FBE Registry](#)

Submission of NORTHERN IRELAND FAIR EMPLOYMENT PRACTICES DISCLOSURE

Each bidder and/or appropriate parties should complete the DISCLOSURE and submit it with the bid, if possible. If not submitted with the bid, it must be completed and submitted to the Commissioner of Purchases and Supplies prior to any contract being awarded by the City. If a bidder or appropriate parties fail to complete and submit it, they shall not be eligible for a contract award.

NORTHERN IRELAND FAIR EMPLOYMENT PRACTICES DISCLOSURE

INSTRUCTIONS: Pursuant to Codified Ordinance Sec. 181.36, the information requested on this page must be supplied by all Contractors and any Subcontractors having more than a fifty percent (50%) interest in the proposed contract prior to any contract being awarded by the City of Cleveland. Any Contractor or Subcontractor who is deemed to have made a false statement shall be declared to have acted in default of its contract and shall be subject to the remedies for default contained in its contract. For failure to cure such a default, the Contractor or Subcontractor shall be automatically excluded from bidding for the supply of any goods or services for use by the City for a period of two years.

CHECK WHICHEVER IS APPLICABLE:

A. () The undersigned or any controlling shareholder,* subsidiary, or parent corporation of the undersigned is NOT ENGAGED IN ANY BUSINESS OR TRADING FOR PROFIT IN NORTHERN IRELAND. (If paragraph A. is checked, proceed to the signature line.)

B. () The undersigned or any controlling shareholder,* subsidiary, or parent corporation IS ENGAGED IN ANY BUSINESS OR TRADING FOR PROFIT IN NORTHERN IRELAND. (If paragraph B. is checked, please either check the stipulation contained in paragraph C. or attach documentation that shows that the undersigned has complied with the stipulation contained in paragraph C.

C. () The undersigned and all enterprises identified in paragraph B. are TAKING LAWFUL AND GOOD FAITH STEPS TO ENGAGE IN FAIR EMPLOYMENT PRACTICES WHICH ARE RELEVANT TO THE STANDARDS EMBODIED IN THE "MacBRIDE PRINCIPALS FOR FAIR EMPLOYMENT IN NORTHERN IRELAND." A copy of the MacBride Principles can be obtained from the Office of the Commissioner of Purchases and Supplies. In lieu of checking this paragraph, the undersigned must attach documentation which the undersigned believes shows compliance with the stipulation contained in this paragraph C.

Name of Contractor or Subcontractor
By: _____
Title: _____

*"Controlling shareholder" means any shareholder owning more than fifty percent (50%) of the stock in the corporation or more than twenty-five percent (25%) of the stock in the corporation if no other shareholder owns a larger share of stock in the corporation.

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

| | | |
|---|--|---|
| Print or type See Specific instructions on page 2. | Name (as shown on your income tax return) | |
| | Business name/disregarded entity name, if different from above | |
| | Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Other (see instructions) ▶ _____ | |
| | <input type="checkbox"/> Exempt payee | |
| | Address (number, street, and apt. or suite no.) | Requester's name and address (optional) |
| City, state, and ZIP code | | |
| List account number(s) here (optional) | | |

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

| Social security number | | | | | | | | |
|------------------------|--|--|--|--|--|--|--|--|
| | | | | | | | | |

| Employer identification number | | | | | | | | |
|--------------------------------|--|--|--|--|--|--|--|--|
| | | | | | | | | |

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

| | | |
|------------------|----------------------------------|--------------|
| Sign Here | Signature of U.S. person ▶ _____ | Date ▶ _____ |
|------------------|----------------------------------|--------------|

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,
- The U.S. grantor or other owner of a grantor trust and not the trust, and
- The U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

Also see *Special rules for partnerships* on page 1.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your income tax return. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

Partnership, C Corporation, or S Corporation. Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA) name" on the "Business name/disregarded entity name" line.

Disregarded entity. Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line. If the owner of the disregarded entity is a foreign person, you must complete an appropriate Form W-8.

Note. Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, Partnership, C Corporation, S Corporation, Trust/estate).

Limited Liability Company (LLC). If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership. If you are an LLC that has filed a Form 8832 or a Form 2553 to be taxed as a corporation, enter "C" for C corporation or "S" for S corporation. If you are an LLC that is disregarded as an entity separate from its owner under Regulation section 301.7701-3 (except for employment and excise tax), do not check the LLC box unless the owner of the LLC (required to be identified on the "Name" line) is another LLC that is not disregarded for federal tax purposes. If the LLC is disregarded as an entity separate from its owner, enter the appropriate tax classification of the owner identified on the "Name" line.

Other entities. Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

Exempt Payee

If you are exempt from backup withholding, enter your name as described above and check the appropriate box for your status, then check the "Exempt payee" box in the line following the "Business name/disregarded entity name," sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following payees are exempt from backup withholding:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2),
 2. The United States or any of its agencies or instrumentalities,
 3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities,
 4. A foreign government or any of its political subdivisions, agencies, or instrumentalities, or
 5. An international organization or any of its agencies or instrumentalities.
- Other payees that may be exempt from backup withholding include:
6. A corporation,
 7. A foreign central bank of issue,
 8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
 9. A futures commission merchant registered with the Commodity Futures Trading Commission,
 10. A real estate investment trust,
 11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
 12. A common trust fund operated by a bank under section 584(a),
 13. A financial institution,
 14. A middleman known in the investment community as a nominee or custodian, or
 15. A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 15.

| IF the payment is for . . . | THEN the payment is exempt for . . . |
|--|---|
| Interest and dividend payments | All exempt payees except for 9 |
| Broker transactions | Exempt payees 1 through 5 and 7 through 13. Also, C corporations. |
| Barter exchange transactions and patronage dividends | Exempt payees 1 through 5 |
| Payments over \$600 required to be reported and direct sales over \$5,000 ¹ | Generally, exempt payees 1 through 7 ² |

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on page 2), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, below, and items 4 and 5 on page 4 indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on the "Name" line must sign. Exempt payees, see *Exempt Payee* on page 3.

Signature requirements. Complete the certification as indicated in items 1 through 3, below, and items 4 and 5 on page 4.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requestor's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, social security number (SSN), or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

- To reduce your risk:
 - Protect your SSN,
 - Ensure your employer is protecting your SSN, and
 - Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

What Name and Number To Give the Requester

| For this type of account: | Give name and SSN of: |
|---|---|
| 1. Individual | The individual |
| 2. Two or more individuals (joint account) | The actual owner of the account or, if combined funds, the first individual on the account ¹ |
| 3. Custodian account of a minor (Uniform Gift to Minors Act) | The minor ² |
| 4. a. The usual revocable savings trust (grantor is also trustee) | The grantor-trustee ³ |
| b. So-called trust account that is not a legal or valid trust under state law | The actual owner ¹ |
| 5. Sole proprietorship or disregarded entity owned by an individual | The owner ³ |
| 6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulation section 1.671-4(b)(2)(i)(A)) | The grantor ³ |
| For this type of account: | Give name and EIN of: |
| 7. Disregarded entity not owned by an individual | The owner |
| 8. A valid trust, estate, or pension trust | Legal entity ⁴ |
| 9. Corporation or LLC electing corporate status on Form 8832 or Form 2553 | The corporation |
| 10. Association, club, religious, charitable, educational, or other tax-exempt organization | The organization |
| 11. Partnership or multi-member LLC | The partnership |
| 12. A broker or registered nominee | The broker or nominee |
| 13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments | The public entity |
| 14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulation section 1.671-4(b)(2)(i)(B)) | The trust |

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or "DBA" name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 1.

*Note. Grantor also must provide a Form W-9 to trustee of trust.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

Requested By: _____
(Department/Office)



**NON-COMPETITIVE BID CONTRACT
STATEMENT FOR CALENDAR YEAR 2020
(ALL DEPARTMENTS/OFFICES)**

This statement, properly executed and containing all required information must be completed. **IF YOU FAIL TO COMPLY, YOUR PROPOSAL WILL NOT BE CONSIDERED.**

Entity Name: _____

Entity's Mailing Address: _____

COMPLETE SECTION I, II, OR III BELOW, WHICHEVER IS APPROPRIATE, AND SECTION IV.

NOTE: For purposes of this Statement, the "Mayor" and "Mayor's Committee" means Frank G. Jackson and the Frank G. Jackson For A Better Cleveland Committee, respectively.

SECTION I. TO BE COMPLETED BY NON-PROFIT CORPORATIONS AND GOVERNMENTAL ENTITIES.

If you are recognized by the IRS as a non-profit corporation or are a governmental entity, mark the appropriate designation below and proceed to the indicated section(s).

- NON-PROFIT CORPORATION **GO TO SECTIONS III and IV.**
- GOVERNMENTAL ENTITY **GO TO SECTION IV.**

SECTION II. TO BE COMPLETED BY INDIVIDUALS, SOLE PROPRIETORSHIPS, PARTNERSHIPS, INCORPORATED PROFESSIONAL ASSOCIATIONS, UNINCORPORATED ASSOCIATIONS, ESTATES AND TRUSTS.

The above-named entity is a (Please mark appropriate designation):

- SOLE PROPRIETORSHIP TRUST
- INCORPORATED PROFESSIONAL ASSOCIATION ESTATE
- UNINCORPORATED ASSOCIATION PARTNERSHIP
- LIMITED LIABILITY COMPANY JOINT VENTURE

For purposes of Section II, a "principal" means an individual, an owner, a partner, a shareholder, a member, an administrator, an executor or trustee connected with the above-named entity, or the spouse of any of them.

PLEASE READ PARAGRAPHS (A) and (B) and mark the appropriate paragraph. If paragraph (B) is checked, the City of Cleveland is prohibited by Section 3517.13 of the Revised Code from awarding a non-competitively bid contract over \$500.00 to the entity during calendar year 2020 unless Council makes a direct award.

- (A) NO ONE PRINCIPAL of the above named entity made one or more contributions to the Mayor or the Mayor's Committee between January 1, 2018 and December 31, 2019 that totaled in excess of \$1,000.00 per individual. (This paragraph also applies if no principal of the above-named entity made any contributions to the Mayor or the Mayor's Committee).
- (B) ONE OR MORE PRINCIPALS of the above named entity made, as individual(s), one or more contributions to the Mayor or the Mayor's Committee between January 1, 2018 and December 31, 2019 that totaled in excess of \$1,000.00.

EQUAL OPPORTUNITY CLAUSE

(Section 187.22(b) Codified Ordinances)

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, religion, color, sex, sexual orientation, gender identity or expression, 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, gender identity or expression, 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. (Ord. No. 1260-08. Passed 11-30-09, eff. 12-3-09)