

Issued: March 27, 2015

**Request for Proposals for the
Design/Build of the Dwayne Browder Field
SYNTHETIC TURF FOOTBALL FIELD at
LONNIE BURTEN RECREATION CENTER
for the
City of Cleveland
Department of Public Works**

Issuing Office

Mayor's Office of Capital Projects
Division of Architecture and Site Development
601 Lakeside Avenue
Cleveland, OH 44114
216.664.3656

THE CITY OF CLEVELAND MISSION STATEMENT

We are committed to improving the quality of life in the City of Cleveland by strengthening our neighborhoods, delivering superior services, embracing the diversity of our citizens, and making Cleveland a desirable, safe city in which to live, work, raise a family, shop, study, play, and grow old.

PROPOSALS DUE

DATE DUE: APRIL 14, 2015 at 12:00 Noon, Local Time

ALL RESPONSES SHALL BE MARKED AS

"SEALED BID"

**Request for Proposals for
Design/Build of the Dwayne Browder Synthetic Football Field
for the
City of Cleveland
Department of Public Works**

A non-mandatory Pre-proposal conference will be held in the Conference Room of Room 517A in City Hall at 10:00 AM EST on Tuesday, April 7, 2015 for interested Proposers and Sub-consultants/Contractors to review the project scope, ask questions and exchange contact information.

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**Design/Build for Dwayne Browder
SYNTHETIC TURF FOOTBALL FIELD
AT LONNIE BURTEN RECREATION CENTER
REQUEST FOR PROPOSALS**

City of Cleveland
Department of Public Works
Michael E. Cox, Director

Mayor's Office of Capital Projects
Matthew L. Spronz, Director

Date: March 27, 2015

I. HISTORY

The City of Cleveland maintains a natural turf football field at the Lonnie Burten Recreation Center. The field is named for Dwayne Browder and serves the community as well as East Technical High School located just east of the site. The City working with the Burten, Bell, Carr Development Corporation received a grant from the National Football League to replace the natural turf a synthetic turf field.

II. PROGRAM

This RFP seeks to identify a design build team that will complete construction documents and construct a Synthetic Turf Field to conform to the dimensions of the current natural field and described in VII Field Plan.

This project will represent the City of Cleveland's first Synthetic Turf design/build project and as such will require that the applicant adhere to the guidelines of process, design and implementation as described in this document.

III. SCOPE OF WORK

It is the City's intent to hire a Design/Builder team to provide the full range of services to design and construct the Synthetic Turf Field including landscape architectural and engineering services required for the development of a construction document package for the project as well as the full and complete construction of the field.

It is the responsibility of the consultant to be fully acquainted with the existing conditions of the project site by conducting visual inspections before proposal submission. A report of geotechnical findings of the soil conditions of the existing field is included in this document.

Professional consulting services for the Project will include Stage 1, 2 and 3 project design (preliminary design, construction documents and cost estimates); construction administration and management and; field observation and inspection during construction

It is anticipated that the Project requirements will most likely include the involvement, in varying degrees, by surveying, civil engineering, and landscape architectural professionals.

The scope of services required for the completion are generally divided into three distinct stages of work which are Stage I – Preliminary Design; Stage II – Detailed Design; and Stage III – Construction Services. The following is a brief description of the intent of each respective stage of work:

A. DESIGN SCOPE SPECIFICATIONS

STAGE I – PRELIMINARY DESIGN

Not later than the date called for in the Design Schedule, Design/Builder shall prepare and submit to the Owner (Director of Public Works or his designee) a Preliminary Design for the Project.

Prior to the preparation of the Preliminary Design, the Design/Builder shall first consult in detail with the Owner (Director of Public Works and/or his designee) and carefully analyze any information furnished by the Owner concerning the specific requirements of the Project, including but not limited to, any design, construction, scheduling, budgetary or operational requirements, limitations and objectives, as well as the Design Scope Specifications. The Mayor’s Office of Capital Projects (“OCP”) in conjunction with the Division of Park Maintenance & Properties (PMP) will coordinate the entire project and will work closely with the consultant in all phases of the development process.

The City of Cleveland will make available to the consultant any existing conditions data, record drawings or related information it has for the project site. However, it shall be the responsibility of the consultant to obtain any additional property and topographic surveys necessary for the full and proper execution of this work. The cost for any property or topographic surveys shall be borne by the Design/Builder. See attached map for limits/boundaries of Project.

Based on its study and analysis, and no later than ten (10) days after the effective date of the Contract, Design/Builder shall prepare and submit to Owner a written report detailing Design/Builder’s understanding and analysis of the Project requirements and identifying any design, construction, scheduling, budgetary, operational, or other problems which may result from said requirements. The written report of Design/Builder shall also include proposed solutions, including design alternatives if appropriate, addressing each of the identified problems. Design/Builder shall review such report with Owner and shall implement such changes as Owner may require.

The Design/Build Team shall establish a baseline survey to which the project stationing and all geometrics will be referenced. The Design/Build Team shall locate critical elevations and establish a reference benchmark circuit for all construction. The Design/Build Team shall locate critical existing utilities and pertinent property corners from the baseline survey. The Design/Build Team shall perform all research and procure all information necessary to establish existing right-of-way, property, and

existing easement lines. Also, the Design/Build Team shall field locate and identify topographic details, provide services needed to fully describe and detail the design drawings, and perform spot survey checks to verify the accuracy of the topographic mapping. All elevations and horizontal coordinates are to be referenced to State Plane.

The Design/Build Team will be expected to locate existing utilities by obtaining drawings from utility companies, field verifying all information, and as much as possible, having utility locations out-marked by the utility companies.

The Design/Build Team shall utilize a geotechnical professional, as needed, either internally or through the services of a sub-consultant who specializes in geotechnical consulting to supplement and confirm preliminary geotechnical reports for all project sub surface information that the Design/Build Team has recommended needing such investigation. This geotechnical professional shall assist the Design/Build Team in determining the parameters of a soil boring program that is specific for each of the project areas, including prescribing the necessary tests, the number of soil borings to be taken, and evaluating the resulting data. A geotechnical baseline report is included as an attachment to this Request for Proposal. The geotechnical data report contains boring logs and laboratory analysis results. The geotechnical baseline report contains the evaluation of the subsurface materials discovered and the conditions, which the Design/Build Team can expect to encounter. The geotechnical baseline report shall serve as the baseline for differentiation between expected subsurface conditions and differing site conditions. In addition, the geotechnical baseline report shall supplement discussion of appropriate construction techniques and support requirements necessary to properly construct this project.

The Preliminary Design shall address all requirements of the Project and shall include, without limitation the following:

1. Preliminary drawings which illustrate each of the basic components of the Project including the size, scale, location, dimensions and character of the field and required appurtenances.
2. A written description of the materials and equipment to be incorporated into the Project and the location of same.
3. A detailed cost estimate to confirm the project budget.
4. Any other documents or things required to illustrate, describe or depict the Preliminary Design and the conformity of same with the requirements of the Design Scope Specification.

The Design/Build Team shall prepare legal descriptions, calculations and plats for all necessary permits and permanent and temporary easements, which will be needed during construction of the projects. Any major technical efforts in support of the acquisition or negotiation of permits and easements shall be documented by the Design/Build Team.

The Design/Build Team shall take the lead in obtaining and coordinating the information required by the various agencies and entities from which permits and/or approvals are needed for the project. The Design/Build Team shall also take the lead in applying for, negotiating, and acquiring the necessary permits and approvals.

Design/Builder shall review the Preliminary Design with the Director and shall incorporate any changes ordered by the Director in regard to the Preliminary Design or the requirements of the Project.

The consultant shall attend all project meetings with various City departments/divisions and/or public meetings as required and shall represent the Department in presenting design proposals to the Cleveland Design Review Committee, the City Planning Commission and any other State of Ohio or municipal agencies necessary to achieve final plan review and approval.

After all review and approval requirements of the Project have been met and incorporation of any changes ordered by the Director, the Director shall authorize Design/Builder in writing to commence preparing the Detailed Design, or such part thereof as directed by the Director.

STAGE II – DETAILED DESIGN

Not later than the date called for in the Design Schedule, after the Director has authorized Design/Builder to commence with the Detailed Design as provided in Stage I above, Design/Builder shall prepare and submit to the Director the complete Detailed Design.

The Detailed Design shall include all Design Documents which shall describe with specificity all elements, details, components materials, and other information necessary for the complete construction of the Project and the rendering of the Project fully operational for its intended purposes, including satisfaction of all testing, permitting, qualifications, certifications, validations and obtaining regulatory approvals by all applicable regulatory authorities required to render the Project and all its components operational and functionally usable for their intended purpose.

All drawings and contract documents, including schedule of items and detail specifications, are to be comprehensive and concise in nature and in accordance with all professional practice standards in order to completely and accurately describe the design intent and construction/installation methods of the entire project development.

The Owner shall review and approve, where appropriate, the Detailed Design documents, or any portion thereof.

STAGE III – CONSTRUCTION SERVICES

Design/Builder shall perform all Work necessary to construct the Project in accordance with this Contract, and to render the Project and all its components operational and functionally and legally usable for their intended purpose.

The term “Construction Work” shall mean whatever is done by or required of Design/Builder to perform and complete its duties relating to the construction of the Project under the Contract, including, without limitation, the following:

1. Construction of the whole and all parts of the Project in full and strict conformity with this Contract;
2. The procurement and furnishing of all necessary building permits and other permits required for the construction of the Project;
3. The furnishing of any required surety bonds and insurance as required by the Contract;
4. The provision and furnishing, and prompt payment therefor, of all labor, supervision, services, materials, supplies, equipment, tools, transportation, storage, and all other utilities and things required for the construction of the Project;
5. The creation and submission to Owner of detailed as-built drawings depicting all as-built construction upon completion of the construction;
6. The furnishing of all equipment and product warranties, manuals, test results and user guides required by the Contract or otherwise reasonably available to Design/Builder;
7. The furnishing of all other services and things required or reasonably inferable from the Contract Documents.

Field observation and inspection services during construction shall include a minimum of three or four site visitations per week during intense and/or critical construction activity periods, along with participation in weekly job meetings. The Design/Builder shall be responsible for providing written minutes of all meetings.

B. DESIGN SCHEDULE

Design/Builder shall submit within ten (10) calendar days after the award and/or execution of the Contract a Design Schedule for the performance of Design/Builder's design services and construction work which shall include allowance for reasonable time required for the review and/or approval of all authorities having jurisdiction over the Project.

However, the Department of Public Works has established a Preliminary Design Schedule in order to meet the desired completion and dedication dates for the proposed improvements which is as follows:

STAGE I – PRELIMINARY DESIGN (15 days)

Commencing on May 1, 2015 with completion no later than May 15, 2015.

STAGE II – DETAILED DESIGN (21 days)

Commencing on May 20, 2015 with completion no later than June 10, 2015.

STAGE III – CONSTRUCTION SERVICES (75 days)

Commencing on June 15, 2015 with completion no later than August 31, 2015.

IV. PROPOSAL SUBMISSION REQUIREMENTS

Each Design/Builder who wishes to be considered for selection to perform this scope of services shall submit to the Manager of Architecture and Site Development the following including a concise description as necessary:

- A. Complete the enclosed Consultant Selection Questionnaire.
- B. Organization:
Include a description of the Design/Builder including information regarding its primary business, its background and history, its organizational structure, QA/QC program, and the number of employees. This section should contain any additional information about the firm that the Design/Builder feels will assist the Director in better understanding the qualifications of the firm.
- C. Qualifications
Include a list of all key employees to be assigned or employed on the Project by the Design/Builder. The resume of each such person shall be attached to the RFP, (limit of 2 pages each). The RFP shall also identify the person who will be the primary day-to-day contact with Project Manager and any alternate personnel to be assigned to the engagement. The Project Manager requests that only resumes of key employees be included in the RFP and significant effort should focus on highlighting the key employees and their relevant qualifications and past experiences that will most likely be comparable to work as detailed in this RFP. Client references shall be included.
- D. Project Team
Include a list of all Project Team members including consultants, sub-consultants and subcontractors and their roles on the Project as assigned by the Design/Builder. The resume of each Project Team Member shall be attached to the RFP, (limit of 2 pages each). The RFP shall also identify the person from each Project Team member who will be the primary contact with the Project/Builder and any alternate personnel to be assigned to the engagement.
- E. Project Approach
Design/Builder shall include a description of its management approach and technical approach for the proposed scope of services.
- F. Abilities to perform scope of services
At a minimum, please demonstrate how your firm meets the following qualifications:
1. A minimum of three (3) years of experience in designing and constructing first-class Synthetic Turf Fields. Each project reference should include a short description of the scope of work, any capital improvements management experience including the timeframe required for completion, and any exceptional successes or challenges encountered during the duration of the project.
 2. Experience coordinating with and obtaining required advisory panel approvals, building and other regulatory permits from various City of Cleveland jurisdiction units.
 3. Demonstrated knowledge of sustainable and green design and construction practices including at least one LEED accredited professional on the Design/Builder.
- G. Capacity to Perform Work

Provide a description of the Design/Builder's capacity to perform work requested by Director by describing the Design/Builder's current workload and the availability of the staff to meet required schedules for Director. Please describe the methods utilized to track work progress, budgets, and deadlines. Please describe any support personnel or equipment the Design/Builder plans to use to assist in performing work as requested, on schedule, and within budget.

H. Licensures and Other Documentation

Design/Builder shall provide professional licenses held any and all members of the Project Team including design/engineering firms, certificates of current professional liability insurance and any associations of which they hold membership.

I. Special Accommodations

Design/Builder shall provide any other pertinent data, information and other extraordinary circumstances which will clearly demonstrate their unique ability to provide the required design and/or construction services in a manner not detailed previous within this RFP.

J. The consultant should submit a Standard Federal SF330 Form as a separate attachment to their proposal.

K. Compliance Affidavit

Enclosed you will find a *Non-Competitive Bid Contract Statement* for use with respect to contracts to be awarded in 2015. All consultants submitting proposals for contracts to be awarded on or after January 1, 2015 must submit a notarized 2015 affidavit. Please submit the original *Non-Competitive Bid Contract Statement*, in the separate sealed envelope that contains your fee proposal.

L. Complete the enclosed Mayor's Office of Equal Opportunity – Notice to Bidders – Schedules. Complete and sign each of the Schedules 1 through 4 as per the instructions. If a Schedule is not applicable, it must be marked N.A. and signed.

V. SELECTION CRITERIA

A. Quality of proposal and specific approach to this project;

B. Credentials of key personnel (particularly the project manager who will be the lead person on this project), and prior experience and demonstrated ability to perform the scope of work;

C. Economics: The cost for the design/build project;

D. Proposed schedule to complete the work and demonstrated ability to meet proposed schedules and budgets on past projects;

E. Compliance with the Cleveland Small Business ("CSB") Participation and Evaluation Credits.

In accordance with the City's goal of increasing the level of CSB participation in City contracts, the Design/Builder shall strive to meet the City's goal of **10%** CSB participation for Professional Services and **15%** CSB participation for the limited scope Public Improvements in the total contract amount (including subsidiary agreements). *See Exhibit B.*

1. CSB, MBE, or FBE Proposals for Personal ("Professional") Services Contracts

- a. Definitions. Unless defined in this paragraph or elsewhere in this solicitation of proposals, the following terms shall have the meaning(s) given them in the *Cleveland Area Business Code*, Chapter 187 of the Codified Ordinances of Cleveland, Ohio, 1976.
 - 1) "City of Cleveland Small Business" or "CCSB".
 - 2) "Cleveland Area Small Business" or "CSB".
 - 3) "*Cleveland Area Business Code*" or "*CAB Code*".
 - 4) "Female Business Enterprise" or "FBE".
 - 5) "Minority Business Enterprise" or "MBE".
 - 6) "Office of Equal Opportunity" or "OEO".
 - 7) "Proposal" means an offer to contract with the City in response to this solicitation of proposals (whether called a "Request for Proposals," "Request for Quotes," or otherwise) for a personal ("professional") services Contract.
 - 8) "Proposer" means a Person submitting a Proposal to the City.
 - 9) "Regional Cleveland Area Small Business" or "RCSB".

- b. Evaluation Credit. For the purpose of comparing competing Proposals only, the City's contracting department may apply an Evaluation Credit of five percent (5%) of the total points awarded for a Proposal received from a CSB, MBE, or FBE or from a CSB, MBE, or FBE joint venture. The contracting department shall apply evaluation credit according to the following criteria:
 - 1) Where the City has evidence demonstrating past or present discrimination as to participation of MBEs or FBEs in specific types and categories of contracts, a contracting department *may* apply evaluation credit to a Proposal when the Proposer is a type of MBE or FBE, and proposing to participate in a type and category of contract, for which discrimination has been demonstrated. If a contracting department applies evaluation credit to one or more proposals from a MBE or FBE for a contract, it may not apply evaluation credit to any proposal from a CSB under review for award of that contract.
 - 2) If the City has no discrimination evidence described in paragraph 1 above permitting it to apply evaluation credit, a contracting department *may* apply evaluation credit to the proposal of a CSB when the CSB has its principal office physically located within Cleveland's municipal boundaries (a "CCSB"). If it does, no other proposer shall receive such evaluation credit.
 - 3) If the City has no discrimination evidence described in paragraph 1 above permitting it to apply evaluation credit and no proposal from a CCSB, a contracting department may apply evaluation credit to the proposal of a CSB having its principal office physically located outside Cleveland's municipal boundaries but within Cuyahoga County's boundaries (a "RCSB").

- 4) The City may consider a proposer's location as a factor in selecting a proposal for contract award.
- c. Procedure. The contracting department may use the total points awarded for a proposal after applying evaluation credit to compare competing proposals to determine which to recommend for a contract award. The City may use the evaluation of a proposal determined after applying evaluation credit to approve that proposal for a contract award. The application of evaluation credits shall not alter the amount of a proposal submitted by a proposer or of the contract executed based on the proposal. The City will use only the actual proposal upon which the City and the proposer have agreed for approval and a contract award based on that proposal.

2. Proposer's Good-Faith Effort

Each proposer shall make and document its good-faith efforts to meet every CSB, MBE, and FBE goal that applies to the contract for which it is submitting a proposal. The City may consider a proposer's good-faith efforts to meet or exceed CSB, MBE, and/or FBE subcontractor participation goals set by the Director of the Office of Equal Opportunity for the contract in recommending and approving a proposal for contract award.

"Good-faith effort" as used in this solicitation and any resulting contract shall mean and include, without limitation, the proposer's:

- a. Active efforts to obtain participation in the contract from CSBs, MBEs, and/or FBEs equal to or exceeding the specific goal(s) set for the contract;
- b. Completion and submission in association with its proposal, as required, all reports, forms, and documents, including, but not limited to, employment reports, certified payrolls, and other information the Director of the OEO may need to ascertain and verify the specific practical steps the proposer has taken or is taking to meet or exceed the CSB, MBE, and FBE goal(s) for the contract, and the proposer's equal employment practices; and
- c. Attendance at and participation in all required pre-contract award meetings.

The Director of the OEO may determine a proposer's good-faith efforts regarding proposed CSB, MBE, and FBE participation in the contract and its employment practices, as provided under the *Cleveland Area Business Code*, from the proposer's documentation and actions, information obtained from other sources, and monitoring by the OEO, as applicable.

3. Incorporation of Cleveland Area Business Code; OEO Notice to Bidders & Schedules

The *Cleveland Area Business Code*, Chapter 187 of the Codified Ordinances Cleveland, Ohio, 1976, and the *OEO Notice to Bidders & Schedules* are incorporated in and made part of this solicitation and any resulting contract, by this reference, as fully as if attached. *See Exhibit B.*

VI. OTHER INFORMATION

A. Proposal Deadline:

1. Four (4) copies of the proposal must be received no later than 12:00 noon on Tuesday, April 14, 2015 by Christopher Deihl, AIA, LEED GA, Manager, Division of Architecture and Site Development – Mayor’s Office of Capital Projects. PROPOSALS OR UNSOLICITED AMENDMENTS TO PROPOSALS ARRIVING AFTER THE CLOSING WILL NOT BE ACCEPTED.

2. Proposals should be directed to:

Christopher Deihl, AIA, LEED GA
Manager, Division of Architecture and Site Development
Mayor’s Office of Capital Projects
601 Lakeside Avenue, Room 517A
Cleveland OH 44114

B. Proposal Acceptance

1. The City reserves the right to accept proposals, in whole or in part, to reject all proposals, and to negotiate separately, as necessary, to serve the best interests of the City of Cleveland. Firms whose proposals are not accepted will be notified in writing. Manager, C. Deihl or his designee will make notification of the award. For this Request for Proposal, the proposal must remain valid for at least 60 days after submission.

C. Costs Incurred

1. The City is not liable for any costs incurred by any responding firm before execution of a contract.

D. Economy of Preparation

1. Proposals should be prepared simply and economically in 8-1/2" × 11" format, providing straightforward, concise descriptions and information. Company brochures should be a separate attachment to the bound proposal.

E. Agreement

1. The successful Design/Builder shall be required to execute an agreement substantially in the form of the Attached Exhibit K. *SEE EXHIBIT K.*

F. Questions during the preparation of the proposal should be directed to:

James McKnight, Senior Landscape Architect
Mayor’s Office of Capital Projects
Division of Architecture and Site Development
601 Lakeside Avenue, Room 517A
Cleveland OH 44114
(216) 664-3656

Deadline for questions is **April 9, 2015 at 4:00 PM**

NOTE: THIS BID MUST BE SIGNED IN THE SPACE INDICATED. ERASURES MAY INVALIDATE THIS BID.

CITY OF CLEVELAND

BID - GROSS PRICE

To:

The Commissioner of Purchases and Supplies

BID FOR **DWAYNE BROWDER SYNTHETIC TURF FIELD**
 @ LONNIE BURTEN RECREATION CENTER

for the Department of PUBLIC WORKS and the MAYOR'S OFFICE OF CAPITAL PROJECTS

The Undersigned certifies that he has carefully examined the Contract Documents, as defined in the General Conditions of the Invitation to Bid, and has inspected the site of the projected work.

The Undersigned declares that the amount and nature of the work to be done is understood, and that at no time will misunderstanding of the Contract Documents be pleaded.

On the basis of the Contract Documents, the Undersigned proposes to furnish all necessary apparatus, machinery, tools and other means of construction to do all the work and furnish all the materials in the manner specified, to finish the entire project within the time hereinafter proposed, and to accept as full compensation therefor the sum or sums set forth on the next succeeding page or pages.

The Undersigned understands that the prices above set forth cover the cost of all material to be furnished and work to be performed in the construction and installation of the various items of the public improvement bid. Upon, complete and ready for service, and includes the cost of bonds, insurance, sales tax, and every other item of expense incident to the contract.

The Undersigned further proposes to execute the Contract Agreement and to furnish satisfactory bond within five (5) days, excluding Saturdays, Sundays and holidays, after notice of award of contract has been received.

The Undersigned further proposes to begin work as specified in the General Conditions set forth in the Invitation to Bid, and to complete the work at the time fixed by the Director, which is

APRIL 14, 2015

C OF C 84-50-M
(TIME OF COMPLETION FIXED BY THE DIRECTOR)

The Undersigned deposits with this Bid a Bid Bond to the City of Cleveland signed by a surety company authorized to do business in Ohio, in the sum of \$ _____, or a cashier's check or certified check on a solvent bank in the sum of \$ _____,

payable to the City of Cleveland, as security that if he be awarded the contract, he will enter into a written contract and secure the performance of the same by a bond of an approved surety company authorized to do business in Ohio and satisfactory to the Director of Law, in the sum equal to the total price bid and in conformity with the provisions of The Codified Ordinances of the City of Cleveland.

The Undersigned further agrees that if the Bid is accepted and contract awarded and he shall fail to execute said contract and furnish the satisfactory bond, as required, within the time above specified, then the City may, at its option, declare the contract abandoned and this Bid null and void. Thereupon the penal sum of the Bid Bond shall become due to the City, or the certified or cashier's check shall be forfeited to and become the property of the City, as liquidated damages. Otherwise, the Bid Bond or the certified or cashier's check, or the amount of such check shall be returned to the Undersigned.

The Undersigned further certifies that he (as an individual, firm or corporation making this Bid) is not in arrears or default to the City of Cleveland upon any debt or contract, nor is a defaulter as surety or otherwise upon any obligation to said City, nor has failed to perform faithfully any previous contract with said City and that there is no suit or claim pending as to any such arrears or default.

The Undersigned represents that he (if an individual) and all of the partners in the partnership (if a partnership), are citizens of the United States of America.

The Undersigned agrees to be bound by this Bid until _____.
(insert date)

THE UNDERSIGNED UNDERSTANDS THAT THE CITY RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.

SIGN HERE

✕ _____

Title of Officer

The firm, corporation, or individual name MUST BE SIGNED IN SPACE INDICATED.

Business Address of Bidder

If the Bidder is a firm, or corporation the title of the officer signing and the State in which incorporated must be indicated.

State where incorporated

NOTE: Bidder must fill in all blank spaces on this page with required information and signatures; and must insert the price of each and every item of the work in the spaces provided in the next succeeding bid sheets and sign and insert date in the indicated spaces thereon.

CITY OF CLEVELAND

DEPARTMENT OF PUBLIC WORKS – MAYOR’S OFFICE OF CAPITAL PROJECTS

SCHEDULE OF PRICES

BASE BID:

For furnishing all labor, materials, tools, and equipment required to complete the work as called for in the Request for Proposal required to complete the Project:

DESIGN/BUILD OF THE DWAYNE BROWDER FIELD
AT LONNIE BURTEN RECREATION CENTER

1. Design and Engineering / Approvals	\$	_____
3. Excavation / Disposal of Existing Soil and Grass	\$	_____
5. Installation of Aggregate Base Materials / Geo-textile Fabric	\$	_____
7. Installation of Drainage system	\$	_____
9. Installation of Synthetic Turf, Pad and Markings	\$	_____
11. Goal Posts (2)	\$	_____

CONSTRUCTION SIGN ALLOWANCE + \$ 1,500.00 _____

GENERAL CONTINGENCY ALLOWANCE + \$ _____
GENERAL CONTINGENCY ALLOWANCE EQUALS VALUE OF
(LABOR + MATERIALS + CONSTRUCTION SIGN ALLOWANCE) x 5%

TOTAL GROSS PRICE = \$ _____
(TOTAL OF ABOVE ITEMS: LABOR + MATERIALS + CONSTRUCTION
SIGN ALLOWANCE + GENERAL CONTINGENCY ALLOWANCE =
TOTAL GROSS PRICE)

FIRM

ADDRESS

TELEPHONE NUMBER

SIGNATURE OF BIDDER

DATE

**Dwayne Browder Synthetic Turf Field
 at Lonnie Burten Recreation Center
 Request for Proposal for Design-Build Services
 Mailing List**

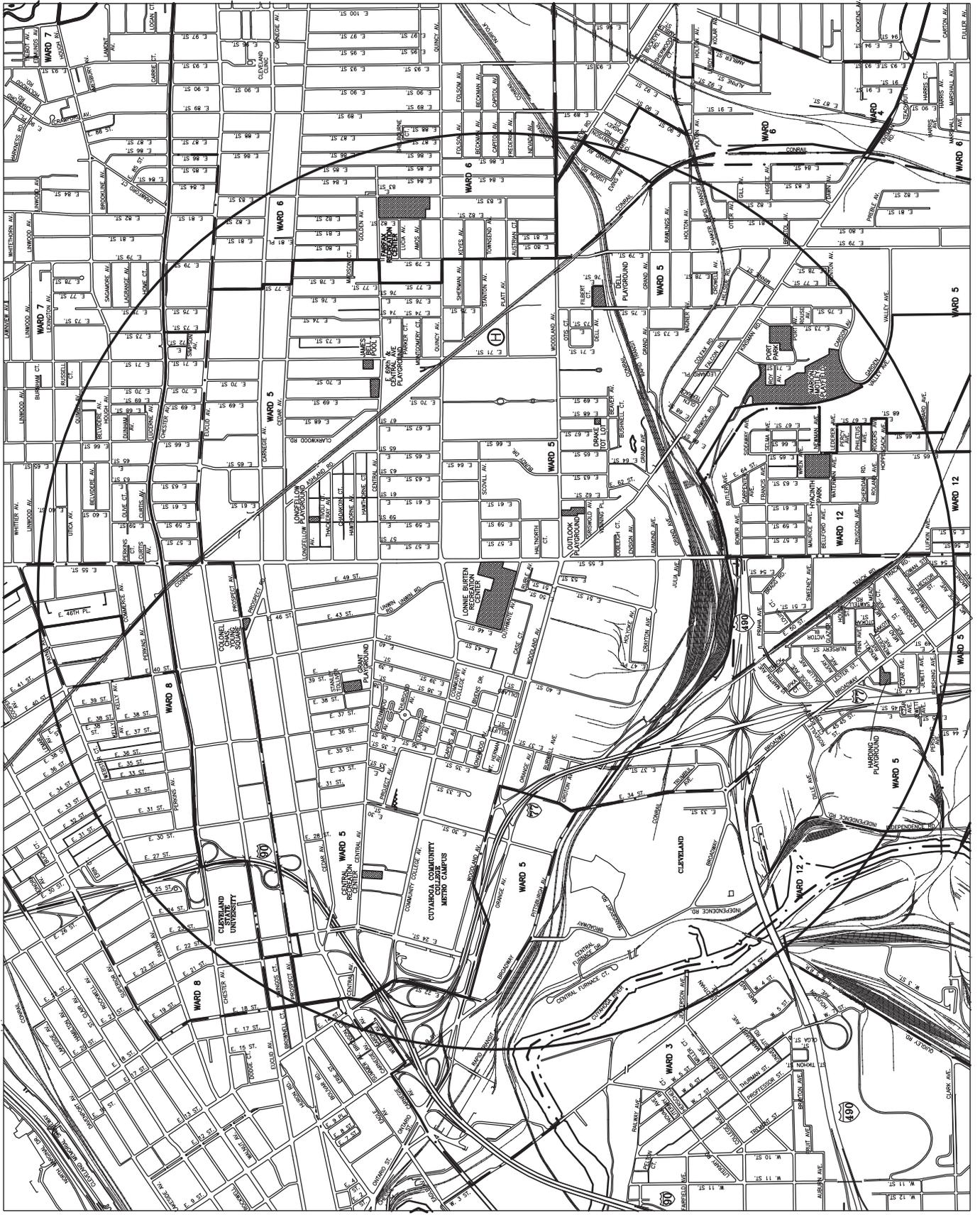
<p>ProGrass, LLC 960 Penn Avenue, 8th Floor Pittsburgh, PA 15222 Phone: 866-270-6003 Fax: 412-391-2770 Cell: 412-600-6633 E-mail: cschneider@prograssturf.com</p>	<p>FieldTurf c/o Bob McKeiver 5886 Edgehill Drive Parma Heights, OH 44130 Phone: (440) 668-6092 Fax: none listed E-mail: bmckeiver@fieldturf.com</p>
<p>The Motz Group 3607 Church Street, Suite 300 Cincinnati, OH 45244 Phone: (513) 533 6452 Fax: (513) 871 5889 E-mail: info@themotzgroup.com</p>	<p>Shaw Sports Turf 185 South Industrial Boulevard Calhoun, GA 30701 Phone: (866) 703 4004 Fax: (706) 625 7964 Email: info@shawsportsturf.com</p>
<p>Astroturf 2680 Abutment Road Dalton, GA 30721 Phone: (412) 335 0403 Fax: none listed E-mail: spetrucelli@astroturf.com</p>	<p>SCG – Sports Contracting Group 10303 Brecksville Road Brecksville, OH 44141 Phone: (440) 546 1200 Fax: (440) 546 0400 Email: info@scgfield.com</p>
	<p>R.J. Preist Associates, Inc. Contact: Ray Preist 14837 Detroit Avenue Suite 308 Lakewood, OH 44107 Phone: (440) 668-6229 Fax: none listed E-mail: RJPreistAssociates@gmail.com LANDSCAPE ARCHITECT SPECIALIZING IN SPORTSFIELD DESIGN</p>

Local Engineering and Construction Companies registered with the City of Cleveland's Office of Equal Opportunity as noted on February 3, 2015	
<p>Behnke Landscape Architecture Contact: Marie Dowling 1215-B West 10th Street Cleveland, OH 44113 Phone: (216) 589-9100 Fax: (216) 589-8560 Type: CSB/LPE Expiration: Aug 4, 2015 LANDSCAPE ARCHITECTURAL FIRM SPECIALIZING IN SITE & PLANTING DESIGN, SITE MASTER PLANNING, CONSTRUCTION DRAWINGS AND SPECIFICATIONS.</p>	<p>R.J. Platten Contracting, Inc. Contact: Joseph Platten 14490 York Road North Royalton, OH 44133 Phone: (440) 238-8070 Fax: (440) 238-1887 Type: CSB/LPE GENERAL CONTRACTOR SPECIALIZING IN: CONCRETE, SEWER WORK AND EARTHWORK.</p>
<p>F. Buddie Contracting Ltd. Contact: Michael Buddie 12120 Sobieski Avenue Cleveland, OH 44135 Phone: (216) 671-3770 Fax: (216) 671-9524 Type: CSB/LPE GENERAL CONTRACTOR SPECIALIZING IN: CONCRETE, SEWER WORK, EARTHWORK AND CARPENTRY.</p>	<p>Nerone Construction, Inc. Contact: Tom Nerone 19501 South Miles Road #1 Cleveland, OH 44128 Phone: (216) 662-2235 Type: CSB/LPE GENERAL CONTRACTOR SPECIALIZING IN: SEWER WORK AND EXCAVATION.</p>
<p>Zscape Horticulture LLC Contact Julie Zaremba 14900 York Road North Royalton, OH 44133 Phone: (440) 343 3180 Fax: (440) 838-8663 Type: CSB/FBE/MBE/LPE Expiration: Oct 30, 2015 LANDSCAPE CONSTRUCTION, LANDSCAPE MAINTENANCE, BRICK PAVERS, STONE WALLS, IRRIGATION, CONCRETE</p>	<p>Euthentics, Inc. dba NorthShore Engineering Contact: Ronald Bender 8235 Mohawk Drive Strongsville, OH 44136 Phone: (440) 260 1555 Type: CSB/LPE Expiration Date: May 19, 2015 CIVIL ENGINEERING AND SURVEYING CONSULTING FIRM PROVIDING SERVICES IN THE AREAS OF HIGHWAY AND BRIDGE DESIGN, TRAFFIC ENGINEERING, BRIDGE INSPECTION, STORM WATER MANAGEMENT AND WATER LINES.</p>
<p>Consulting Engineers, Inc. Contact: Ray Chan 13477 Prospect Road, suite 101B Strongsville, OH 44149 Phone: (440) 238-9699 Fax: (440) 238-4266 Type: CSB/MBE/LPE Expiration: Oct 23, 2015 CIVIL ENGINEER: HIGHWAY & BRIDGE DESIGN; UTILITY DESIGN INCLUDING WATER SEWER, DRAINAGE, STRUCTURES, BRIDGE & CONSTRUCTION INSPECTION & SURVEYING.</p>	<p>Michael Benza & Associates, Inc. Contact: Steven R. Benza 6860 West Snowville Road, Suite 100 Brecksville, OH 44141 Phone: (440)526 4206 Fax: (440) 546-2691 Type: CSB/LPE Expiration Date: Sept. 10, 2015 ENGINEERING AND SURVEYING CONSULTING SERVICES.</p>

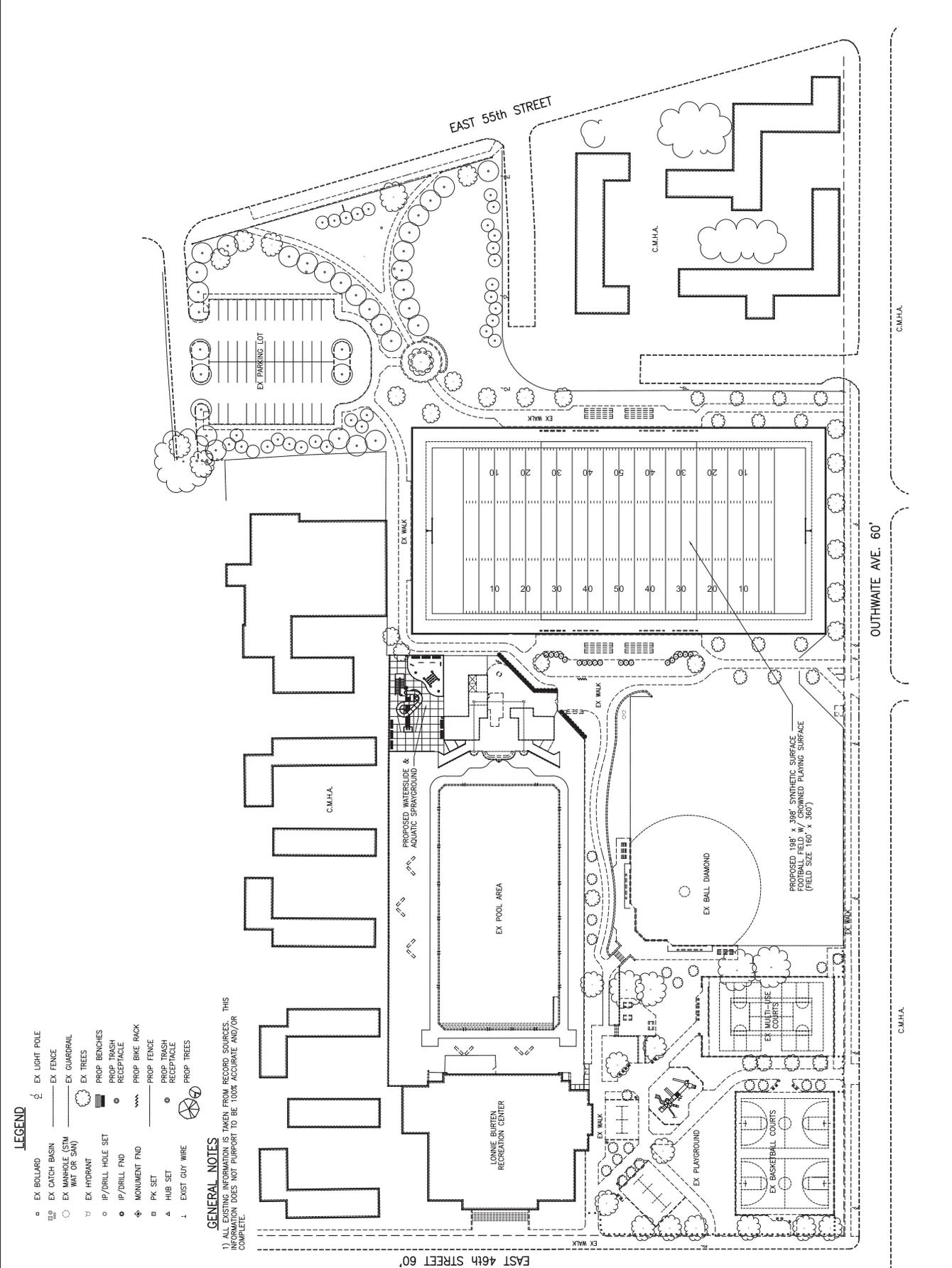
<p>G&T Associates, Inc. Contact: Chandu Patel 11925 Pearl Road Suite 401 Cleveland, OH 44136 Phone: (440) 572-0555 Fax: (440) 572 0320 Type: CSB/MBE/LPE Expiration: Oct 30, 2015 CIVIL AND STRUCTURAL ENGINEERING, SURVEYING, CONSTRUCTION, CONSTRUCTION MANAGEMENT, AND ENVIRONMENTAL ENGINEERING SERVICES.</p>	<p>Dig Consulting, LLC Contact: Juan Granja 323 Ruth Street Bay Village, OH 44140 Phone: (614) 565-9744 Fax: None Listed Type: CSB/MBE/LPE Expiration: Jan 22, 2016 CIVIL ENGINEERING DESIGN INCLUDING STORM SEWER, SANITARY SEWER, SITE CIVIL, UTILITY, SWPP, CONTRACT DOCUMENTS, GRAPHIC DESIGN & CONSTRUCTION PHOTOGRAPHY.</p>
<p>Stephen Hovancsek & Associates Contact: Andrew Blackley Two Merit Drive Richmond Heights, OH 44143 Phone: (216) 731 6255 Fax: (216) 731-4483 Type: CSB/LPE Expiration: July 1, 2015 CIVIL ENGINEERING, SURVEYING AND CONSTRUCTION INSPECTION.</p>	<p>Somat Engineering of Ohio, Inc. Contact: Gnanadesikan Ramanujam 1100 superior Avenue, Suite 2020 Cleveland, OH 44114 Phone: (216) 479-0300 Fax: (216) 479-0301 Type: CSB/LPE Expiration: May, 14, 2015 CIVIL ENGINEERING CONSULTING FIRM SPECIALIZING IN GEOTECHNICAL & CONSTRUCTION ENGINEERING INCLUDING MATERIALS & QUALITY CONTROL TESTING.</p>
<p>Amigos Construction Corp. dba Cemac Construction Corp. Contact: Cesar Guzman 12213 Brighton Avenue Cleveland, OH 44111 Phone: (216) 965-4824 Fax: (216) 688-1199 Type: CSB/MBE/LPE Expiration: May 15, 2015 CONSTRUCTION CONTRACTOR SPECIALIZING IN CONCRETE WORK, EXCAVATING, SEWER, PLAYGROUND AND SAFETY SURFACE INSTALLATION AND CONTRACTORS.</p>	<p>EnviroCom Construction Inc. Contact: John Giles 23632 Mercantile Road Beachwood, OH 44122 Phone: (216) 464 7233 Fax: (216) 464-7642 Type: CSB/LPE Expiration: Mar 13, 2015 GENERAL CONTRACTOR SPECIALIZING IN CARPENTRY, EXCAVATION, HEAVY & CIVIL ENGINEERING, AND CONCRETE FOUNDATIONS & STRUCTURAL CONTRACTOR.</p>
<p>Broadway Excavating Contact : Terry Fialla 27111 Wolf Road Bay village, OH 44140 Phone: (440) 808-0953 Fax: (440) 808 0953 Type: CSB/LPE Expiration: June 24, 2015 CONTRACTOR SPECIALIZING IN DEMOLITION, EXCAVATION, WATER AND SEWER LINE CONSTRUCTION.</p>	<p>Cook Paving and Construction Co., Inc. Contact: Linda A. Fletcher 11360 Brookpark Rd #212 Brooklyn, OH 44130 Phone: 216-267-7705 Type: CSB/MBE/LPE Expiration Date: Mar 01, 2013 GENERAL CONTRACTOR: SITE DEVELOPMENT, UNDERGROUND UTILITIES, AND ASPHALT PAVING.</p>

<p>Cuyahoga Fence, LLC Contact: Rita Samorezov 3100 East 45th Street Suite 516 Cleveland, OH 44115 Phone: (216) 830-2200 Fax(216) 830-2255 Type: CSB/FBE/LPE Expiration: Jan 13, 2016 FENCE CONSTRUCTION CONTRACTORS SPECIALIZING IN INSTALLATION, REPAIR, AND SERVICE OF FENCES AND GUARDRAILS.</p>	<p>Crooked River Materials, LLC Contact: Caroline Franklyn 3100 East 45th street Cleveland, OH 44127 Phone: (216) 641-4700 Fax: (216) 641-5070 Type: CSB/ FBE/ LPE Expiration: May 5, 2015 SUPPLIER OF READY MIX CONCRETE AND VARIOUS BULK AGGREGATE AND CONSTRUCTION MATERIALS.</p>
<p>Fabrizi Recycling, Inc. Contact: Maria Fearer 6751 Eastland Road Middleburg Hts. OH 44130 Phone: (216) 299-7933 Fax: (330) 483-4252 Type: CSB/FBE/LPE Expiration: Apr 11, 2015 TRUCKING & SUPPLY OF ALL CONSTRUCTION MATERIALS. INSTALL SEWER, WATERLINES, BRIDGE, STREET & SIDEWALK CONSTRUCTION. RECYCLED STONE MANUFACTURER.</p>	<p>Down-to-Earth Landscaping Contact: Maureen Ressler 12750 Broadway Avenue Garfield Heights, OH 44125 Phone: (216) 518-1804 Fax: (216) 518-1806 Type: CSB/FBE/ LPE Expiration: Sept 17, 2015 LANDSCAPING AND HARDSCAPE CONSTRUCTION.</p>
<p>Ning Enterprises, LLC Contact: Jeff Ning 793 Tollis Parkway Broadview Heights, OH 44147 Phone: (216) 262-8501 Fax: (216) 262-8501 Type: CSB/MBE/LPE Expiration: July 16, 2015 TRUCKING, HAULING AND INTRASTATE TRANSPORTATION; SUPPLIER OF CONSTRUCTION AGGREGATES.</p>	<p>MUI Construction, LLC Contact: Laura Friscone 12351 Prospect Road Strongsville, OH 44149 Phone: (440) 238-1162 Fax: (440) 238-7975 Type: CSB/FBE/LPE Expiration: Aug 4, 2015 GENERAL CONTRACTOR SPECIALIZING IN EXCAVATING, AND UNDERGROUND UTILITIES CONSTRUCTION (GAS, WATER, & SEWER).</p>
<p>Petty Group, LLC Contact: Nickolas Petty 550 Harvard Avenue Rear Cuyahoga Heights, OH 44105 Phone: (216) 206 2600 Type: CSB/MBE/LPE Expiration Date: July, 14, 2015 GENERAL CONTRACTOR SPECIALIZING IN EARTHWORK, LANDSCAPING, TRUCKING, CONCRETE, FENCING AND SAW CUTTING, SUPPLIER OF AGGREGATES AND CONSTRUCTION MATERIALS.</p>	<p>PGT Construction, LLC Contact: Julie Cunningham 9900 York Theta Drive, Suite B North Royalton, OH 44133 Phone: (440) 237-1155 Fax: (440) 877-9312 Type: CSB/FBE/LPE Expiration: Dec 16, 2015 TRUCKING AND HAULING OF SAND, STONE, DIRT, CONSTRUCTION DEBRIS, ASPHALT, CONCRETE, ETC.</p>

<p>Precision Engineering, Inc. Contact: Chandrasekhar Narendrula 31340 Solon road, Suites 25&26 Solon, OH 44139 Phone: (440) 349-1204 Fax: (440) 349-1205 Type: CSB/MBE/LPE Expiration: Mar 6, 2015 GENERAL CONTRACTOR SPECIALIZING IN SITE WORK INCLUDING DEMOLITION; UNDERGROUND UTILITY WORK; CONSTRUCTION MANAGEMENT & ENGINEERING SERVICES.</p>	<p>Midland Concrete and Sand Transportation, Inc. Contact: Donald Bergen 2890 West Third Street Cleveland, OH 44113 Phone: (216) 781-6933 Type: CSB/LPE Expiration Date: Oct 2, 2015 GENERAL CONTRACTOR SPECIALIZING IN TRUCKING SERVICES: BULK AGGREGATES, SALT, AND HIGHWAY CONSTRUCTION.</p>
<p>Ramos Trucking Corp. Contact: Jose Ramos 3841 West 132nd Street Cleveland, OH 44111 Phone: (216) 337 0859 Type: CSB/MBE/LPE Expiration Date: Sept. 16, 2015 TRUCKING SPECIALIZING IN HAULING OF AGGREGATES: SAND, GRAVEL, GARBAGE AND REFUSE.</p>	<p>Sydney Enterprises, LLC Contact: Sherry Buckner-Sallee 12525 Churchill Way Strongsville, OH 44149 Phone: (440) 238-8495 Fax: (440) 238-6943 Type: CSB/FBE/MBE/LPE Expiration Feb 6, 2015 COMPANY SPECIALIZING IN THE TRUCKING AND HAULING OF CONSTRUCTION AND CONSTRUCTION RELATED MATERIALS.</p>



Lonnie Burten Location Map
 1 MILE SERVICE RADIUS



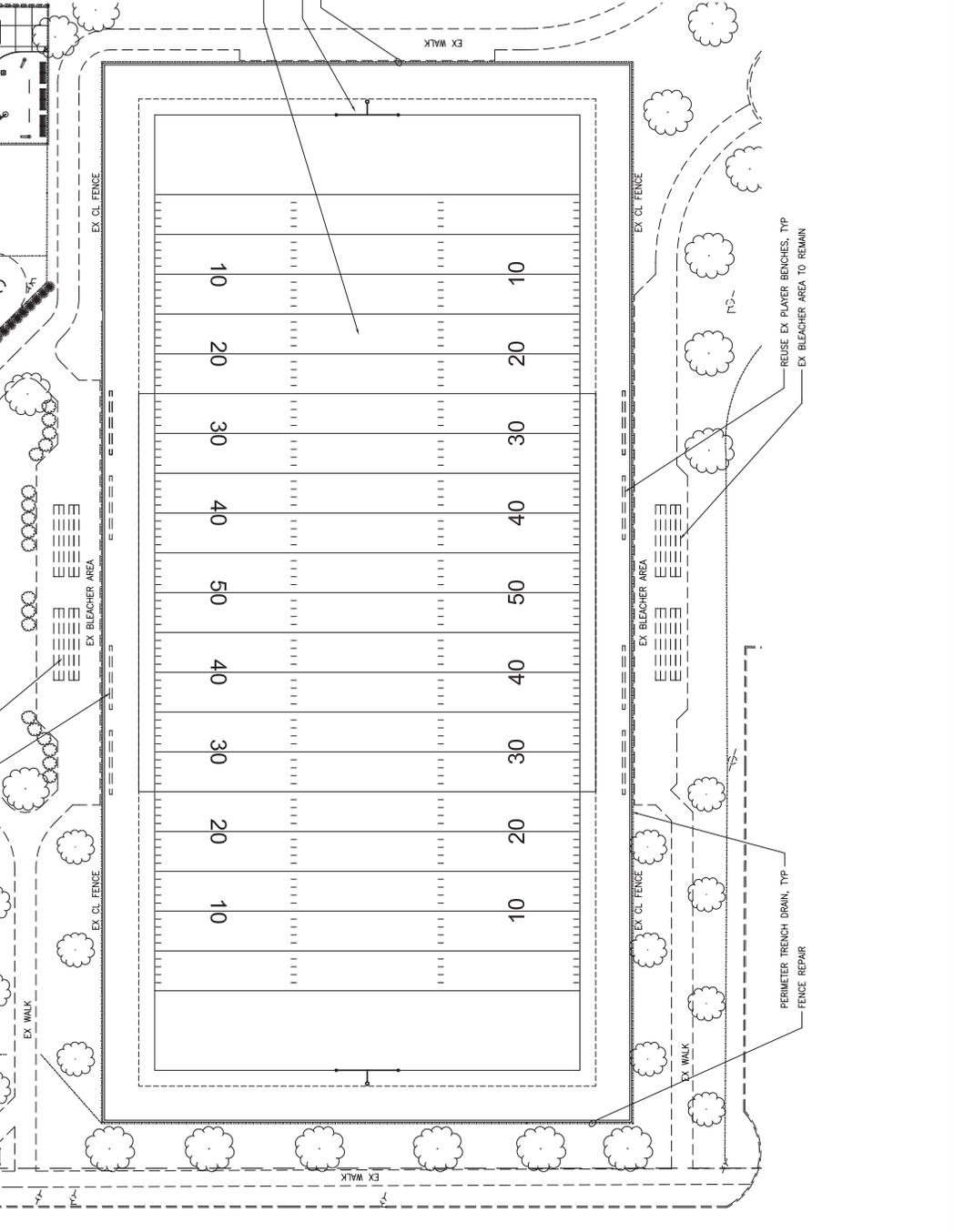
- LEGEND**
- EX BOLLARD
 - EX CATCH BASIN
 - EX MANHOLE (STM W/ OR SAN)
 - EX HYDRANT
 - IP/DRILL HOLE SET
 - IP/DRILL FND
 - ⊕ MONUMENT FND
 - ⊕ PK SET
 - ⊕ HUB SET
 - 1. EXIST GUY WIRE
 - ⊔ EX LIGHT POLE
 - EX FENCE
 - EX GUARDRAIL
 - EX TREES
 - ▭ PROP BENCHES
 - ▭ PROP TRASH RECEPTACLE
 - ▭ PROP BIKE RACK
 - ▭ PROP FENCE
 - ▭ PROP TRASH RECEPTACLE
 - ▭ HUB SET
 - ▭ PROP TREES

GENERAL NOTES

- ALL INFORMATION IS TAKEN FROM RECORD SOURCES. THIS INFORMATION DOES NOT PURPORT TO BE 100% ACCURATE AND/OR COMPLETE.

- LEGEND**
- EX BOLLARD
 - EX CATCH BASIN
 - EX MANHOLE (STM WAY OR SAN)
 - EX HYDRANT
 - IP/DRILL HOLE SET
 - IP/DRILL PND
 - ⊕ MONUMENT PND
 - ⊕ PK SET
 - ⊕ HUB SET
 - ⊕ EXIST GUY WIRE
 - ⊕ EX LIGHT POLE
 - ⊕ EX FENCE
 - ⊕ EX GUARDRAIL
 - ⊕ EX TREES
 - ⊕ PROP BENCHES
 - ⊕ PROP TRASH RECEPTACLE
 - ⊕ PROP BIKE RACK
 - ⊕ PROP TRASH RECEPTACLE
 - ⊕ PROP FENCE
 - ⊕ HUB SET
 - ⊕ EXIST GUY WIRE

GENERAL NOTES
 1) ALL EXISTING INFORMATION IS TAKEN FROM RECORD SOURCES. THIS INFORMATION DOES NOT PURPORT TO BE 100% ACCURATE AND/OR COMPLETE.



OUTWAITE AVE. 60'

EXHIBITS

EXHIBIT A

**NON-COMPETITIVE BID CONTRACT STATEMENT
2015 VERSION**



**NON-COMPETITIVE BID CONTRACT
STATEMENT FOR CALENDAR YEAR 2015
(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):

- | | |
|--|--|
| <input type="checkbox"/> SOLE PROPRIETORSHIP | <input type="checkbox"/> TRUST |
| <input type="checkbox"/> INCORPORATED PROFESSIONAL ASSOCIATION | <input type="checkbox"/> ESTATE |
| <input type="checkbox"/> UNINCORPORATED ASSOCIATION | <input type="checkbox"/> PARTNERSHIP |
| <input type="checkbox"/> LIMITED LIABILITY COMPANY | <input type="checkbox"/> 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 2015 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, 2013 and December 31, 2014 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, 2013 and December 31, 2014 that totaled in excess of \$1,000.00.

EXHIBIT B

NORTHERN IRELAND FAIR EMPLOYMENT PRACTICES DISCLOSURE

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 (2) 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 PRINCIPLES 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 of 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.

EXHIBIT C

**W-9 REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND
CERTIFICATION**

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 28% of such payments (after December 31, 2002). This is called "backup withholding." Payments that may be subject to backup withholding include 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, or
2. You do not certify your TIN when required (see the Part II instructions on page 4 for details), or
3. The IRS tells the requester that you furnished an incorrect TIN, or
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.

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 social security card. 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 social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line. Check the appropriate box for your filing status (sole proprietor, corporation, etc.), then check the box for "Other" and enter "LLC" in the space provided.

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" line.

Note. You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business 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.

Exempt payees. Backup withholding is not required on any payments made to the following payees:

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

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for 9
Broker transactions	Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt recipients 1 through 7 ²

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

² However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees; 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-owner LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., 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 on-line at www.socialsecurity.gov/online/ss-5.pdf. 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 ID Numbers under Related Topics. You can get Forms W-7 and SS-4 from the IRS by visiting www.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. Writing "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 items 1, 4, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see *Exempt From Backup Withholding* on page 2.

Signature requirements. Complete the certification as indicated in 1 through 5 below.

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 requester'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.

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 ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
5. Sole proprietorship or single-owner LLC	The owner ³
For this type of account:	Give name and EIN of:
6. Sole proprietorship or single-owner LLC	The owner ³
7. A valid trust, estate, or pension trust	Legal entity ⁴
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. 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

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 second name line. You may use either your SSN or EIN (if you have one). If you are a sole proprietor, IRS encourages you to use your SSN.

⁴ List first and circle the name of the legal 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.)

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.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA, or Archer MSA or HSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, or to Federal and state agencies to enforce Federal nontax criminal laws and to combat terrorism. The authority to disclose information to combat terrorism expired on December 31, 2003. Legislation is pending that would reinstate this authority.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 28% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.

EXHIBIT D

**CLEVELAND AREA BUSINESS CODE
NOTICE TO BIDDERS & SCHEDULES**



MAYOR'S OFFICE OF EQUAL OPPORTUNITY

CLEVELAND AREA BUSINESS CODE

NOTICE TO BIDDERS
&
OEO SCHEDULES

City of Cleveland
Frank G. Jackson, Mayor

Natoya J. Walker Minor, Director
Office of Equal Opportunity

EQUAL OPPORTUNITY CLAUSE
(Section 187.22(b) C.O.)

Each Contract also shall contain the following equal opportunity clause:

“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, 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.”

**City of Cleveland
Mayor's Office of Equal Opportunity**

Cleveland Area Business Code

NOTICE TO BIDDERS

1. Introduction:

The Cleveland Area Business Code contained in Chapter 187 of the Codified Ordinances of Cleveland, Ohio 1976 was enacted to increase the participation of minority-owned business enterprises, female-owned business enterprises, and local small business enterprises in City of Cleveland contracting. The Code also works to ensure that Contractors doing business with the City do not use discriminatory employment practices. Failure to comply with the Cleveland Area Business Code or with representations made on the attached Schedules may result in rejection of part or all of the bid, and/or cancellation of the contract.

2. Definitions:

As used in this Notice to Bidders and the attached OEO Schedules, the following words, phrases, and terms shall be defined as set forth below:

- (a) "Bidder" means a Person offering to contract with the City in response to an invitation to bid.
- (b) "Bid Discount" means the application of a percentage discount to the total amount of a bid submitted by a Bidder for a Contract solely for the purpose of bid comparisons when evaluating the lowest and best bid, or lowest responsible bid. The use of a Bid Discount for bid comparison does not alter the total amount of the bid submitted by a Bidder or the Contract executed based on a bid.
- (c) "Business Enterprise" means a firm, sole proprietorship, partnership, association, corporation, company, or other business entity of any kind including, but not limited to, a limited liability corporation, incorporated professional association, joint venture, estate, or trust.
- (d) "City" means the City of Cleveland, Ohio.
- (e) "City of Cleveland Small Business" or "CCSB" means a CSB that has its principal office located physically within the municipal boundaries of the City.
- (f) "Cleveland Area Small Business" or "CSB" means a Business Enterprise certified under division (a) of Section 187.03.
- (g) "Cleveland Contracting Market" or "Contracting Market" means the geographic market area consisting of Cuyahoga County, Geauga County, Lake County, Lorain County, Medina County, Portage County, and Summit County, Ohio, or the geographic market area identified in a disparity study or otherwise as provided in Section 187.28.
- (h) "Contract" means a binding agreement executed on or after the effective date of this Cleveland Area Business Code by which the City either grants a privilege or is committed to expend or does expend its funds or other resources, or confers a benefit having monetary value including, but not limited to, a grant, loan, interest in real or personal property, or tax incentive in any form for or in connection with any work, project, or public purpose.
- (i) "Contracting Department" includes any administrative department under charge of the Mayor or any office, board, or commission treated or construed as a department of City government for any purpose under the Charter or ordinances of the City for the benefit or program of which the City

enters into a particular Contract.

- (j) "Contractor" means a separate or distinguishable Business Enterprise employing one or more persons and participating in the performance of a Contract, including but not limited to CSBs, MBEs and FBEs where applicable, and shall include a party in privity with a Contractor for implementation of a Contract.
- (k) "Director" means the Director of the Office of Equal Opportunity.
- (l) "Evaluation Credit" means a predetermined number of points in the evaluation of proposals submitted by a Bidder for a Contract to be added solely for the purpose of proposal comparison when evaluating competing proposals. The use of Evaluation Credits does not alter the amount of the proposal submitted by a Bidder or the Contract executed based on the proposal.
- (m) "Female" includes only a United States citizen or lawful, permanent resident who is a member of the female gender.
- (n) "Female Business Enterprise" or "FBE" means a Business Enterprise owned, operated, and controlled by one or more Females who have 51% ownership. The one or more Females must have operational and managerial Control, interest in capital, and earnings commensurate with the percentage of Female ownership. To qualify as a Female Business Enterprise, the Business Enterprise shall be located and doing business in the Cleveland Contracting Market.
- (o) "Local Contracting Market" or "Contracting Market" means the geographic market area consisting of Cuyahoga County, Geauga County, Lake County, Lorain County, and Medina County, Ohio; provided, however, that with respect to growers or producers of food only, the geographic market area also shall include: Erie County, Huron County, Richland County, Ashland County, Wayne County, Holmes County, Stark County, Summit County, Portage County, and Tuscarawas County.
- (p) "Local Producer" means a Person that:
 - (1) has its principal office (headquarters) located physically in the Local Contracting Market and whose highest executive officers and highest level managers maintain their offices and perform their respective executive and managerial functions and duties in the Local Contracting Market; and
 - (2)
 - A. grows food or fabricates goods, whether or not finished, from organic or raw materials;
 - B. processes goods, materials, food or other products so as to increase their commercial value by not less than 50%;
 - C. supplies goods by performing a Commercially Useful Function; or
 - D. provides, by its qualified full-time employees, maintenance, repair, personal, or professional services.
- (q) "Local-Food Purchaser" means a Business Enterprise that, in implementation of its City contract, purchases Local Food in an amount comprising not less than twenty percent (20%) of the Business Enterprise's City Contract amount.
- (r) "Local Sustainable Business" means a Business Enterprise that:
 - (1) has its principal office (headquarters) located physically in the Local Contracting Market and whose highest executive officers and highest level managers maintain their offices and perform their respective executive and managerial functions and duties in the Local Contracting Market; and

(2) has established sustainability goals for itself and is a member of or signatory to a nationally-recognized sustainability program, which goals and program have been determined acceptable by the City Chief of Sustainability or other officer designated by the Mayor.

- (s) "Minority Business Enterprise" or "MBE" means a Business Enterprise owned, operated and controlled by one or more Minority Persons who have at least 51% ownership. The Minority Person(s) must have operational and managerial Control, interest in capital, and earnings commensurate with the percentage of ownership. To qualify as a Minority Business Enterprise, the enterprise shall be located and doing business in the Cleveland Contracting Market.
- (t) "OEO" means the Office of Equal Opportunity of the City of Cleveland.
- (u) "Proposer" means any Person proposing to contract with the City in response to a request for proposals or other similar solicitation.
- (v) "Regional Cleveland Area Small Business" or "RCSB" means a CSB that has its principal office located physically within the territorial boundaries of Cuyahoga County but outside the municipal boundaries of the City.
- (w) "Regulation" or "Regulations" means and includes the regulations implementing this Code and promulgated by the Director of Equal Opportunity under division (b)(6) of Section 123.08 of these Codified Ordinances.
- (x) "Small Business Enterprise" or "SBE" means a Business Enterprise that meets the established economic criteria for a SBE and is owned, operated and controlled by one or more persons who meet the economic criteria for SBE ownership established by the Director in the Regulations.

3. Required OEO Schedules:

The following documents must be completed, signed and submitted as part of the Contractor's bid or proposal for any City of Cleveland contract over \$50,000.00. Failure to submit all OEO Schedules may result in the rejection of a bid.

Schedule 1: PROJECT CONTACT INFORMATION FORM

Schedule 1, the PROJECT CONTACT INFORMATION FORM, provides the Office of Equal Opportunity with the necessary contact information to conduct its monitoring responsibilities. Each Bidder or Proposer shall complete, sign and submit Schedule 1 and include it with its bid or proposal.

Schedule 2: SCHEDULE OF SUBCONTRACTOR PARTICIPATION

Schedule 2, the SCHEDULE OF SUBCONTRACTOR PARTICIPATION, identifies all of the subcontractors the Bidder or Proposer intends to use on the project. Each Bidder or Proposer must complete, sign and submit Schedule 2 and include it with its bid or proposal. Bidders or Proposers shall list all prospective subcontractors, including all CSB, MBE, and/or FBE subcontractors, that will participate on the contract, and all requested contact information. Bidders or Proposers shall include the contract specification item number(s) on which the subcontractor will participate in Part 1, the scope, or supplies/materials that the subcontractor will be responsible for will be documented on Part 2, with the corresponding 1 dollar amount for the subcontract on Part 3. The total dollar amount in Part 3 must be an actual dollar amount, and should not be a range of values or a percentage of the contract.

Schedule 3: STATEMENT OF INTENT TO PERFORM AS A SUBCONTRACTOR

Schedule 3, the STATEMENT OF INTENT TO PERFORM AS A SUBCONTRACTOR, verifies that the

certified CSB, MBE and/or FBE subcontractors listed on Schedule 2 have agreed to work with the Bidder or Proposer on the project, and that the two parties have agreed on general contract terms. Each certified CSB, MBE, and/or FBE listed as a prospective subcontractor on Schedule 2 shall complete, sign and return Schedule 3 to the Bidder or Proposer, and the Bidder or Proposer shall include the completed Schedule 3 with the bid or proposal. Part 1, Part 2 and Part 3 on each Schedule 3 must correspond with Part 1, Part 2 and Part 3, respectively, on Schedule 2 for the appropriate subcontractor.

No CSB, MBE, or FBE participation credit will be considered for a certified CSB, MBE and/or FBE subcontractor listed on Schedule 2 that does not have a corresponding, accurate Schedule 3 included in the bid or proposal.

If an MBE or FBE plans to re-subcontract any of its work, it must indicate that on Schedule 3. Any work re-subcontracted to a non-certified subcontractor will reduce the Bidder or Proposer's participation credit to the extent of the re-subcontracting.

Schedule 4: CSB/MBE/FBE UNAVAILABILITY/IMPRACTICALITY CERTIFICATION

Schedule 4, CSB/MBE/FBE UNAVAILABILITY/IMPRACTICALITY CERTIFICATION, allows the Bidder or Proposer to document its good faith effort to achieve the CSB, MBE, and/or FBE subcontracting goals identified for the project in the bid documents. If a Bidder or Proposer has met or exceeded the subcontracting goals for the project, the Bidder or Proposer shall indicate this in Section A of Schedule 4. If the Bidder or Proposer has not met the subcontracting goals for the project, the Bidder or Proposer will indicate this in Section A of Schedule 4, and complete Section B.

Section B of Schedule 4 allows the Bidder or Proposer to document its efforts to solicit certified subcontractor participation for the project, thereby meeting the good faith effort requirement of the bid. Section B also allows the Bidder or Proposer to attach a written document explaining why subcontracting to the goals included in the bid or proposal documents is impossible or impractical due to the nature of the work, service or product being contracted by the bid or proposal. Contractors are obligated to demonstrate their good faith effort to meet the subcontracting goals for the contract, and failure to do so will result in the rejection of the bid or proposal.

Failure to submit and accurately complete OEO Schedules 1, 2, 3, and 4 may result in the rejection of all or part of the bid or proposal. Submission of incomplete, inaccurate, or inconsistent data in the Schedules may lead to a formal investigation, decertification of the Bidder or Proposer, decertification of the subcontractor, and/or a rejection of all or part of the bid. The City of Cleveland reserves the right to waive any informality or immaterial irregularity, and reserves the right to reject any or all bids.

4. Equal Employment Certification:

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.

Within 60 days after entering into a Contract, each Contractor shall file a written affirmative action program containing standards and procedures ensuring that the contractor affords all qualified employees and applicants for employment equal opportunities in the contractor's recruitment, selection, and advancement processes.

Each contractor's affirmative action program shall contain the following components:

- (1) A diagnostic component that includes quantitative analyses comparing the composition of the Contractor's workforce to the composition of the Cleveland Contracting Market employment pool according to the most current census data available, grouped by EEO occupations.
- (2) Each affirmative action program shall contain placement goals as follows:
 - (i) For each non-construction contract, placement goals equal to the availability percentage for women or minorities where the percentage of women or minorities employed by the contractor in a particular job group is less than would reasonably be expected given their percentage availabilities in the corresponding Cleveland Contracting Market employment pool. Placement goals are objective targets reasonably attainable by applying a good-faith effort to implement all aspects of the affirmative action program; they are not inflexible quotas. Placement goals do not authorize or require a Contractor to grant a preference to any individual or adversely affect an individual's employment status for an unlawful discriminatory reason.
 - (ii) For each construction contract, establish placement goals for minorities and women for each trade involved in the performance of the contract equal to the goals established by the Director. Placement goals are objective targets reasonably attainable by applying a good-faith effort to implement all aspects of the affirmative action program; they are not inflexible quotas. Placement goals do not authorize or require a contractor to grant a preference to any individual or adversely affect an individual's employment status for an unlawful discriminatory reason.
- (3) Identification of problem areas through analysis of the contractor's employment process to determine if it affords or incorporates, or contains impediments to, equal employment opportunities.
- (4) Action-oriented programs consisting of practical steps the contractor will implement to address any identified problem areas or the underutilization of women or minorities in relation to their availability in the relevant labor pool.
- (5) Internal auditing and reporting systems that monitor and examine the impact the contractor's employment decisions and compensation systems have on women and minorities and their progress toward achieving a workforce that would be expected in the absence of discrimination.
- (6) Policies, practices, and procedures that the contractor will implement to ensure that all qualified applicants and employees enjoy equal opportunity in recruitment, selection, advancement, and every other term and privilege associated with employment.
- (7) Any additional requirements the Administrator may require through the Regulations or on a case-by-case review of a contractor's proposed affirmative action program.

If, 60 days after entering into a Contract, a contractor has not filed an affirmative action program, has deviated substantially from an approved affirmative action program, or has discriminated 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 Office of Equal Opportunity may take immediate enforcement action.

5. **CSB Certification:**

Each Bidder, Proposer or subcontractor representing itself as a Cleveland Area Small Business (CSB) in the OEO Schedules shall be certified with the Office of Equal Opportunity as a CSB prior to the bid opening. Certification applications must be completed online through the City's Certification and Compliance Monitoring System at <https://cleveland.diversitycompliance.com/>.

There are two classifications of CSBs:

A **City of Cleveland Small Business (CCSB)** is a CSB headquartered within the City of Cleveland.

A **Regional Cleveland Small Business (RCSB)** is a CSB headquartered within Cuyahoga County, but not within the City itself.

A business is eligible for certification as a Cleveland Area Small Business (CSB) if it meets the following criteria:

- (1) It is a Small Business Enterprise;
- (2) It has its principal office located physically in Cuyahoga County; and
- (3) Its chief executive officer and highest level managers maintain their offices and perform their managerial functions in the Cleveland Contracting Market.

A business qualifies as a Small Business Enterprise if it meets size requirements of the US Small Business Administration, or separate economic criteria as established by the Director of the Office of Equal Opportunity in the Regulations. You can find the current SBA size standards here: <http://www.sba.gov/content/small-business-size-standards>

6. **CSB Contract Participation**

In an effort to promote the participation of Cleveland-area Small Businesses (CSBs) in City contracts, each Contracting Department of the City will use its best efforts to contract with CSB Bidders and Proposers, and Bidders and Proposers that have committed to subcontracting with certified CSBs.

Where other, project-specific goals have not been set in the bid or proposal documents, the standard CSB subcontractor participation goals are:

Construction Contracts:	30% CSB Subcontractor Participation
Professional Services Contracts:	10% CSB Subcontractor Participation
All Other Contracts:	20% CSB Subcontractor Participation

The Contracting Departments may, in consultation with the Director, increase or decrease these participation goals for a particular contract. When the goals are changed, the change will be noted in the bid or proposal documents.

Each Bidder or Proposer shall make a good faith effort to subcontract with certified CSBs in consistent with the goals prescribed in the bid or proposal documents.

7. **MBE/FBE Certification:**

Each Bidder, Proposer or subcontractor representing itself as a Minority Business Enterprise (MBE) or Female Business Enterprise (FBE) in the OEO Schedules shall be certified with the Office of Equal Opportunity as an MBE and/or FBE prior to the bid opening. Certification applications must be completed online through the City's Certification and Compliance Monitoring System at <https://cleveland.diversitycompliance.com/>.

A business is eligible for certification as a Minority Business Enterprise (MBE) if:

- (1) The Business Enterprise is owned, operated and controlled by one or more Minority Persons who have at least 51% ownership;
- (2) The Minority Persons who own the Business Enterprise have operational and managerial control, interest in capital, and earnings commensurate with the percentage of ownership; and
- (3) The Business Enterprise is located and doing business in the Cleveland Contracting Market.

A business is eligible for certification as a Female Business Enterprise (FBE) if:

- (1) The Business Enterprise is owned, operated and controlled by one or more Females who have at least 51% ownership;
- (2) The Female owners have operational and managerial control, interest in capital, and earnings commensurate with the percentage of ownership; and
- (3) The Business Enterprise is located and doing business in the Cleveland Contracting Market.

8. MBE and FBE Contract Participation

The City of Cleveland is firmly committed to assisting Minority Business Enterprises (MBEs) and Female Business Enterprises (FBEs) through its contracting activities, and the City intends to Contract with firms that shares that commitment. Under this policy, each Contracting Department will use its best efforts to promote the participation of MBEs and FBEs as both prime contractors and subcontractors in all City Contracts. In turn, Bidders and Proposers shall make every effort to use MBEs and FBEs as subcontractors where available and practical.

Some City contracts will have specific MBE and/or FBE subcontractor participation goals. **These goals will be expressly stated in the Invitation to Bid (ITB) or Request for Proposal (RFP) in each contract where the goals are applicable.** When specific MBE and/or FBE goals are set forth in the ITB or RFP, the Bidder or Proposer shall make a good faith effort to meet them.

When there are specific MBE and/or FBE goals on a City contract, those goals will be considered in lieu of an equivalent portion of the CSB goals for the contract. Please review the bid or proposal documents for the final MBE, FBE and/or CSB subcontracting goals for the project.

9. MBE/FBE Bid Discounts:

Contracting Departments may apply a Bid Discount of five percent (5%) for bids received from certified MBE and FBE Bidders to remediate past or present discrimination, where the City has developed or obtained a legally sufficient basis in evidence to demonstrate past or present discrimination. The CSB/MBE/FBE Registry denotes which MBEs and FBEs are eligible for Bid Discounts.

10. MBE/FBE Evaluation Credits:

Contracting Departments may apply an Evaluation Credit of five percent (5%) of the total points awarded for proposals received from MBE and FBE Proposers to remediate past or present discrimination, where evidence of contracting disparity has been adequately demonstrated.

11. MBE/FBE Subcontracting Bid Discounts and Additional Retainage:

Contracting departments may apply a bid discount for bids received for public improvement contracts in the amount of five percent (5%) of the portion of the total amount of the goods, labor, and materials that the bidder represents it will subcontract to one or more MBEs and FBEs, where the City has developed or obtained a legally sufficient basis in evidence to demonstrate past or present discrimination.

If a Contracting Department applies the MBE/FBE subcontracting Bid Discount to the bid of a Bidder that would not have otherwise been the lowest and the Bidder is awarded the Public Improvement Contract, the City shall retain as Additional Retainage an amount equal to the total dollar amount by which the bid was adjusted for bid comparison in addition to the contract retainage required under Section 185.41 of the Codified Ordinances of the City of Cleveland. Release of this retainage shall be managed under the provisions established in Section 187.05(e) of the Codified Ordinances.

12. CSB Bid Discounts:

If a Contracting Department does not apply an MBE or FBE Bid Discount to one or more bids for the award of a Contract, the Contracting Department may apply a Bid Discount in the following amounts for bids received from CSB prime contractors:

A Bid Discount of five percent (5%) for bids received from CCSBs.

A Bid Discount of five percent (5%) for bids received from RCSBs, provided no bids are received from CCSBs.

13. CSB Evaluation Credits:

If a Contracting Department *does not apply an MBE or FBE Evaluation Credit* to one or more proposals for the award of a Contract, the Contracting Department may apply Evaluation Credits as follows for proposals received from CSB prime contractors:

(1) An Evaluation Credit of five percent (5%) of the total points awarded for proposals received from CCSBs.

(2) An Evaluation Credit of five percent (5%) of the total points awarded for proposals received from RCSBs, provided no proposals are received from CCSBs.

14. CSB Subcontracting Bid Discounts and Additional Retainage:

Contracting Departments may apply a Bid Discount to bids received for a Public Improvement Contract in the amount of five percent (5%) of the portion of the total amount of labor and materials that the Bidder represents it will subcontract to one or more CSBs. This provision does not apply, however, if a Bid Discount has been applied for MBE or FBE subcontractor participation,

If a Contracting Department applies the CSB subcontracting Bid Discount to the bid of a Bidder that would not have otherwise been the lowest and the Bidder is awarded the Public Improvement Contract, the City shall retain as Additional Retainage an amount equal to the total dollar amount by which the bid was adjusted for bid comparison in addition to the retainage required under Section 185.41 of the Codified Ordinances. Release of this retainage shall be managed under the provisions established in Section 187.03(d) of the Codified Ordinances.

15. LPE and SUBE Certification:

A Bidder or Proposer may qualify as a Local Producer, a Local-Food Purchaser or a Local Sustainable Business under the Local Producer, Local-Food Purchaser, and Sustainable Business Preference Code, Chapter 187A of the Codified Ordinances of the City of Cleveland. Each Bidder or Proposer representing itself as a Local Producer (LPE), or a Local Sustainable Business (SUBE) shall be certified with the Office of Equal Opportunity prior to the bid opening. Certification applications must be completed online through the City's Certification and Compliance Monitoring System at <https://cleveland.diversitycompliance.com/>.

16. LPE and SUBE Bid Discounts:

The Contracting Department shall apply a Bid Discount in the following amounts for bids received from LPE and/or SUBE prime contractors:

A Bid Discount of two percent (2%) for bids received from LPEs.

A Bid Discount of two percent (2%) for bids received from SUBEs.

17. LPE and SUBE Evaluation Credits:

The Contracting Department shall apply an Evaluation Credit in the following amounts for proposals received from LPE and/or SUBE prime contractors:

An Evaluation Credit of two percent (2%) for proposals received from LPEs.

An Evaluation Credit of two percent (2%) for proposals received from SUBEs.

18. Maximum Annual Subcontracting Program Benefit:

In an effort to encourage wide participation in the CSB, MBE and FBE subcontracting programs, the City of Cleveland has a policy which may limit the amount of subcontracting credit that a single CSB, MBE and/or FBE subcontractor can provide in a single year. When the CSB, MBE and/or FBE subcontractor has reached this maximum subcontracting dollar value, its participation in future contracts will not be counted towards a Bidder or Proposer's CSB, MBE and/or FBE participation goals.

The Director may apply credit toward the CSB, MBE and/or FBE subcontractor participation goals upon written request of a Bidder or Proposer attesting that no other certified CSBs, MBEs or FBEs are available to perform the work or supply the materials required for the Contract, or in an emergency, or for such other reasons that the Director determines require use of that CSB, MBE or FBE.

Nothing prohibits a Bidder or Proposer from subcontracting to a CSB, MBE or FBE that has reached the cap, or prohibits the CSB, MBE or FBE from performing work or supplying materials under any contract. But that participation will not count towards the Bidder or Proposer's subcontracting goals.

19. CSB/MBE/FBE Manufacturer and Supplier Participation:

Under the Cleveland Area Business Code, the entire amount of expenditures to certified CSB, MBE, or FBE manufacturers will be counted towards CSB, MBE or FBE participation goals on the contract. A manufacturer is an enterprise that produces goods from raw materials or adds value by substantially altering them before resale.

Sixty percent (60%) of expenditures to certified CSB, MBE or FBE suppliers that are not manufacturers will be counted towards CSB, MBE or FBE participation goals on the contract, provided that the CSB, MBE or FBE supplier performs a commercially useful function in the supply process. A business enterprise is a supplier performing a commercially useful function in the supply process" when it:

- (1) Assumes the actual and contractual responsibility for furnishing the supplies or materials; and
- (2) Is recognized as a supplier, distributor or reseller by the manufacturer or producer of the contracted supplies and materials; and
- (3) Owns or leases a warehouse, yard, building or other facilities or uses such as means as are customary in the industry for the purpose of maintaining an inventory of or supplying such supplies or materials from which it supplies its customers; and
- (4) Distributes, delivers, and/or services products primarily with its own staff and/or equipment.

If a CSB, MBE or FBE supplier is not a manufacturer and is not performing a commercially useful function in the supply process, the supplier's participation will not be counted towards the CSB, MBE or FBE

participation on the contract.

20. Joint Ventures:

Participation of CSBs, MBEs and FBEs in joint ventures is encouraged. To receive credit for CSB, MBE and/or FBE participation in a joint venture, the joint venture must be certified by the Office of Equal Opportunity. The CSB/MBE/FBE Joint Venture Certification Application is available from the Office of Equal Opportunity, and applications for joint venture certification must be received by the Office of Equal Opportunity no later than 10 days prior to the bid opening.

21. Use of General Contractors as Subcontractors for CSB/ MBE/FBE Prohibited:

Consistent with the U.S. Bureau of Census Standard Industrial Classifications, the City considers that a "general contractor" assumes responsibility for an entire construction contract, although it may subcontract part or all of the actual work to special trades or other contractors. The City does not consider that certification as a "general contractor" assumes or includes certification for any other trade or work. In order to qualify as a CSB, MBE or FBE Subcontractor, the CSB, MBE or FBE must be certified for the specific type of work indicated on Schedule 1, the Schedule of Subcontractor Participation.

22. Subcontractor Participation Compliance Monitoring

Once a contract is awarded through the bid or proposal process, the winning contractor is obligated to use the certified CSB, MBE or FBE subcontractors listed on the OEO Schedules and in the same participation amount indicated in the OEO Schedules. OEO will monitor this subcontractor participation throughout the course of the contract to ensure that the listed subcontractors are performing work on the project, and that they are being properly compensated for that work.

The City of Cleveland uses a web-based contractor certification and contract compliance monitoring system, colloquially known as B2Gnow, to monitor compliance on City contracts. Contractors can access the system at <http://cleveland.diversitycompliance.com>, or through a link on the Office of Equal Opportunity's website at <http://city.cleveland.oh.us/o eo>.

Each month during the contract, the prime contractor (or direct contract-holder with the City) will report payments to ALL subcontractors through the B2Gnow system. This monthly reporting information includes total payment in dollars made to the subcontractor, record of invoices satisfied, record of checks or other payment methods used to satisfy invoices, payment dates, and any additional information required by OEO to verify payment to subcontractors. The prime contractor will enter this payment information into the B2Gnow system, and the subcontractors will verify this payment information in the system.

OEO offers regular training sessions in the use of the B2Gnow system. Please contact OEO at 216-664-4152 to schedule training. Online training options are also available through the B2Gnow system.

Please note that use of the B2Gnow system requires an email account and access to a personal computer with internet connectivity. This requirement applies to both prime contractors and subcontractors. The City will provide for access to a computer and internet connection at Cleveland City Hall, upon appointment, for those contractors who do not otherwise have access to the required technology.

Community Benefit Policies:

- CODIFIED ORDINANCE 123 PREVAILING WAGE
- CODIFIED ORDINANCE 187 CLEVELAND SMALL BUSINESS
- CODIFIED ORDINANCE 187A LOCAL PRODUCER SUSTAINABLE DEVELOPMENT
- CODIFIED ORDINANCE 188 CLEVELAND RESIDENT EMPLOYMENT LAW
- CODIFIED ORDINANCE 189 LIVING WAGE
- Green Building Standards, Office of Sustainability

Questions about the certification process or the OEO Schedules should be directed to the Office of Equal Opportunity (OEO) at (216) 664-4152.



**City of Cleveland
Office of Equal Opportunity
Schedules Checklist**

This checklist will guide you through the Office of Equal Opportunity Schedules that must be completed and submitted as part of your bid or proposal.

Schedule 1: Project Contact Information Form

- Is all requested contact information included?
- Is the form complete and signed?

Schedule 2: Schedule of Subcontractor Participation

- Did you specify the total dollar amounts for each subcontract?
- Did you verify that each subcontractor is certified for the type of work to be performed?
- Is the form complete and signed?

Schedule 3: Statement of Intent to Perform as a Subcontractor

- Did the subcontractor specify the total dollar amount of the subcontract?
- If applicable, has the re-subcontracting section been completed?
- Is the form complete and signed by the subcontractor?

Schedule 4: CSB/MBE/FBE Subcontractor Unavailability/Impracticality Certification

- Did you list all companies you have contacted? (If additional space is needed, attach a separate sheet)
- If you are claiming that subcontracting is not available or practical on this contract, have you provided an explanation on a separate, attached sheet?
- Is the form complete and signed?



City of Cleveland - Office of Equal Opportunity
SCHEDULE 2: SCHEDULE OF SUBCONTRACTOR PARTICIPATION

Project Name:	
Bidder/Proposer Name:	

List ALL PROSPECTIVE SUBCONTRACTORS (Certified and non-certified) that will be participating on this contract. The Bidder or Proposer is responsible for verifying that each CSB, MBE and FBE Subcontractor listed is certified to perform the particular type of work they are expected to perform for the contract.

Subcontractor:	Part 1: SPEC ITEM #	Part 2: TYPE OF WORK OR MATERIALS/SUPPLIES	Part 3: SUBCONTRACT AMOUNT
Address:			\$
City, State, Zip:			\$
OEO Compliance Contact:			\$
Contact Email Address:			\$
Contact Phone:			\$
Company Type: CSB <input type="checkbox"/> MBE <input type="checkbox"/> FBE <input type="checkbox"/> Other <input type="checkbox"/> Non-Certified <input type="checkbox"/>			\$
Federal Tax ID#/EIN:	TOTAL		\$

Subcontractor:	Part 1: SPEC ITEM #	Part 2: TYPE OF WORK OR MATERIALS/SUPPLIES	Part 3: SUBCONTRACT AMOUNT
Address:			\$
City, State, Zip:			\$
OEO Compliance Contact:			\$
Contact Email Address:			\$
Contact Phone:			\$
Company Type: CSB <input type="checkbox"/> MBE <input type="checkbox"/> FBE <input type="checkbox"/> Other <input type="checkbox"/> Non-Certified <input type="checkbox"/>			\$
Federal Tax ID#/EIN:	TOTAL		\$

The prime contractor **may not substitute subcontractors** between the submission of bids and award of the contract. After the contract is awarded, the prime contractor may not substitute or shift subcontractors without written approval of the Director of OEO. When there are CSB, MBE and/or FBE goals established in the bid specifications, subcontractor substitutions must preserve the original bid participation percentage, unless the Director waives the requirement. The undersigned agrees that if awarded a contract, it will enter into a written agreement with each subcontractor listed above. If the total contract amount increases, the contractor shall use its best efforts to preserve the original CSB, MBE and/or FBE participation percentages for that increased amount.

Authorized Representative:			
Signature:		Date:	



City of Cleveland - Office of Equal Opportunity
SCHEDULE 2: SCHEDULE OF SUBCONTRACTOR PARTICIPATION
ADDITIONAL SUBCONTRACTOR FORM

Project Name:	
Bidder/Proposer Name:	

Subcontractor:	Part 1: SPEC ITEM #	Part 2: TYPE OF WORK OR MATERIALS/SUPPLIES	Part 3: SUBCONTRACT AMOUNT
Address:			\$
City, State, Zip:			\$
OEO Compliance Contact:			\$
Contact Email Address:			\$
Contact Phone:			\$
Company Type: CSB <input type="checkbox"/> MBE <input type="checkbox"/> FBE <input type="checkbox"/> Other <input type="checkbox"/> Non-Certified <input type="checkbox"/>			\$
Federal Tax ID#/EIN:	TOTAL		\$
Subcontractor:	Part 1: SPEC ITEM #	Part 2: TYPE OF WORK OR MATERIALS/SUPPLIES	Part 3: SUBCONTRACT AMOUNT
Address:			\$
City, State, Zip:			\$
OEO Compliance Contact:			\$
Contact Email Address:			\$
Contact Phone:			\$
Company Type: CSB <input type="checkbox"/> MBE <input type="checkbox"/> FBE <input type="checkbox"/> Other <input type="checkbox"/> Non-Certified <input type="checkbox"/>			\$
Federal Tax ID#/EIN:	TOTAL		\$
Subcontractor:	Part 1: SPEC ITEM #	Part 2: TYPE OF WORK OR MATERIALS/SUPPLIES	Part 3: SUBCONTRACT AMOUNT
Address:			\$
City, State, Zip:			\$
OEO Compliance Contact:			\$
Contact Email Address:			\$
Contact Phone:			\$
Company Type: CSB <input type="checkbox"/> MBE <input type="checkbox"/> FBE <input type="checkbox"/> Other <input type="checkbox"/> Non-Certified <input type="checkbox"/>			\$
Federal Tax ID#/EIN:	TOTAL		\$



City of Cleveland - Office of Equal Opportunity
SCHEDULE 3: STATEMENT OF INTENT TO PERFORM AS A SUBCONTRACTOR

Subcontractor Name:	
Bidder/Proposer Name:	
Project Name:	

Subcontractor is a: CSB
 MBE
 FBE

Have you (subcontractor) been notified by the Office of Equal Opportunity that you have met the annual subcontracting participation maximum for this calendar year? Yes No

The undersigned prospective subcontractor intends to perform work or furnish supplies/materials in connection with the contract as a (check all that apply):

- Individual
- Corporation organized and existing under the laws of the State of _____.
- Proprietorship,
- Partnership, or
- Joint Venture consisting of _____.

The CSB, MBE or FBE status of the undersigned contractor is confirmed in the Office of Equal Opportunity's registry of certified CSBs, MBEs and FBEs. The contractor is prepared to perform the following work items or parts thereof for the above contract.

Part 1: SPEC ITEM #s	Part 2: TYPE OF WORK OR SUPPLIES/MATERIALS	Part 3: TOTAL SUBCONTRACT AMOUNT IN DOLLARS
		\$

RE-SUBCONTRACTING

The undersigned prospective subcontractor will re-subcontract work on this contract:

- Yes (If Yes, fill out a "Blank" Schedule 2 and indicate the subcontractors being used as 2nd Tier subcontractors.)
- No

The undersigned prospective subcontractor will enter into a written agreement with the Bidder or Proposer for the above work items after the award, but prior to the execution of the contract with the City of Cleveland.

Authorized Subcontractor Representative:			
Signature:		Date:	



**City of Cleveland - Office of Equal Opportunity
 SCHEDULE 4: CSB/MBE/FBE SUBCONTRACTOR
 UNAVAILABILITY/IMPRACTICALITY CERTIFICATION**

Project Name:	
Bidder/Proposer Name:	

Note: Prime contractors are expected to use good faith efforts in utilizing CSBs, MBEs and FBEs as subcontractors whenever there are CSB, MBE and/or FBE participation goals established in the bid specifications. There may be instances, however, where Prime Contractors will not be able to achieve the prescribed CSB, MBE and/or FBE participation goals for a particular contract. This Schedule 4 allows Prime Contractors to demonstrate their good faith efforts in finding and soliciting CSBs, MBEs and FBEs to work on the contract. If the subcontracting goals for this contract are not met, failure to complete this schedule fully and completely may impact the evaluation of this bid or proposal.

Section A:

Please check one of the following:

- 1. Prime Contractor has submitted Schedules 1 and 2 indicating CSB/MBE/FBE Subcontractor participation **MEETING OR EXCEEDING** the goals set forth in the bid documents.
- 2. Prime contractor has submitted Schedules 1 and 2 indicating CSB/MBE/FBE Subcontractor participation that **DOES NOT MEET** the goals set forth in the bid documents.

If Box 1 is checked, no further documentation is necessary. Where Box 2 is checked, the Prime Contractor must provide a detailed explanation in Section B.

Section B:

If you checked Box 2 on Section A, you must check one of the following:

The Prime Contractor **did not meet** the CSB, MBE and/or FBE subcontractor participation goals for this contract because:

- 1. The Prime Contractor has made an honest, purposeful attempt to solicit CSB, MBE and/or FBE subcontractor participation, but was unable to find subcontractors to perform the work for the reasons noted below. **Please use the unavailability letter codes found on the following page.**

CONTACTED CONTRACTOR	PROPOSED WORK/SUPPLIES	REASON FOR UNAVAILABILITY	DATE OF CONTACT	DATE RESPONSE RECEIVED
1.				
2.				
3.				
4.				

- 2. The Prime Contractor made an honest, purposeful attempt to solicit CSB, MBE and/or FBE subcontractor participation, but due to the nature of the work, service, or product contracted, additional subcontracting with CSBs, MBEs or FBEs is either impossible or impractical. The Prime Contractor has provided a **detailed explanation** of the nature of the work and the reasons that additional subcontracting is not possible **on a separate attached page.**

Authorized Representative:			
Signature:		Date:	



MAYOR'S OFFICE OF EQUAL OPPORTUNITY
SUBCONTRACTOR PARTICIPATION GOAL
PROFESSIONAL SERVICES CONTRACT

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

10% CSB Participation

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://www.city.cleveland.oh.us/oeo>

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



MAYOR'S OFFICE OF EQUAL OPPORTUNITY

SUBCONTRACTOR PARTICIPATION GOALS

PUBLIC IMPROVEMENT CONTRACTS

A disparity study conducted by the City found a disparity between the availability of local certified MBE and FBE subcontractors and their utilization by bidders/contractors on City vertical construction contracts. Therefore, the Director of the Office of Equal Opportunity has established the following subcontractor participation (utilization) goals for this contract:

15% CSB participation

A searchable database of all MBE, FBE and CSB subcontractors eligible to fulfill these subcontractor participation goals can be found on the City of Cleveland Office of Equal Opportunity Website:

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Business/Equal%20Opportunity>

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

EXHIBIT E

**SUBCONTRACTOR ADDITION AND SUBSTITUTION
POLICY AND PROCEDURE**



Subcontractor Addition and Substitution

Policy and Procedure

Mayor Frank G. Jackson

EFFECTIVE DATE: November 1, 2011

Direct Questions to: Commissioner James E. Hardy (216) 664-2629

Sub-contractor Addition and Substitution Policy and Procedure

Purpose

The purpose of this Policy is to state the policies and practices which all City departments should follow to obtain the previous written Board of Control consent required for a City contractor to add a subcontractor, or to substitute one subcontractor for another subcontractor, under a City contract.

Policy and Procedure

Each subcontractor proposed for a City contract, whether for a purchase, public improvement, or professional services, must be approved by the Board of Control (the “BOC”) *prior* to the commencement of work and or services by the subcontractor. Subcontractor approval will be considered by the BOC upon recommendation of the department Director. A subcontractor identified as a certified Cleveland-Area Small Business (“CSB”), a Minority Business Enterprise (“MBE”), or a Female Business Enterprise (“FBE”) (each generically also a “certified sub-contractor”) proposed for a contract, whether as an additional or substitute subcontractor, must also be verified as such by the Office of Equal Opportunity (“OEO”).

Note: The City assumes no obligation to pay, and will not pay, a contractor for any work and or services performed by a sub-contractor on the contract prior to Board of Control approval of that sub-contractor.

Except upon occurrence of an emergency requiring immediate use of a subcontractor to prevent an interruption of public service or endangerment of public health, safety or welfare as declared and determined solely by the Director, the prime contractor is responsible for submitting all required supporting documentation to the contracting department Director, through the designated Project Manager for the contract (the “Project Manager”), if any, no less than 3 (three) weeks in advance of the date the additional or substitute subcontractor is needed on the project, to allow time for internal and BOC approvals without delay or interruption of the project.

Note: The Director will not grant any City contractor additional time to meet project deadlines, and will not authorize or pay additional compensation or delay damages of any kind arising from the contractor’s inability to add or substitute a subcontractor because the contractor failed to submit the approval request and supporting documentation at least 3 (three) weeks in advance of the date the additional or substitute sub-contractor is needed.

The contracting department Project Manager, if any, for a particular contract will serve, on behalf of the department Director, as the primary contact for the prime contractor. The contracting department Director is responsible for assessing the completeness and sufficiency of the supporting documentation received from the prime contractor and subcontractor, for timely processing of the documentation through the appropriate internal department review(s) and approval(s) and forwarding to the OEO, if required, for evaluation and approval prior to any placement on the Board of Control agenda and for submitting the appropriate Board of Control resolution for approval.

Substitution for a Certified Subcontractor. A contractor must provide the contracting department director, through the Project Manager, written justification for any proposed substitution for a certified sub-contractor.

When obtaining one or more substitutes for a certified subcontractor, a contractor shall make a good-faith effort to fulfill or exceed its original certified subcontractor utilization commitment or the contract goal(s) for the contract, whichever is greater. (Section 187.13 C.O.) The contractor shall document its good-faith effort by submitting complete, revised OEO Schedules 2 and 3 to the contracting department Director, through the Project Manager, with its request to the City for approval.

Note : The OEO shall evaluate each subcontractor addition and substitution for increased CSB, MBE, or FBE participation even if the original contract had no certified sub-contractor participation.

Federally Funded Projects. For projects funded directly or indirectly by the federal government where the contracting department is responsible for monitoring Disadvantaged Business Enterprise ("DBE") participation, the department's monitoring unit shall perform the role otherwise performed by OEO. The supporting documentation for the evaluation and approval of an additional or substitute DBE subcontractor must be forwarded to OEO for information purposes. The department Director shall also submit any necessary supporting documentation with its request for Board of Control approval.

Monitoring and Enforcement. The Project Manager shall, under direction of the department Director, verify that the contractor's subcontractor utilization complies with the Board of Control's subcontractor approval(s) by reviewing the contractor's documentation and by worksite visits. The presence on the Project worksite of any subcontractor not previously approved by the Board of Control shall be immediately reported to the department Director for action.

The Project Manager shall maintain copies of all verification records in the contracting department.

Penalties for Non-Compliance. The Project Manager will document and report any findings of non-compliance with this Policy by a contractor to the contracting

department Director. The department Director will then submit a copy of the findings, and a recommendation for action or no action, to the Director of Law. If non-compliance with Chapter 187 C.O. is found regarding a certified sub-contractor, the department Director must also submit a copy of the findings to the Director of the OEO for determination of sanction(s) or penalty(ies) under that chapter and/or under the contract terms.

EXHIBIT F

**FANNIE M. LEWIS
CLEVELAND RESIDENT EMPLOYMENT LAW
NOTICE TO BIDDERS**



MAYOR'S OFFICE OF EQUAL OPPORTUNITY

**FANNIE M. LEWIS
CLEVELAND RESIDENT EMPLOYMENT
LAW
NOTICE TO BIDDERS**

City of Cleveland

Frank G. Jackson, Mayor

**Natoya J. Walker Minor, Director
Office of Equal Opportunity**

NOTICE TO BIDDERS

The Office of Equal Opportunity (OEO) is responsible for administering the City of Cleveland's Fannie Lewis Resident Employment Law, Chapter 188 of the Codified Ordinances of the City of Cleveland (Chapter 188). Chapter 188 is designed to increase employment opportunities for Cleveland residents on construction contracts greater than \$100,000.00 funded by the City of Cleveland.

If the invitation to bid, request for proposal, or other contract document containing this Notice to Bidders results in a "Construction Contract" as defined under Section 188.01(b) of the Codified Ordinance of the City of Cleveland, the contractor, and any and all subcontractors, are required to comply with the requirements of Chapter 188 in the execution of the Construction Contract, unless prohibited by law.

This Notice to Bidders outlines critical areas that contractors and City of Cleveland Departments should know regarding Chapter 188.

1. 20% of all Construction Worker Hours performed on the Construction Contract must be performed by Cleveland Residents. These worker hours are identified as "Resident Construction Worker Hours" under Chapter 188.
2. 4% of the Resident Construction Worker Hours must be performed by Low Income Persons. A "Low Income Person" is defined as a Resident who, when first employed by a contractor, is a member of a family having a total income equal to or less than the "Section 8" Very Low-Income limit established by the United States Department of Housing and Urban Development.
3. Throughout the course of the contract, the prime contractor and all subcontractors shall submit certified payroll reports documenting all construction worker hours performed on the project through the LCPtracker labor compliance monitoring system. LCPtracker is an online compliance system that allows contractors to submit certified payroll reports electronically. Contractors are responsible for ensuring that they and their subcontractors are trained in the use of LCPtracker and have the necessary capacity to enter payroll reports through LCPtracker. **All certified payroll reports must be submitted through LCPtracker. No paper certified payroll reports will be accepted.**
4. A contractor seeking to qualify an employee as a "Low Income Person" for purposes of compliance with the Chapter 188 must submit a Low Income Verification Application, along with supporting documents requested by the application, demonstrating the employee's Cleveland residency status and total household income for the previous year to the Office of Equal Opportunity. OEO will review the application to determine if the employee qualifies for Low Income Person status and approve or deny the application. A copy of the Low Income Verification Application is included in this document, and is available online on the Office of Equal Opportunity page on the City of Cleveland's website, located at www.city.cleveland.oh.us.
5. An approved "Low-Income Person" will retain that status for a continuous five year period starting upon the OEO's written acknowledgement of the approval, provided that the employee remains employed by the same employer that hired the employee as a Low-Income Person and the employee remains a resident of the City of Cleveland during the five year period.
6. The contractor must designate a principal officer (the "Resident Employment Law Officer") of its organization as the person responsible for administering the requirements that Chapter 188 imposes on the Contractor and its Subcontractors under a Construction Contract and as the principal liaison and point of communication with the City.
7. The prime contractor to whom the contract is awarded is responsible for submission of all reports required by the Director of OEO to determine compliance with Chapter 188, including the submission of reports from any and all subcontractors working on the contract.

8. The City of Cleveland's Department of Economic Development, Division of Workforce Development (The Employment Connection) will provide assistance in finding eligible Cleveland Residents and Low Income Persons for a contractor's compliance with Chapter 188. Please contact the Division of Workforce Development at (216) 664-4673, or at <http://www.employmentconnection.us> for further information.
9. Cleveland Residents employed by the contractor or subcontractor as skilled or unskilled Construction Trade Workers at the time that work on a construction contract begins, but who are otherwise employed for the contractor or subcontractor on projects that are not pursuant to a City of Cleveland Construction Contract, may be counted toward the Resident Construction Worker Hours upon presentation of documentary proof to the Director of OEO.
10. Ten days prior to commencement of work contractors must submit an Initial Workforce Table that identifies the total estimated hours for each job classification (i.e. plumbers, carpenters, laborers etc.) by month for the duration of the project. The Initial Workforce Table is submitted by the prime contractor but shall include the sub-contractor's work hours as well. It is the sole responsibility of the prime contractor to submit the Initial Workforce Table.
11. The estimated hours provided in the Initial Workforce Table are to be used by the Contractor as a planning tool. Contractors must demonstrate a genuine effort to reflect the amount of hours anticipated to complete the project. The estimated hours allow the Contractor to ensure that staffing for the project is done in compliance with the statute. Once construction commences, the actual work hours performed are reported to the Office of Equal Opportunity on a monthly basis.
12. Any contractor that has difficulty complying with the requirements of Chapter 188 may seek a reduction in writing from the Director of OEO. The contractor should submit any request for reduction as soon as it realizes that a reduction is needed. Any reduction that is not submitted in a timely manner is subject to denial. The Director of OEO will determine whether any request for a reduction is warranted. Under Chapter 188 there is no provision for an absolute waiver of any requirement.
13. Full access to employment records for three (3) years: Every contractor and subcontractor working on a City of Cleveland Construction Contract must grant, upon demand, without notice, full, unrestricted access to the Director, his designated agents, the City Chief of Police or any of their authorized representatives, of the Contractor's or Subcontractor's employment records that the Director determines document compliance with the Resident Employment Law.

Please contact the Office of Equal Opportunity regarding any questions or concerns not addressed in this Notice to Bidders at oeo@city.cleveland.oh.us or by phone at (216)664-4152. Chapter 188 is the final governing law for purposes of this Notice to Bidders and applicable contracts. Chapter 188 preempts any inconsistencies that may exist in this Notice to Bidders.

Required Documents and Reports

1. **Certified Payrolls** must be submitted through the LCPtracker online labor compliance system by both the prime contractor and any construction subcontractors. Certified payrolls must be submitted according to the submission schedule included in this Notice to Bidders or published by OEO on the City of Cleveland website. Paper certified payroll reports will not be accepted to demonstrate compliance with Chapter 188.
2. The **Initial Work Force Table** identifies the estimated work hours by job classification for the entire project. The Initial Work Force Table is due ten days prior to commencement of work on the construction project. The Initial Work Force Table is available on the City of Cleveland's website, under the Forms and Publications section of the Office of Equal Opportunity page.
3. The **Monthly Work Force Table** identifies the *actual work hours* performed on the project and changes made to Initial Work Force Table. The Monthly Work Force Table for the previous month must be submitted according to the submission schedule included in this Notice to Bidders.

Use of LCPtracker

LCPtracker is an online labor compliance monitoring software suite that allows contractors and subcontractors to complete, certify and submit certified payroll reports to OEO electronically. All payroll reports submitted to demonstrate compliance with Chapter 188 must be submitted through LCPtracker.

Once a construction contract has been awarded, a username for LCPtracker will be created for the contractor and any identified subcontractors. This username and password will allow contractors to access LCPtracker to enter payroll information, familiarize themselves with the system and receive training.

OEO offers regular training sessions in the use of LCPtracker and the B2Gnow Contract Compliance Monitoring System (for monitoring payments to subcontractors). Please contact OEO at 216-664-4152 to schedule the next available training date.

LCPtracker also offers online training for contractors multiple times per week, and has video training available for contractor training at any time.

Contractors are responsible for ensuring that their internal staff, as well as their construction subcontractors, are familiar with the LCPtracker system and are capable of entering payrolls through LCPtracker.

Potential Penalties

A contractor that fails to meet the requirements of Chapter 188 on a construction contract is subject to the following potential penalties:

1. If the contractor fails to meet the 20% residency participation requirement, the contractor is subject to a penalty in the amount of 1/8 of 1% of the final total amount of the Construction Contract for each percentage point or fraction thereof that the contractor has fallen short of meeting the requirement.
2. If the contractor fails to meet the 4% low income resident participation requirement, the Director of OEO will determine if a penalty is warranted upon the completion of the project. If the Director determines that a penalty is appropriate, the penalty for this type of breach is 1/8 of 1% for each percentage of shortfall of the 4% low income persons objective. Please note that this penalty is assessed upon the total amount of the construction contract.
3. If the contractor fails to provide required reports used for monitoring compliance with Chapter 188, this will be considered a breach and will result in a penalty calculated as if no Cleveland Resident Worker Hours were performed on the project. A contractor has failed to submit a required report when:
 - It does not submit the report on the due date or by the date established by the Director if an extension has been granted; or
 - It is responsible for updating and submitting the report when it is due and fails to do so.
4. If the contractor submits falsified reports to OEO to document compliance with Chapter 188, the contractor shall be subject to a penalty calculated as if no Cleveland Resident Worker Hours were performed on the project. In addition, the contractor shall be subject to the following:
 - A misdemeanor of the first degree and
 - A fine of not more than \$5,000.
 - If convicted, the Contractor will be barred from contracting with the City for five (5) years.
 - Thereafter the Contractor may be required to post a surety bond of 20% in addition to the usual performance bond.
 - Retainage may be withheld by the City pending the determination of the Director.
5. In addition to the penalties listed above, the Director may recommend the following additional penalty action for a contractor's failure to comply with Chapter 188:

- Recommend that the City withhold all or part of any payments due the Contractor until such time as the Contractor cures its defaults, pays or credits all penalties or other payments due under the Construction Contract, the Code, or the Standards and Procedures, and is in full compliance with all applicable provisions of the Code, the Construction Contract, and the Standards and Procedures relating to Resident or Low- Income Person employment or reporting;
- Recommend, based upon a breach of or default under the Contract relating to Resident or Low-Income Person employment, that the City rescind, cancel, or otherwise terminate the Construction Contract and declare a forfeiture of any performance bond;
- Recommend that the Director of Law take such legal action, whether civil or criminal, as he or she deems appropriate;
- Recommend disqualification under Section [181.27](#) or Section [185.08](#) of the Codified Ordinances of Cleveland, Ohio, 1976 of a Contractor from eligibility to bid to or contract with the City for a period not to exceed two (2) years; or
- Recommend that the City make a claim for payment of damages, including any liquidated damages specified in the Contract.

Requesting a Reduction of the Resident and/or Low Income Worker Hour Requirements

The percentage of resident construction worker hours may be reduced prior to or during construction only when a contractor can demonstrate the high impracticality of complying with this percentage level for a particular contract or class of employees. The Director of OEO will apply the standard of "efforts to the greatest extent feasible" to the contractor's or subcontractor's efforts when evaluating requests for reduction. A reduction may be deemed appropriate by the Director if a Contractor or potential Contractor has unsuccessfully solicited a sufficient number of Residents of the City to perform the work identified in the bid specifications and has documented such effort to the satisfaction of the Director

A contractor must complete and submit a **Request for Reduction Form** to seek a reduction.

If a reduction is requested due to the complexity of the work to be performed, the Contractor shall provide a written explanation for the reduction. The request must be accompanied by a Referral Source Verification Form, included in this Notice to Bidders, OR a copy of the Job Order Verification Form from the Employment Connection.

A reduction may be deemed appropriate by the Director if a Contractor or potential Contractor has unsuccessfully solicited a sufficient number of Residents of the City to perform the work identified in the bid specifications and has documented such effort to the satisfaction of the Director.

Low Income Worker Verification

A contractor seeking to qualify an employee as a "Low Income Cleveland Resident" for purposes of compliance with Chapter 188 must submit a Low Income Worker Verification application and the supporting documents requested below to the Office of Equal Opportunity. The Low Income Verification Application is attached to this document.

To verify the Cleveland residency status of the employee, OEO will collect the following documents:

1. The employee's driver's license or other state identification; or
2. A current utility bill in the employee's name at their Cleveland address.

To verify Low Income status of the employee, OEO will collect the following documents:

1. The employee's Federal tax return for the previous calendar year; or
2. An IRS Tax Return Transcript for the previous calendar year.

Note: OEO requires income documentation from all adult household members to determine eligibility.

In cases where financial information of the employee is incomplete or unavailable, the Director of OEO may consider the following supplemental information to determine low income status:

- Proof of Governmental Assistance documenting that the employee is below the HUD Very Low Income Threshold
- Unemployment Documentation
- Workers' Compensation Documentation
- Social Security, Veterans Affairs payments, Supplemental Security Income
- Utility bill or other documentation indicating reduced payments due to Very Low Income status

Note: Review and acceptance of supplemental income documentation to demonstrate low income status is subject to the sole discretion of the Director of OEO.



CITY OF CLEVELAND
Mayor Frank G. Jackson

CLEVELAND LOW INCOME WORKER VERIFICATION APPLICATION

City of Cleveland
Office of Equal Opportunity
Contract Compliance
601 Lakeside Ave, Room 335
Cleveland, Ohio 44114

Phone: 216.664.4152 • **Fax:** 216.664.3870 • **Email:** oeo@city.cleveland.oh.us • **Hours:** 8 am to 5 pm Weekdays

A contractor seeking to qualify an employee as a “Low Income Cleveland Resident” for purposes of compliance with the Fannie M. Lewis Cleveland Resident Employment Law (Ch. 188 C.O.) must submit this application and the supporting documents requested below demonstrating the employee’s Cleveland residency status and total household income for the previous year to the Office of Equal Opportunity. OEO requires income documentation from all adult household members to determine eligibility.

EMPLOYEE / APPLICANT INFORMATION			
EMPLOYEE NAME:		SOCIAL SECURITY #:	
ADDRESS:			
CITY:		ZIP:	
EMAIL:		PHONE:	
TITLE / POSITION OF EMPLOYEE / APPLICANT			
TITLE / POSITION:	(Title and/or Position must be a Construction Trade Position, i.e. Painter, Laborer, etc)		
CONTRACTOR / EMPLOYER INFORMATION			
CONTRACTOR:			
ADDRESS:			
CITY:	STATE:	ZIP:	
EMAIL:		PHONE:	
EMPLOYEE DATE OF HIRE:		REQUESTED EFFECTIVE START DATE for LOW INCOME STATUS	

Cleveland Residency Documentation:

Submit one of the following. Address must match employee address above.

- Driver’s License State Identification Current **Utility Bill** in employee’s name at current address

Income Documentation:

Submit one of the following.

- Previous Year’s Federal Tax Return **or** Federal Tax Transcript - To order a Tax Transcript, call 1-800-908-9946 or order the transcript online at <http://www.irs.gov/Individuals/Order-a-Transcript>

Supplemental Income Documentation (Only where tax information is incomplete or unavailable).

Note: Review and acceptance of supplemental income documentation to demonstrate low income status is subject to the sole discretion of the Director of OEO.

- Proof of Governmental Assistance, including Social Security, Veterans Affairs payments, or Supplemental Security income
- Unemployment Documentation or Workers’ Compensation Documentation
- Utility bill or other documentation indicating reduced payments due to Very Low Income status
- Other documents that prove the individual’s total income for the calendar year

EMPLOYEE / APPLICANT INFORMATION

EMPLOYEE NAME:		SOCIAL SECURITY #:	
----------------	--	--------------------	--

Household Information:

Please complete the following:

1. Total Household Income in previous year: \$ _____
2. Number of Adults in your household: _____
3. Number of Children in your household: _____

HUD Section 8 Income Limits (Revised April 2014)

"Low Income Person" means a Resident of the City of Cleveland who is a member of a family having an income equal to or less than the Section 8 Very Low Income limit established by the Department of Housing and Urban Development (HUD).

Please CHECK the appropriate household size and income limit below.	HOUSEHOLD SIZE	VERY LOW INCOME LIMIT
	1 <input type="checkbox"/>	\$21,950
	2 <input type="checkbox"/>	\$25,050
	3 <input type="checkbox"/>	\$28,200
	4 <input type="checkbox"/>	\$31,300
	5 <input type="checkbox"/>	\$33,850
	6 <input type="checkbox"/>	\$36,350
	7 <input type="checkbox"/>	\$38,850
	8 <input type="checkbox"/>	\$41,350

Household Income Summary If you require additional space, please attach another page to this document.	Name (first and last)	Gross Income	Source of Income (Employer if Applicable)

APPLICANT / EMPLOYEE ACKNOWLEDGEMENT & SIGNATURE

I declare that the information on this form is true, correct and complete to the best of my knowledge. I agree to provide documents to verify the information listed. I authorize the City of Cleveland's Office of Equal Opportunity to verify the information provided.

APPLICANT / EMPLOYEE SIGNATURE

DATE

CONTRACTOR OFFICIAL ACKNOWLEDGEMENT & AUTHORIZATION

I, the employing contractor, have received the above information and reviewed the application for completeness, and believe that the employee meets the necessary requirements to be considered as a "Low Income Resident Worker" under the Cleveland Resident Employment Law.

COMPANY OFFICIAL

TITLE

SIGNATURE

DATE

FOR OEO OFFICIAL USE - APPROVAL

ADMINISTRATIVE REVIEWER SIGNATURE

DATE

Saved as: Low Income Verification Application (04-10-2014)

Revision Date: April 24, 2014

**REFERRAL SOURCE VERIFICATION
FANNIE M. LEWIS CLEVELAND RESIDENT EMPLOYMENT LAW**

CONTRACTOR'S USE ONLY
CONTRACTOR:
PROJECT & DEPARTMENT:

REFERRAL SOURCE AGENCY: _____

I attest that the above-named Contractor has contacted our agency to hire residents of the City of Cleveland in compliance with Chapter 188 of the Codified Ordinances.

Date	Printed Name
Title	Signature
Address	Phone

Contractor's Initial Contact Date: _____ **Contractor's Close Search Date:** _____

- We were unable to refer any City of Cleveland residents.
- The following City of Cleveland residents were referred to Contractor (mark checkbox (☑) if employee meets Section 8 "very low income". Use additional copies of this page for additional referrals.

<input type="checkbox"/>	Name	Job Classification
	Outcome: <input type="checkbox"/> Hired <input type="checkbox"/> Already Employed <input type="checkbox"/> Did not respond <input type="checkbox"/> Not interested <input type="checkbox"/> Other (please explain) _____	
<input type="checkbox"/>	Name	Job Classification
	Outcome: <input type="checkbox"/> Hired <input type="checkbox"/> Already Employed <input type="checkbox"/> Did not respond <input type="checkbox"/> Not interested <input type="checkbox"/> Other (please explain) _____	
<input type="checkbox"/>	Name	Job Classification
	Outcome: <input type="checkbox"/> Hired <input type="checkbox"/> Already Employed <input type="checkbox"/> Did not respond <input type="checkbox"/> Not interested <input type="checkbox"/> Other (please explain) _____	
<input type="checkbox"/>	Name	Job Classification
	Outcome: <input type="checkbox"/> Hired <input type="checkbox"/> Already Employed <input type="checkbox"/> Did not respond <input type="checkbox"/> Not interested <input type="checkbox"/> Other (please explain) _____	

REFERRAL SOURCE LIST

The Employment Connection
(WIA) City, County, Veterans
1701 East 13th St. (NFSC)
Cleveland, Ohio 44114
216.664.4673

American Red Cross
3747 Euclid Ave.
Cleveland, Ohio 44114
Contact: Pam Oliver
216.431.3010

Catholic Charities Training/ Employment
3135 Euclid Ave
Contact: Vanessa Lee
216.426.9870

Esperanza Inc.
4115 Bridge Ave.
Cleveland, Ohio 44114
Contact: Zoraida Valentin
216.651.7178

Urban League of Greater Cleveland
2001 West 65th Street
Cleveland, Ohio 44114
Contact: Maurice Stevens
216.696.4111

Spanish American Committee
Employment Services
4407 Lorain Ave
Cleveland, Ohio 44113
Contact: Sergio Rios
216.961.2100

NAACP – Job Training Site
2490 Lee Blvd.
Cleveland Heights, Ohio 44118
216.231.6260

Hard Hatted Women
4207 Lorain Ave.
Cleveland, Ohio 44113
Contact: Shelly Richmond
216.861.6500

United Labor Council Agency
3328 Carnegie Ave.
Cleveland, Ohio 44114
Contact: Steve Newman
216.391.0900

AFL-CIO Federation of Labor
3250 Euclid Ave
Cleveland, Ohio 44114
Contact: John W. Ryan
216.881.7200

Polaris Career Center
7285 Old Oak Blvd.
Middleburg Hts., Ohio 44130
Contact: Maria Phillips
440.891.7750

El Barrio Employment Services
1255 Euclid Ave
Cleveland, Ohio 44102
Contact: Angelo Figueroa
216.651.2037

Empowerment Zone
Workforce Development
1326 Euclid Ave.
Cleveland, Ohio 44114
Contact: A.C. Alrey
216.664.2804

Black Trade Council
7511 Sagamore Ave.
Cleveland, Ohio 44101
Contact: George Edward
216.431.7899

UCIP-ASAP
3515 Prospect Ave.
Cleveland, Ohio 44115-2619
Contact: Yvette Hassan
216.432.7037

Max Hayes Adult Job Training Program
4600 Detroit Ave.
Cleveland, Ohio
Contact: Jacqelyn Comeaux, Coordinator
216.634.2159
Karen Cunningham-Frank, Job Developer
216.634.2158

AFSCME Local 100 Union
1603 East 27th St
Cleveland, Ohio 44114
Contact: Derek Pollard
216.781.0408

UNION BUILDING & CONSTRUCTION APPRENTICESHIP PROGRAMS

Abestos Workers (4 year program)

1617 E. 30th St.
Cleveland, Oh. 44114
Contact: Scott Sullivan, Business Mgr.
Edward Price III, Apprenticeship Coordinator
216.621.3522

Cement Mason (3 year program)

1417 E. 25 Street
Cleveland, Oh. 44114
Contact: Dan Owens, Business Mgr.
216.573.0400

Boilermaker (4 year Program)

1435 E.13 St
Cleveland, Oh. 44114
Contact: Patric Gallager
216.241.2085

Glazier (4 year program)

216.771.4896

Bricklayer (3 year program)

4205 Chester Ave.
Cleveland, Oh 44103
Contact: Anthony McClough
216.361.9341

Laborer (3 year program)

3250 Euclid Av.
Cleveland, Oh. 44115
Contact: John Kilbane, Coordinator
216.881.5901

Iron Worker (3 year program)

1542 E. 23
Cleveland, Oh. 44114
Contact: Rich Jordan
216.685.1781

Pipefitter (5 year program)

6305 Hally Dr.
Cleveland, Oh. 44125
Contact: Terry Urbanek
216.771.5399

Operating Engineer (4 year program)

4675 Newton Rd.
Richfield Oh 44286
330.659.4115

Plumbers (5 year program)

980 Keynote Circle
Brooklyn Heights, Oh. 44131
Contact: Sean Greller
216.459.2900

Plasterer (6000 hours)

1651 E. 24 St.
Cleveland, Oh. 44114
Contact: Carl Carcioppolo
216.771.5399

Roofer & Water Proofers (3 year program)

1651 E. 24 st.
Cleveland, Oh. 44114
Contact: Sandra Mazeli
216.391.4215

Residential Wireman (2 year program)

9333 Sweet Valley Dr.
Valley View, Oh. 44125
Contact: Dennis Meany
216.621.3090

Tile Layer (3 year program)

4205 Chester Ave.
Cleveland, Oh. 44103
Contact: Dan Zavagno
216.426.8552

Sheet Metal Worker (5 year program)

12525 Corporate
Parma Oh 44130
Contact: John Nesta
216.267.0151

Electrician (5 year program)

9333 Sweet Valley
Valley View, Oh. 44125
Contact: Eugene Stepanik, Director
216.573.0400



City of Cleveland
Frank G. Jackson, Mayor

Office of Equal Opportunity
Dr. Melissa Burrows, Director
601 Lakeside Avenue, Room 335
Cleveland, Ohio 44114-1015
216/664-4150 Fax: 216/664-3870
www.cleveland-oh.gov

Office of Equal Opportunity 2015 Submission Schedule

Monthly Subcontractor Payment Reports Certified Payroll Reports

All required Office of Equal Opportunity (OEO) monthly reporting shall be submitted via the B2Gnow Contract Compliance Monitoring System (Cleveland.DiversityCompliance.com) and the LCPtracker Certified Payroll Tracking System (www.LCPtracker.net – for Construction Contracts over \$100,000) according to the following schedule:

<u>REPORTING MONTH</u>	<u>DATE DUE</u>
DECEMBER 2014	JANUARY 21, 2015
JANUARY 2015	FEBRUARY 24, 2015
FEBRUARY 2015	MARCH 24, 2015
MARCH 2015	APRIL 21, 2015
APRIL 2015	MAY 21, 2015
MAY 2015	JUNE 23, 2015
JUNE 2015	JULY 21, 2015
JULY 2015	AUGUST 21, 2015
AUGUST 2015	SEPTEMBER 22, 2015
SEPTEMBER 2015	OCTOBER 21, 2015
OCTOBER 2015	NOVEMBER 24, 2015
NOVEMBER 2015	DECEMBER 22, 2015
DECEMBER 2015	JANUARY 21, 2016

EXHIBT G

AUTHORIZING ORDINANCES

and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed November 17, 2014.
Effective November 19, 2014.

**Ord. No. 1325-14.
By Council Members K. Johnson
and Kelley (by departmental
request).**

An emergency ordinance determining the method of making the public improvement of repairing and constructing improvements to City right-of-ways, including but not limited to roadways, bus pads, sidewalks, driveway aprons, curbs, curb ramps, brick streets, and appurtenances and authorizing the Director of Capital Projects to enter into one or more public improvement requirement contracts for the making of the improvement, for a period not to exceed two years.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of repairing and constructing improvements to City right-of-ways, including but not limited to roadways, bus pads, sidewalks, driveway aprons, curbs, curb ramps, brick streets, and appurtenances, for the Division of Engineering and Construction, Office of Capital Projects, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

Section 2. That, provided this Council authorizes and the City sells bonds in 2015 for the purposes that include the improvement authorized in this ordinance, the Director of Capital Projects is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period not to exceed two years for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Engineering and Construction, Office of Capital Projects. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the costs of the contract or contracts shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF

534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, and from the fund or funds to which are credited the proceeds of the sale of bonds for 2015 if authorized by this Council and sold by the City for a purpose which includes this improvement, and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 0103, RL 2014-48)

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed November 17, 2014.
Effective November 19, 2014.

**Ord. No. 1381-14.
By Council Members Cleveland, K.
Johnson and Kelley (by departmental
request).**

An emergency ordinance authorizing the Director of Public Works to accept a cash donation from Burten, Bell, Carr Development, Inc. to be used towards the improvement of the Dwayne Browder football field.

Whereas, Burten, Bell, Carr Development, Inc. has applied for a grant from the NFL Grassroots Program in the amount of \$200,000; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That, in the event Burten, Bell, Carr Development, Inc. receives the grant from the NFL Grassroots Program, the Director of Public Works is authorized to accept a cash donation in the amount of \$200,000 from Burten, Bell, Carr Development, Inc. to be used towards the improvement of the Dwayne Browder football field. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted under this ordinance, and on acceptance of the funds by the Director, they shall be appropriated for the purposes described in this ordinance.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed November 17, 2014.
Effective November 19, 2014.

**Ord. No. 1386-14.
By Council Members K. Johnson
and Kelley (by departmental
request).**

An emergency ordinance authorizing the purchase by one or more contracts of a fire aerial apparatus, for the Division of Motor Vehicle Maintenance, Department of Public Works.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That the Director of Public Works is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) fire aerial apparatus, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Works.

Section 2. That under Section 108(b) of the Charter, the purchase authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchase, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 20 SF 559, Request No. RQS 7015, RL 2014-117.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed November 17, 2014.
Effective November 19, 2014.

**Ord. No. 1410-14.
By Council Members Brancatelli
and Kelley (by departmental
request).**

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Gateway Huron, LLC, or its designee, located on Prospect and Huron Avenues for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code; and authorizing an agreement with Gateway Huron, LLC, or its designee.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

Be it ordained by the Council of the City of Cleveland:

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire from and reconvey to Gateway Huron, LLC, or its designee, for a price of one dollar and other valuable considerations determined as fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

(PPN: 101-28-012)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of

EXHIBIT H

PERFORMANCE SPECIFICATION

DESIGN CRITERIA – PERFORMANCE SPECIFICATIONS

Table of Contents

Section 1 PROJECT

- I Project Intent**
- II Scope**

Section 2 GENERAL PROJECT REQUIREMENTS

- I General**
- II Quality Assurance**
- III Project Conditions**
- IV Site Preparation / Base**
- V Final Clean up and Review**
- VI Surface Characteristics**
- VII Warranty**
- VIII Maintenance Materials**
- IX Required RFP / RFQ Submittals**
- X Schematic Drawings**

SPECIFICATIONS

Section 1 Project

I. Project Intent

The City of Cleveland Department of Public Works desires to enter a contract with a single entity to provide a state-of-the-art synthetic turf field at the Lonnie Burten Recreation Center. The basis for the award shall be a combination of price and best design and product features as determined by current industry standards.

II. Scope of Project

The existing natural grass field located at the Lonnie Burten Recreation Center shall be removed as required and replaced with a new synthetic turf system. The successful bidder shall be responsible to propose and deliver a method of construction consistent with achieving the desired results. The successful bidder shall be responsible for all labor, materials and phases of the construction. The successful bidder is expected to provide with this proposal a detailed schedule and description showing the proposed construction methods and paths necessary to achieve the finished system.

The following are the minimum requirements for the infilled synthetic field:

- a. All seams shall flat and without separation
- b. The turf fiber shall be a low abrasive, proven, UV resistant 100% polyethylene system designed for heavy sports and athletic play.
 - a. Minimum pile length – 2.00”
 - b. Maximum pile length – 2.25”
 - c. Minimum yarn denier – 10,000
 - d. Minimum pile weight – 48 ounces per square yard
 - e. Minimum stitch gauge – 3/8”
 - f. Maximum stitch gauge – 3/4”
 - g. Minimum total backing weight – 25 ounces per square yard
 - h. Porous backing
- c. The infill system, consisting of ground rubber and/or silica sand, shall provide a safe, highly playable system similar in play, performance and feel to the best natural grass system. Sand will be washed and smooth, rounded silica sand graded in accordance with the manufacturer’s recommendation. Rubber material shall be free of steel and fiber content with a maximum ash content of 5% as

measured in accordance with ASTM D297. Infill shall be placed to a uniform depth so as to leave a 1/2" of tuft exposed to sunlight when the fiber is extended to its full length.

- d. Impact Attenuation, Gmax – Under 125 for rubber infill for life of warranty
Impact Attenuation, Gmax – Under 170 for rubber/sand infill for life of warranty
Annual testing is required to ensure compliance.
- e. Football lines, football numbers and directional arrows shall be pre-fabricated to the extent possible in a weather-proof warehouse prior to shipment to the site. Hash marks, end zone markings, logos, etc. shall be inlaid on site.
- f. The system shall be warranted for (8) eight full years of use and backed by a third party, pre-paid insurance policy
- g. Manufacturer shall provide proof with Proposal of a minimum of 100 installations over 80,000 square feet. Emphasis in evaluation will be on those fields that meet the project requirements for a removal/disposal and replacement field
- h. Successful bidder shall provide proof that the installation contractor subcontracted for the installation has been certified by the manufacturer as an acceptable installer for the synthetic turf system
- i. Manufacturer shall provide proof with Proposal that Manufacturing Facilities are United States Owned. Manufacturer shall also provide proof that parent company is also United States owned and operated.

Section 2 General Project Requirements

I General

The work includes but is not necessarily limited to the following:

- a. Removal and disposal of the existing natural turf field including soil stockpiling/hauling operation.
- b. Review and approval of existing base material for acceptability of new synthetic turf installation.
- c. Installation of new drainage system.

- d. Installation and grading of aggregate base material.
- e. Geo-textile fabric liner
- f. Installation of perimeter concrete curb with composite board nailer to secure turf.
- g. Installation of synthetic turf system, including, but not limited to base, pads, fasteners and permanent markings.
- h. Project cleanup, warranty and maintenance information, groomer.

II Quality Assurance

The Contractor shall be responsible for on-site supervision of the work and all sub-contractors. The turf system installed shall meet all industry safety aspects, including a G-max per ASTM F-355 of under 175 G's per year for sand/rubber systems and 125 for all rubber systems. Synthetic turf system shall be installed by trained experts certified by the manufacturer as qualified to install the system. The layout of the turf shall meet all NCAA and/or NFSHSA requirements as applicable.

III. Project Conditions

The Contractor shall install the systems under proper conditions and as recommended by the manufacturers of the systems provided. Do not install during adverse weather.

IV. Site / Base Preparation

The base preparation for the synthetic turf field requires, but is not limited to, the following operations:

- a. Site Evaluation of existing conditions
 - b. Bulk Excavation and Grading
 - c. Installation of impermeable field liner or permeable geotextile fabric
 - d. Perimeter drainage collector system and field composite underdrain system
 - e. Furnishing and installation of permeable aggregate base layer.
1. Site Evaluation – Limited soil investigation provided by owner and attached to this RFP as Exhibit J.

Contractor has opportunity to complete additional site investigations as needed to familiarize themselves with site conditions and supplement the information provided.

2. Excavation and Grading-

- a. Complete topographic survey by a licensed surveyor, for the field area inside the existing fence including utility connections and invert elevations.
 - b. Establish a benchmark for the site prior to any excavation.
 - c. Excavate the field area to a verified subgrade depth.
 - d. Stockpile all re-useable topsoil necessary for backfilling the perimeter of the field. Remaining excavated material to be disposed of at previously determined locations as directed by the Landscape Architect.
 - e. Material required for fill to be select inert soil, clean and free of organic matter- roots, brush, other vegetation, trash, debris or other detrimental substances, as well as any rock, brick, or unbroken lumps over (3") three inches. Material to be tested and approved by the authorized soils testing laboratory agency prior to placement.
 - f. The subgrade shall be constructed using approved select fill material. This material should be placed in lifts not greater than (8") eight inches in thickness. Each lift (layer) shall be compacted to at least 95% of maximum dry density at optimum moisture content per ASTM D698 Standard Proctor method. The moisture in the soil, at the time of compaction, shall be uniformly distributed and should be within 90 to 120% range of the optimum.
 - g. Proof roll subgrade prior to filling to verify uniform compaction. Use a tandem loaded or triaxle dump truck fully loaded with a minimum total load of (20) twenty tons. Proof rolling operations must be done in the presence of a Soils Engineer. Any soft and yielding areas are to be removed and replaced or re-compacted with suitable to meet the compaction requirements.
 - h. Finished surface of the subgrade shall be established to within $\pm \frac{1}{2}$ " of designed subgrade elevation. Check grades with a 25' grid to verify.
3. Trench excavation for drainage system and sewer lines to be to width and depth dictated by pipe sizes indicated. A minimum (2") two inch cover shall be maintained between top of pipe and field subgrade. Trenches shall be backfilled using permeable drainage base aggregate (#57 limestone) compacted by hand tamping to a minimum 95% of the maximum density.
 4. Sub-grade liner – permeable geo-textile fabric liner material:
 - a. Permeable Geo-textile Fabric recommended where conditions will not allow the impermeable moisture barrier a non-woven fabric weighing at least 3.5 oz./ sq. yd. should be utilized:

1. ADS 4420 manufactured by Advanced Drainage Systems, Inc.
 2. Geo-Tex 401
 3. Mirafi 140 NC
 4. Amococ 4546
 5. or approved equal
 - b. Installation of Liner requires subgrade surface to be uniform and free of rocks, depressions, voids and irregularities that may damage the liner.
 - c. Place liner in perimeter trench first, separate from the liner on the field. Overlap field and trench sections a minimum of (18") eighteen inches in the direction of water flow.
 - d. Overlap field joints a minimum of (8") eight inches in the direction of water flow.
 - e. Place a suitable amount of ballast on the liner to prevent movement by wind. Ballast should be selected to not damage liner.
 - f. Avoid direct loading on the fabric by traffic. Place a minimum of (6") six inches of material cover prior to exposure to traffic.
 - g. Repair punctured or torn liner by overlapping additional fabric and jointing in accordance with manufacturers recommendations.
5. Perimeter drainage and field sub-drain system:
- a. Install perimeter trench drain system with pipe connections as required for outfall volumes. Verify system function and design with registered engineer in the State of Ohio. Obtain approval of City of Cleveland's Division of Water Pollution Control.
 - b. Acceptable manufacturer to be: ACO or approved equal.
 - c. Sub drains to be 1" x 12" flat panel perforated PVC smooth walled drainage system above liner. Space drain-tiles at 20' centers and align at 45 degree angle to sideline. Drain-tile shall be laid directly on top of liner. Tie into storm sewer system.
6. Perimeter concrete curb to be installed in conjunction with perimeter trench drain. Curb to be 16" x 12" minimum poured in place with composite nailer board to secure turf.
7. Permeable aggregate base to be uniformly mixed processed stone, such as limestone, placed over the entire sub-base, composite drain system and liner. Aggregate shall be a minimum of (6") six inch thickness compacted, stable, permeable, and processed stone. Maintain grade of sub base. Typical aggregate found acceptable, as

a processed stone drainage course should conform to the following gradation:

Sieve	Metric (mm)	Percent passing by weight	
1-1/2"	38.1	100	
1"	25.4	70-100	
3/4"	19.0	55-90	
1/2"	12.7	40-75	
3/8"	9.52	30-65	
No. 4	4.75	20-40	
No. 8	2.38	5-25	
No.16		1.19	12 (max)
No.50		0.38	6 (max)

Percentage of material passing No. 50 sieve can exceed 6% as long as percentage passing the No. 200 screen does not exceed 4%.

- a. Test pad required prior to delivery of base material prepare a sample compaction test in 20' x 20' area in designated location approved by landscape architect.
- b. Installation of aggregate - utilize laser controlled equipment for the grading of the processed stone to ensure accuracy in grading tolerances. Install base from sidelines toward centerline parallel to the drain-tile system to grades indicated on plans.
- c. Base to be permeable yet compacted to proper density, providing a surface stability so that minimal rutting (less than 1/2") or displacement occurs when subjected to a loaded tri-axle or tandem axle truck proof roll (minimum 10 tons of load + truck weight).
- d. Testing - Permeability of the aggregate to be field tested by placing a short section of 12" dia. PVC pipe vertically imbedded into prepared base to a depth of approximately (2") two inches. Suitable seal around the outside of where the pipe interfaces with the base so that no water can escape laterally from this interface area and pour water into the pipe to depth of approximately (6") six inches. Immediately after water has drained from the pipe after this initial filling (to "charge" the base) re-fill the pipeto 2" above top of base and note time it takes for water to drain back down to top of base. Repeat this two more times and take average time for percolation rate. Water must drain from pipe at an average of less than six (6) minutes to meet the twenty inch (20") per hour minimum standard required. Test samples shall be taken (at a minimum of) one sample per every 10,000 square feet or as otherwise directed by the landscape architect. Final in-place aggregate shall have a percolation rate of not less than twenty(20" per hour at all locations.

- e. Elevation accuracy- The finished aggregate surface shall not deviate by more than ¼” from designated compacted grade elevations when checked by (25’) twenty-five foot survey grid. Any remedial work needed to correct deviations in the grade cannot adversely affect the permeability of the completed sub-base.
- f. When the contractor has independently confirmed that the aggregate base is in compliance with the listed requirements a final inspection should be scheduled with the turf installer to verify conditions are acceptable to all parties.

V Final Clean-up and Review

The field shall be inspected jointly by the Owner and Contractor and a punch list of items shall be developed covering deficiencies in materials and workmanship. Prior to final acceptance, the Contractor shall make such adjustments to the work as necessary and listed jointly on the Punch List. The areas shall be thoroughly swept and cleaned. All excess materials shall be removed unless otherwise stipulated. Painted markings, if applicable, shall be suitable for the application.

VI Surface Characteristics

The turf system shall be grass-like in appearance and play. This includes grass-like levels of traction, energy restitution, ball rebound, and shock attenuation. The turf shall provide a stable surface for play, with little infill displacement in use and shall be ideal for a variety of sports in all weather conditions without special footwear.

The system shall drain rapidly. Provide technical information on drainage rates and methodology for achieving high rates of drainage through the turf and pad materials. Detail methods and suitability of the systems for snow removal.

VII Warranty

Provide sample Warranties with the Proposal for all turf systems. The Manufacturer’s turf warranty shall be for eight years and warrant the system for use and play commencing with the date of field acceptance or first use. The warranty shall not be prorated and shall include the following

- a. Must provide full coverage, including UV resistance for the entire period
- b. Must warrant materials and workmanship

- c. Must warrant that the materials supplied meet or exceed the specifications submitted
- d. Must have a provision to repair or replace such portions of the system that are no longer serviceable
- e. Must be a warranty from a single source covering both the materials and installation of the surfacing system
- f. The entire system shall be resistant to rot, mold, insects, microbial attack, and shall be non-toxic to humans.
- g. Must be backed by a third party, pre-paid insurance policy from a Best Rated Insurance Company

All seams shall be flat, tight and permanent with no separation or fraying.

VIII Maintenance Materials

Synthetic turf supplier shall recommend to the Owner a suitable sweeper or groomer to keep the system well maintained. Maintenance Manuals for all surfacing system (three copies) shall be submitted to the Owner prior to the completion of the project.

IX Required RFP/RFQ Submittals

The following information shall be submitted with the Proposal, failure to include being grounds for disqualification:

- a. Complete product description and applicable test data for turf system
- b. 1 (one) 8.5" x 11" minimum size sample (nominal) of the turf and pad systems proposed
- c. Sample warranty - Sample insurance policy certificate and list of owners with phone numbers who have received this warranty and policy certificate.
- d. Maintenance Manual
- e. List of References, with owner contacts and phone numbers.
- f. List of turf installation experts with resumes
- g. ASTM testing data on the system proposed
- h. Proof of U.S. Manufacturing Facilities and U.S. owned parent company
- i. Any / All previous items requested to be included in the RFP/RFQ.

Prior to the start of the construction, the following shall be submitted by the contractor for approval:

- a. Shop drawings detailing field layout and installation.
- b. Detailed shop drawings for sports and logo work
- c. Permeable geo-textile fabric liner
- d. Colored turf samples for approval
- e. Product data for all contract materials required for the aggregate base and drainage system.

X Schematics/Drawings

Schematics or drawings shall be prepared for and submitted after acceptance of the RFP and shall contain all pertinent information regarding construction and design.

Submit drawings for

- a. Field Layout/ Grading Plan
- b. Drainage System Design and Sewer tie-ins
- c. Installation details
- d. Turf seaming details
- e. Striping plan

EXHIBIT J

PRELIMINARY SOILS INVESTIGATION REPORT

February 12, 2015

Ms. Jennifer R. Kalin
R.E. Warner & Associates Inc.
LA Office Plaza II at LA Centre
25777 Detroit Road, Suite 200
Westlake, Ohio 44145
jkalin@rewarner.com

Re: Geotechnical Subsurface Exploration Report
Proposed Football Field Improvements
Lonnie Burten Recreation Center
2511 East 46th Street
Cleveland, Ohio 44104
PSI File Number: 142-1097

Dear Ms. Kalin:

In compliance with your instructions, we have conducted a geotechnical subsurface exploration and analysis for the above-referenced project. The results of this exploration, together with our recommendations, are to be found in the accompanying report, three (3) copies of which are being transmitted herewith.

After the plans and specifications are complete, PSI should review the final design and specifications in order to verify that the earthwork and recommendations are properly interpreted and implemented. **It is considered imperative that the geotechnical engineer and/or its representative be present during earthwork operations and field installations to observe the field conditions with respect to the design assumptions and specifications. PSI will not be held responsible for interpretations and field quality control observations made by others.**

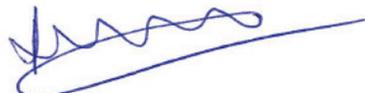
Please advise us of the appropriate time to discuss the field quality control and engineering services, and we will be pleased to meet with you at your convenience.

Respectfully submitted,

PROFESSIONAL SERVICE INDUSTRIES, INC.



Andre E. Ashour, E. I.
Project Manager



A. Veeramani, P.E.
Vice President

Information to Build On

REPORT OF
GEOTECHNICAL SUBSURFACE EXPLORATION

FOR THE PROPOSED

FOOTBALL FIELD IMPROVEMENTS
LONNIE BURTEN RECREATION CENTER
2511 EAST 46TH STREET
CLEVELAND, OHIO 44104

PREPARED FOR

R.E. WARNER & ASSOCIATES INC.
LA OFFICE PLAZA AT LACENTRE
25777 DETROIT ROAD, SUITE 200
WESTLAKE, OHIO 44145

PREPARED BY

PROFESSIONAL SERVICE INDUSTRIES, INC.
5555 CANAL ROAD
CLEVELAND, OH 44125

PSI FILE NUMBER: 0142-1097

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PROJECT INFORMATION

Project Authorization

This report presents the results of a geotechnical subsurface exploration and evaluation conducted for R.E. Warner & Associates Inc., in connection with the proposed football field improvements at the existing Lonnie Burten Recreation Center located at 2511 East 46th Street, Cleveland, Cuyahoga County, Ohio. PSI's services for this project were performed in accordance with PSI Proposal No. 0142-141237, dated December 23, 2014 (Revised on December 30, 2014). Authorization to perform this exploration and analysis was in the form of a Subconsultant Agreement between R.E. Warner & Associates Inc. and PSI (#SC-01115-001), dated January 6, 2015.

Project Description

Project information has been provided by Ms. Jennifer R. Kalin, of R.E. Warner & Associates Inc. Included, we have received a site plan, showing the general location of the existing football field and proposed boring locations.

Based on the provided information, it is understood that the proposed development will include replacement of the existing grass field with a synthetic turf and improvement of the drainage system.

No specific information, such as proposed grading plan, was available at the time of this report submittal. However, based on the visual site observations, it is estimated that maximum cut/fill operations of less than 2 feet will be required for the proposed football field improvements. If any of the noted information is incorrect or has changed, please inform PSI immediately so that we may have the opportunity to amend the recommendations presented in this report.

Purpose and Scope of Services

The purposes of this exploration were to evaluate the soil, rock and groundwater conditions at the site, and to provide geotechnical recommendations for the drainage system design, site preparation and other construction considerations. The scope of the exploration and analysis included a project site reconnaissance, drilling eleven (11) test borings within the proposed project areas, completing a laboratory testing program, and submitting an engineering analysis and evaluation of the subsurface materials.

The scope of services for the geotechnical exploration did not include an environmental assessment for the presence or absence of wetlands or hazardous or toxic materials in the soil, surface water, groundwater, or air, on or below or around this site. Any statements in this report or on the boring logs regarding odors, colors or unusual or suspicious items or conditions are strictly for the information of the client.

SITE AND SUBSURFACE CONDITIONS

Site Location and Description

The site for the proposed development area is located within the existing Lonnie Burten Recreation Center located at 2511 East 46th Street, Cleveland, Cuyahoga County, Ohio. The football field is located immediately north of Outhwaite Avenue.

The existing football field is mainly covered with grass, but was covered with snow at the time of site visit. No topographical information was provided at the time of this report submittal. However, based on the visual site observations, the proposed development surface area is relatively flat with a maximum elevation change of approximately 2 feet across the proposed development area. Surface drainage was poor at the time of the field drilling operations. We recommend that any existing utility lines be checked and marked prior to construction activities.

Subsurface Conditions

The subsurface conditions at the site were explored with a total of eleven (11) test borings, drilled to a depth of about 6 feet each below the existing surface grades at the approximate locations shown on the Boring Location Plan presented in the Appendix of this report. The number and location of the test borings were selected by the client and field located by the representatives of PSI prior to the field drilling operations.

Field and laboratory testing were completed in general accordance with ASTM standards. The types of subsurface materials encountered in the test borings have been visually classified. The results of the visual classifications, Standard Penetration tests, moisture contents and water level observations are presented on the boring logs in the Appendix. Representative samples of the soils were placed in sample jars, and are now stored in the laboratory for further analysis, if requested. Unless notified to the contrary, all samples will be disposed of after 60 days following the date of this report.

The surface of the site at all test boring locations was covered with a layer of topsoil approximately 2 to 6 inches in thickness. The thickness of the topsoil should be considered to be variable throughout the site areas.

Below the topsoil, miscellaneous fill soils were encountered at all the test boring locations to depths of about 1 to 6 feet below the existing surface grades. The fill soils consisted of sand, containing varying degrees of silt, gravel, red bricks, concrete, slag, and organics. The fill soils exhibited moisture content of about 9 to 22 percent. The depth and engineering characteristics of the miscellaneous fill materials, such as strength, composition and compressibility, are considered to be extremely variable.

Below the miscellaneous fill soils, natural soils were encountered at all test boring locations (except test boring locations B-1, B-6, and B-9) to the termination a depth of about 6 feet below the existing surface grades. The natural soils consisted of sand and clay containing varying degrees of silt and gravel. The natural soils exhibited moisture contents of about 4 to 19 percent. The fine-grained soils exhibited a medium stiff to very stiff consistency and the coarse-grained soils exhibited a loose relative density, based on the Standard Penetration tests.

The subsurface description is of a generalized nature provided to highlight the major strata encountered. The boring logs included in the Appendix should be reviewed for specific information at the individual boring locations. The stratifications shown on the boring logs represent the conditions only at the actual test positions. Variations may occur and should be expected between the boring locations. The stratifications represent the approximate boundary between the subsurface materials, and the transition may be gradual or not clearly defined.

Groundwater Conditions

Free groundwater was not encountered at any of the test boring locations during and after completion of the field drilling operations. Groundwater levels fluctuate seasonally as a function of precipitation. Therefore, during a time of year or weather different from the time of drilling, there may be a considerable change in the water table or the occurrence of water where not previously encountered. Furthermore, the water levels in the boreholes often are not representative of the actual groundwater level, because the boreholes remain open for a relatively short time.

EVALUATION AND RECOMMENDATIONS

Site Preparation and Earthwork Construction

Prior to placing engineered fill on this site, general site area clearing should be employed. All existing grass, topsoil, excessively wet soils, highly organic soils, and soft/loose or obviously compressible materials, should be completely removed from the proposed construction areas. Additionally, miscellaneous fill soils, as evidenced in all the test boring location depths of about 1 to 6 feet below the existing surface grades, should be removed about 24-inches from the proposed football field area and replaced with engineered fill. However, the decision in connection with the precise extent of required removal and replacement should be determined in the field by a representative of PSI following observation of the exposed subgrades.

Following the site clearing, stripping and undercutting, and prior to placing engineered fill, the exposed subgrades should be critically proofrolled until the grade offers a relatively unyielding surface. Areas of excessive yielding should be excavated and backfilled with compacted engineered fill and/or the unstable soils can be stabilized by choking the exposed bearing surface with crushed limestone or similar coarse aggregate. After the existing subgrade materials are excavated to design grade, proper control of subgrade compaction and the placement and compaction of new fill materials should be observed and tested by a representative of PSI.

It is recommended that the site preparation, proofrolling and earthwork activities should be performed during a period of warm and dry weather, which can significantly reduce the required extent of undercutting/replacement or soil stabilization.

During site preparation, burn pits, trash pits or other isolated disposal areas may be encountered. All too frequently such buried materials occur in isolated areas outside boring locations. Any such materials encountered during site work or construction should be completely excavated and removed from the site.

Engineered Fill

Engineered fill materials should consist of non-expansive materials. Pyritic and/or potentially expansive materials, such as mine tailings and slag should not be used as engineered fill material. Materials selected for use as engineered fill should contain less than 3 percent by weight of organic matter, waste construction debris, or other deleterious materials. Fill materials should generally have a Standard Proctor maximum dry density

greater than 110 pounds per cubic foot (pcf), an Atterberg Liquid Limit less than 40, a Plasticity Index of less than 15, and a maximum particle size of 2 inches or less.

Representative samples of the proposed fill materials should be collected at least one week prior to the start of the filling operations. The samples should be tested to determine the maximum dry density, optimum moisture content, particle size distribution and plasticity characteristics. These tests are needed to determine if the material is acceptable as structural fill and for quality control during the compaction process.

After subgrade preparation and observation have been completed, fill placement may begin. The first layer of fill material should be placed in a relatively uniform horizontal lift and be adequately keyed into the stripped/excavated subgrade soils. The fill should be placed in layers of not more than 8 inches in thickness, with each layer being compacted to a minimum density of 100 percent of the maximum dry density within the bleacher areas, and within $\pm 2\%$ of the optimum moisture content, as determined by the Standard Proctor Method ASTM D-698. Moisture control (increasing or decreasing the natural moisture content) of the engineered fill materials will be necessary for compaction.

Football Field

Once the subgrade is prepared, engineered fill, placed and compacted following the recommendations provided above, should be placed to the desire subgrade elevation. Adequate field drains or panel drains should then be placed per the drainage system manufacturers' recommendations.

A permeable aggregate base layer should then be placed over the drainage system with sufficient care not to damage it. The permeable aggregate base layer should follow the recommendations provided by the synthetic turf manufacturer, but as a minimum four (4) inches of compacted ODOT item #304 should be used.

Design and installation of the synthetic turf and all-weather track shall follow the recommendations provided by the manufacturer.

Drainage

In addition to the field drains, perimeter drainage is essential for successful football field improvements. With a proper cross section it is possible to provide quick surface water runoff to catch basins and to the outer limits of the field area so that no standing water will be left on the surface.

PSI recommends that underdrains be installed outside of the football field track along the edges to collect and intercept water from field drains and adjacent properties and to keep the water from accumulating under the field areas. The underdrains should direct water to the catch basins, or to another suitable outlet point.

Clean gravel, free from clay or foreign debris, shall be placed first along the bottom of the excavated subgrade trench. To prevent migration of fines into the clean gravel, the gravel should be wrapped in a non-woven filter fabric. Compaction of the clean gravel should be visually inspected to provide an unyielding surface.

A 4-inch diameter ADS Drain Guard with sock shall be installed within the excavated trench. A granular material should then be backfilled and compacted to at least 98 percent maximum dry unit weight according to ASTM D 698 and within $\pm 2\%$ of the optimum moisture content. Compaction of the granular fill should be performed by the use of mechanical rammer or tampers to avoid overstressing the ADS Drain Guard. Infiltration of water into excavations, ponding of water on finished subgrade, or softening or damaging of the bearing materials due to rain or water accumulation should be prevented.

Excavations

In Federal Register, Volume 54, No. 209 (October, 1989), the United States Department of Labor, Occupational Safety and Health Administration (OSHA) amended its "Construction Standards for Excavations, 29 CFR, Part 1926, Subpart P." This document was issued to better insure the safety of workers entering trenches or excavations. It is mandated by this federal regulation that all excavations, whether they be utility trenches, basement excavations or foundation excavations, be constructed in accordance with the new OSHA guidelines. It is our understanding that these regulations are being strictly enforced. If they are not followed closely, the owner and the contractor could be liable for substantial penalties.

The contractor is solely responsible for designing and constructing stable, temporary excavations and should shore, slope, or bench the sides of the excavations as required to maintain stability of both the excavation sides and bottom. The contractor's "responsible person" as defined in "CFR Part 1926," should evaluate the soil exposed in the excavations as part of the contractor's safety procedures. In no case should slope height, slope inclination, or excavation depth, including utility trench excavation depth, exceed those specified in local, state, and federal safety regulations.

We are providing this information solely as a service to our client. PSI is not assuming responsibility for construction site safety or the contractor's activities; such responsibility is not being implied and should not be inferred. If the excavations are left open and exposed to the elements for a significant length of time, desiccation of the clays may create minute shrinkage cracks which could allow large pieces of clay to collapse or slide into the excavation.

Materials removed from the excavation should not be stockpiled immediately adjacent to the excavation, inasmuch as this load may cause a sudden collapse of the embankment.

Weather Considerations

The soils encountered at this site are known to be sensitive to disturbances caused by construction traffic and to changes in moisture content. During wet weather periods, increases in the moisture content of the soil can cause significant reduction in the soil strength and support capabilities. Care should be exercised during the grading operations at the site. Due to the fine-grained nature of the surficial soils, the traffic of heavy equipment, including heavy compaction equipment, may very well create pumping and a general deterioration of those soils in the presence of water. Therefore, the grading should, if at all possible, be performed during a dry season. A layer of crushed stone may be required to allow the movement of construction traffic over the site during the rainy season. The contractor should maintain positive site drainage and if wet/pumping conditions occur, the contractor will be responsible to over excavate the wet soils and replace them with a properly compacted engineered fill.

GEOTECHNICAL RISK

The concept of risk is an important aspect of the geotechnical evaluation. The primary reason for this is that the analytical methods used to develop geotechnical recommendations do not comprise an exact science. Site exploration identifies actual subsurface conditions only at those points where samples are taken. A geotechnical report is based on conditions that existed at the time of the subsurface exploration. The analytical tools which geotechnical engineers use are generally empirical and must be used in conjunction with engineering judgment and experience. Therefore, the solutions and recommendations presented in the geotechnical evaluation should not be considered risk-free and, more importantly, are not a guarantee that the interaction between the soils and the proposed structure will perform as planned. The engineering recommendations presented in the preceding sections constitute PSI's professional estimate of those measures that are necessary for the proposed structure to perform according to the proposed design based on the information generated and referenced during this evaluation, and PSI's experience in working with these conditions.

GENERAL COMMENTS

The recommendations submitted in this report are based on the available subsurface information obtained by PSI and design details furnished by Ms. Jennifer R. Kalin, of R.E. Warner & Associates Inc., for the proposed development. If there are any revisions to the plans for the proposed project, or if deviations from the subsurface conditions noted in this report are encountered during construction, PSI should be retained to determine if changes in the recommendations are required. If PSI is not retained to perform these functions, PSI will not be responsible for the impact of those conditions on the geotechnical recommendations for the project.

The Geotechnical Engineer warrants that the findings, recommendations, specifications, or professional advice contained herein, have been presented after being prepared in accordance with generally accepted professional engineering practice in the fields of foundation engineering, soil mechanics and engineering geology. No other warranties are implied or expressed.

After the plans and specifications are complete, it is recommended that PSI be provided the opportunity to review the final design and specifications, in order to verify that the earthwork and recommendations are properly interpreted and implemented. At that time, it may be necessary to submit supplementary recommendations. This report has been prepared for the exclusive use of R.E. Warner & Associates Inc. for the specific application to the proposed improvements at the existing Football Field within Lonnie Burten Recreation Center located at 2511 East 46th Street, Cleveland, Cuyahoga County, Ohio.

APPENDIX

Boring Location Plan

Boring Logs

Reports of Soil Analysis

General Notes

USCS Soil Classification Chart



Professional Service Industries, Inc.
 5555 Canal Road
 Cleveland, OH 44125
 Telephone: (216) 447-1335
 Fax: (216) 642-7008

LOG OF BORING B-1

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▽ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA		Additional Remarks
											N in blows/ft	Moisture	
0							6" TOPSOIL	Topsoil					
				1	20		Medium Dense, Moist to Very Moist, Black and Brown, Coarse to Fine SAND, Trace to Little Silt, Trace to Little Gravel, Trace to Little Red Bricks and Slag, Trace Organics		1-4-8-4 N=12	17	⊗		
				2	24			Fill	6-7-7-13 N=14	15	⊗		
5				3	24				18-8-7-6 N=15	9	⊗		

Completion Depth: 6.0 ft	Sample Types:	Shelby Tube	Latitude:
Date Boring Started: 2/6/15		Hand Auger	Longitude:
Date Boring Completed: 2/6/15		Calif. Sampler	Drill Rig: CME 55-ATV
Logged By: A.A.		Texas Cone	Remarks: Borings backfilled with soil/auger cuttings
Drilling Contractor: PSI, Inc.			

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-2

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA		Additional Remarks	
											N in blows/ft	Moisture		PL
0							3" TOPSOIL	Topsoil						
				1	22		Medium Dense, Moist, Brown, Coarse to Fine SAND, Trace to Little Silt, Trace to Little Gravel, Trace to Little Red Bricks, Trace Slag	Fill	W-3-16-16 N=19	11	×	⊙		
				2	24		Stiff, Moist, Gray, Sandy SILT, Trace Gravel, Trace Organics and Slag	Fill	6-7-7-7 N=14	22	■	⊙	×	Non-Plastic
5				3	20		Very Stiff, Moist, Reddish Brown, Lean CLAY, Trace to Little Sand and Gravel	CL	8-8-9-9 N=17	16		⊙		

Completion Depth: 6.0 ft	Sample Types:	Shelby Tube	Latitude:
Date Boring Started: 2/6/15	Auger Cutting	Hand Auger	Longitude:
Date Boring Completed: 2/6/15	Split-Spoon	Calif. Sampler	Drill Rig: CME 55-ATV
Logged By: A.A.	Rock Core	Texas Cone	Remarks: Borings backfilled with soil/auger cuttings
Drilling Contractor: PSI, Inc.			

The stratification lines represent approximate boundaries. The transition may be gradual.



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 Cleveland, OH 44125
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LOG OF BORING B-3

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										N in blows/ft	Moisture, %	
0							3" TOPSOIL	Topsoil				
				1	24		Loose, Moist to Very Moist, Black, Silty SAND, Trace to Little Silt, Trace to Little Red Bricks, Trace Slag, Concrete, and Trace to Little Organics	4-4-4-3 N=8	11	⊗		
				2	24			Fill	1-2-1-2 N=3	22	⊗	×
									18		×	
5				3	8				W-1-3-2 N=4	16	⊗	
							Medium Stiff, Moist, Reddish Brown, Lean CLAY, Trace to Little Sand, Trace Gravel	CL	16		×	

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-4

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▽ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										N in blows/ft	Moisture, %	
0							6" TOPSOIL	Topsoil				
				1	18		Medium Dense, Moist, Brown, Coarse to Fine SAND, Trace to Some Red Bricks, Trace to Little Organics	Fill	1-3-8-7 N=11	9	⊗	
				2	24				7-7-12-18 N=19	10	⊗	
							Medium Dense, Moist, Brown, Silty SAND, Trace Gravel					
5				3	18			SM	24-12-8-7 N=20	9	⊗	

Completion Depth: 6.0 ft	Sample Types:	Shelby Tube	Latitude:
Date Boring Started: 2/6/15	Auger Cutting	Hand Auger	Longitude:
Date Boring Completed: 2/6/15	Split-Spoon	Calif. Sampler	Drill Rig: CME 55-ATV
Logged By: A.A.	Rock Core	Texas Cone	Remarks: Borings backfilled with soil/auger cuttings
Drilling Contractor: PSI, Inc.			

The stratification lines represent approximate boundaries. The transition may be gradual.



Professional Service Industries, Inc.
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 Cleveland, OH 44125
 Telephone: (216) 447-1335
 Fax: (216) 642-7008

LOG OF BORING B-5

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										N in blows/ft	Moisture, %	
0							4" TOPSOIL	Topsoil				
				1	20		Medium Dense, Moist to Very Moist, Black and Gray, Silty SAND, Trace to Little Gravel, Little to Some Red Bricks, Trace to Little Concrete, Slag and Organics	Fill	7-8-10-5 N=18	12	⊗ ⊙	
				2	20				3-5-9-10 N=14	18	⊗ ⊙	
				3	14		Loose, Moist, Brown, Silty SAND, Trace to Little Gravel	SM	6-4-4-3 N=8	9	⊗ ⊙	Non-Plastic

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-6

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										N in blows/ft	Moisture, %	
0	0						2" TOPSOIL Loose to Medium Dense, Moist to Very Moist, Black, Silty SAND, Trace to Little Gravel, Little to Some Red Bricks, Slag, Concrete and Organics	Topsoil				
	1			1	20				1-4-3-4 N=7	17	⊗	
	2			2	24			Fill	5-10-12-19 N=22	10	⊗	
	5			3	18				10-10-7-6 N=17	16	⊗	

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-7

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										N in blows/ft	Moisture, %	
0							5" TOPSOIL	Topsoil				
				1	24		Loose, Very Moist, Black, Silty SAND, Little to Some Slag, Trace to Little Red Bricks and Organics	Fill	1-3-5-5 N=8	12	⊗	
				2	20		Loose, Very Moist, Brown, Silty SAND, Trace to Little Gravel	SM	4-2-2-4 N=4	19	⊗	⊗
5				3	0				4-3-3-2 N=6		⊗	

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-8

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▽ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks	
										Moisture, %	N in blows/ft		
0							3" TOPSOIL	Topsoil					
				1	24		Medium Dense, Moist, Black, Coarse to Fine SAND, Trace to Some Silt, Trace Gravel, Trace to Little Concrete, Slag, Organics and Red Bricks	Fill	2-5-13-6 N=18	9	×	⊙	
				2	18		Loose, Moist, Brown, Silty SAND, Trace Gravel	SM	2-2-2-2 N=4	10	⊙	×	Non-Plastic
5				3	12				2-3-2-2 N=5	8	⊙	×	

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

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LOG OF BORING B-9

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	Moisture, %	STANDARD PENETRATION TEST DATA		Additional Remarks
											N in blows/ft		
0							3" TOPSOIL	Topsoil					
				1	24		Medium Dense to Dense, Very Moist to Moist, Black to Gray, Coarse to Fine SAND With Gravel, Little to Some Concrete, Trace to Little Red Bricks, Slag and Organics		10-16-6-5 N=22	20	⊗		
				2	14			Fill	8-13-57-59 N=70	8	⊗	>>⊗	
5				3	6				10-10-6-5 N=16	10	⊗		

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

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LOG OF BORING B-10

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										N in blows/ft	Moisture, %	
0	0						4" TOPSOIL	Topsoil				
	1			1	18		Medium Dense, Moist, Black and Gray, Coarse to Fine SAND, Trace to Little Concrete, Organics, Slag, Trace Red Bricks	Fill	3-6-10-4 N=16	11	⊗ ⊙	
	2			2	12		Loose, Moist, Brown, Poorly Graded SAND, Trace to Little Silt, Trace Gravel	SP	2-1-2-3 N=3	7	⊗ ⊙	Non-Plastic
	5			3	24				4-5-4-10 N=9	4	⊗ ⊙	Non-Plastic

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

The stratification lines represent approximate boundaries. The transition may be gradual.



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LOG OF BORING B-11

Sheet 1 of 1

PSI Job No.: 0142-1097
 Project: R.E. Warner & Associates Inc.
 Location: Proposed Football Field Improvements
 Lonnie Burten Recreation Center
 2511 East 46th St. Cleveland, Ohio

Drilling Method: 3.25" Hollow Stem Auger
 Sampling Method: 2-in SS
 Hammer Type: Automatic
 Boring Location:

WATER LEVELS	
▽ While Drilling	None
▼ Upon Completion	None
▽ Delay	N/A

Elevation (feet)	Depth, (feet)	Graphic Log	Sample Type	Sample No.	Recovery (inches)	Station: N/A Offset: N/A	MATERIAL DESCRIPTION	USCS Classification	SPT Blows per 6-inch (SS)	STANDARD PENETRATION TEST DATA		Additional Remarks
										Moisture, %	N in blows/ft	
0	0						3" TOPSOIL	Topsoil				
				1	20		Loose, Moist, Brown Silty SAND, Trace to Little Organics, Trace Red Bricks, Trace Silt	Fill	6-7-5-5 N=12			
				2	18		Loose, Moist, Brown, Poorly Graded SAND, Trace Gravel	SP	3-2-3-3 N=5			Non-Plastic
	5			3	18				5-4-3-5 N=7			

Completion Depth: 6.0 ft
 Date Boring Started: 2/6/15
 Date Boring Completed: 2/6/15
 Logged By: A.A.
 Drilling Contractor: PSI, Inc.

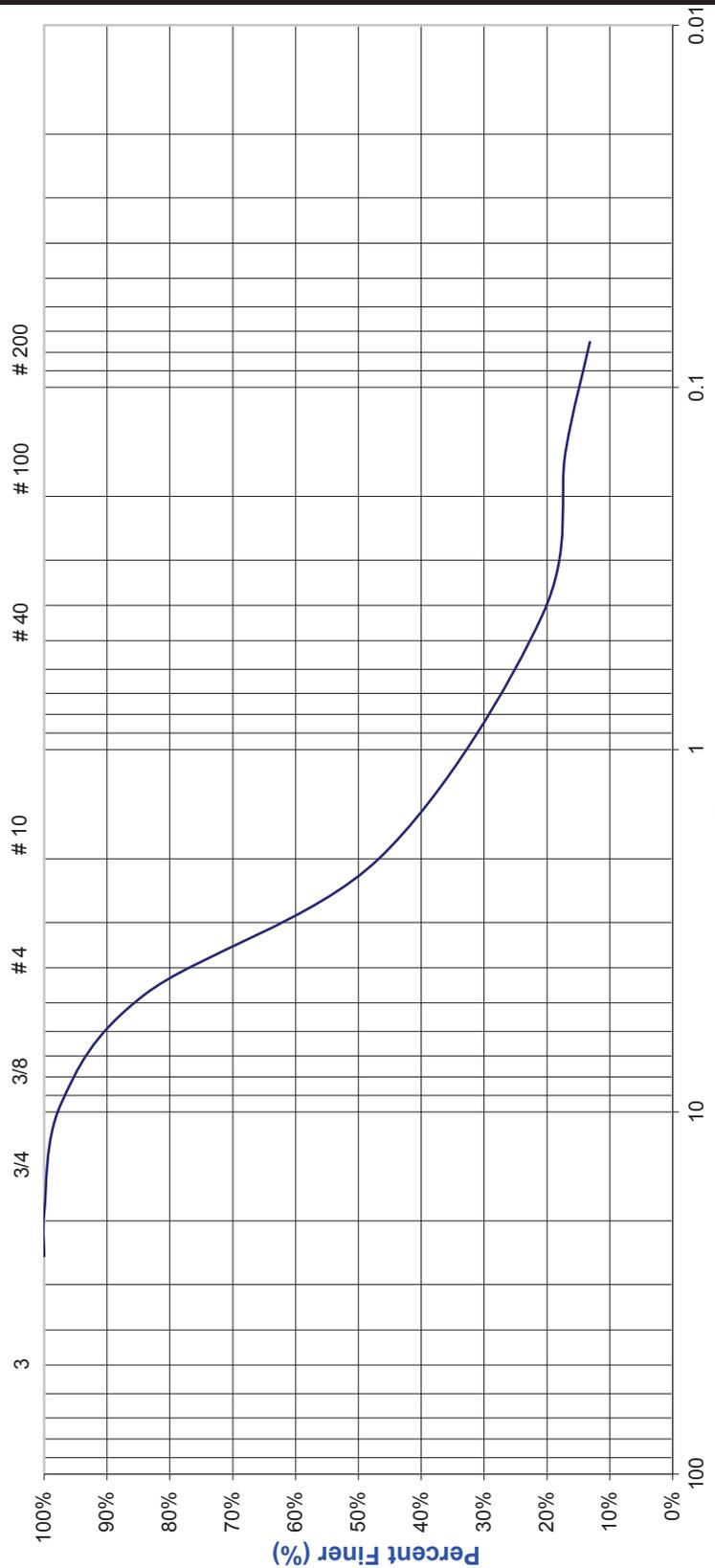
Sample Types:

- Auger Cutting
- Split-Spoon
- Rock Core
- Shelby Tube
- Hand Auger
- Calif. Sampler
- Texas Cone

Latitude:
 Longitude:
 Drill Rig: CME 55-ATV
 Remarks: Borings backfilled with soil/auger cuttings

The stratification lines represent approximate boundaries. The transition may be gradual.

U.S. STANDARD SIEVE OPENINGS IN INCHES U.S. STANDARD SIEVE NUMBERS HYDROMETER



Particle Size Diameter (mm)

GRAVEL		SAND		SILT OR CLAY	
COARSE	FINE	COARSE	MEDIUM	FINE	

Bore No:	B-5	USCS Classification			
Depth	4'-6"	Silty SAND (SM)	Nat. w	LL	PL
Sample No:	SS-3	Little Gravel	9	NP	NP
Test Date	2/11/15	File No:	Max. Particle Size		
Lab Tech	AA	Checked By	GRAVEL	SAND	SILT
		ST	16%	71%	CLAY
					13%

Report of Soil Analysis

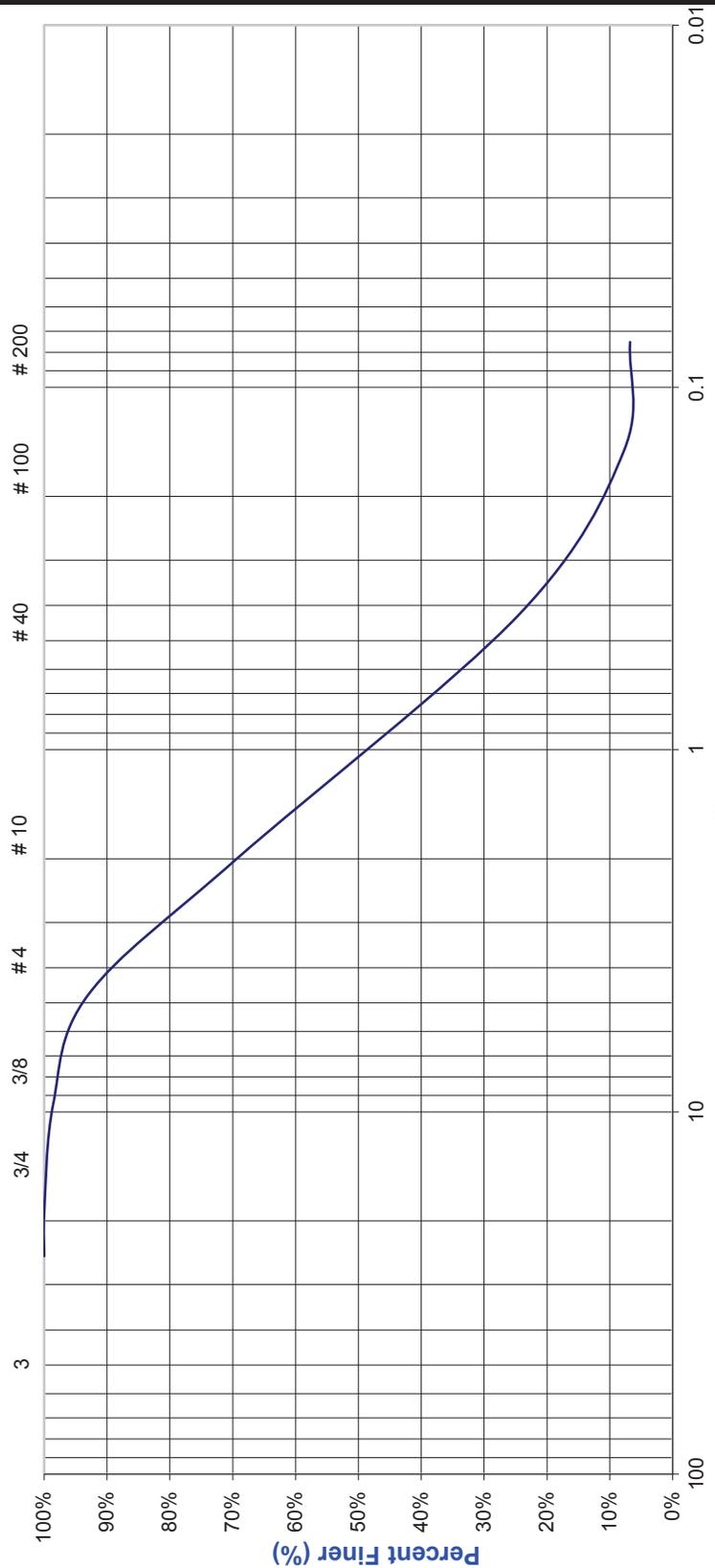


Project Information:
 R.E. Warner & Associates Inc.
 Proposed Football Field Impr.
 Lonnie Burten Recreation Center
 2511 E. 46th Str., Cleveland, OH

HYDROMETER

U.S. STANDARD SIEVE NUMBERS

U.S. STANDARD SIEVE OPENINGS IN INCHES



Particle Size Diameter (mm)

GRAVEL		SAND		SILT OR CLAY	
COARSE	FINE	COARSE	MEDIUM	FINE	

Bore No:	B-10	USCS Classification				Project Information:
Depth	2'-4"	Poorly graded SAND with	Nat. w	LL	PL	R.E. Warner & Associates Inc.
Sample No:	SS-2	Silt (SP-SM), Trace Gravel	7	NP	NP	Proposed Football Field Impr.
Test Date	2/11/15	File No:	GRAVEL		SAND	Lonnie Burten Recreation Center
Lab Tech	AA	Checked By	ST	SILT	CLAY	2511 E. 46th Str., Cleveland, OH
			7%	86%	7%	

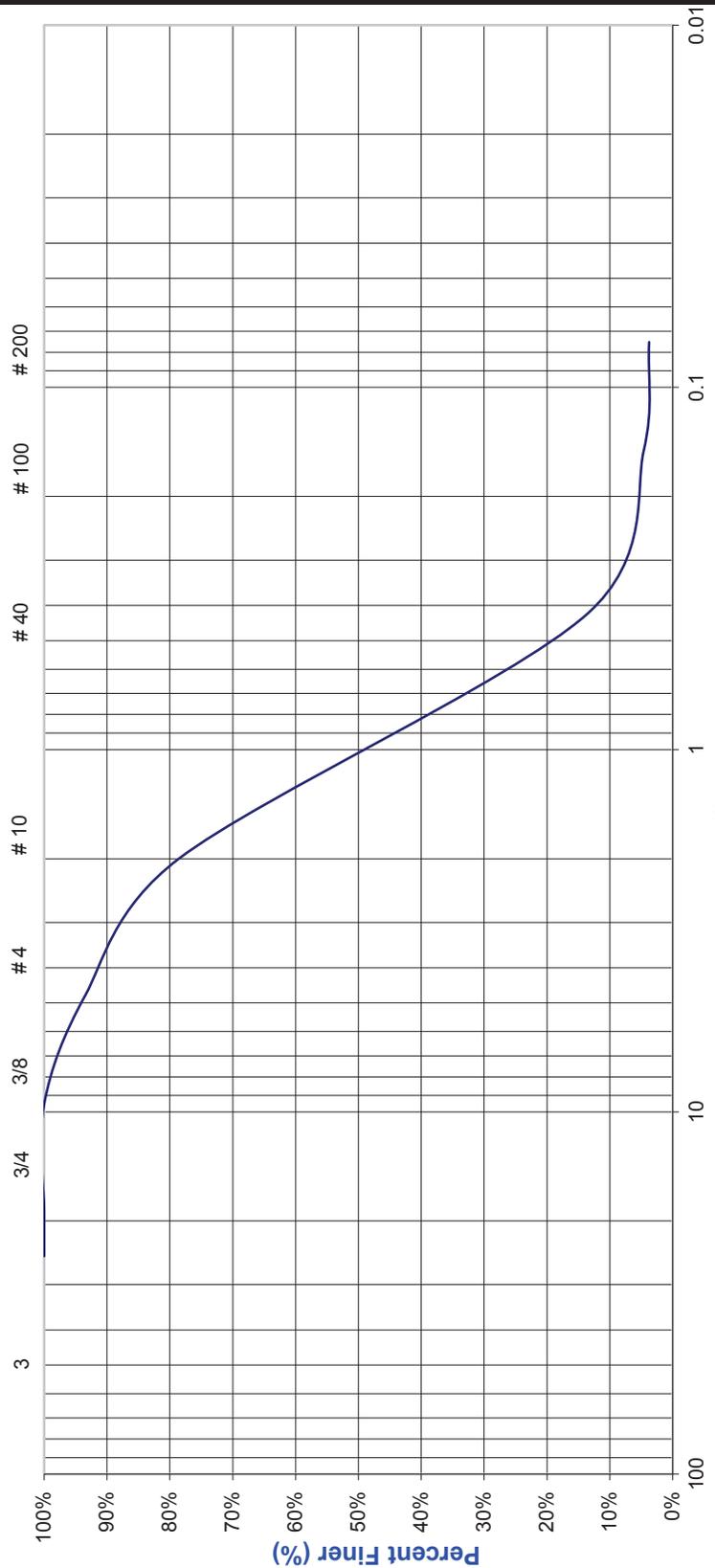


Report of Soil Analysis

HYDROMETER

U.S. STANDARD SIEVE NUMBERS

U.S. STANDARD SIEVE OPENINGS IN INCHES



Particle Size Diameter (mm)

GRAVEL		SAND		SILT OR CLAY	
COARSE	FINE	COARSE	MEDIUM	FINE	

Bore No:	B-10	USCS Classification			
Depth	4'-6"	Nat. w	4	PL	NP
Sample No:	SS-3	Max. Particle Size			
Test Date	2/11/15	File No:	0142-1097	GRAVEL	SAND
Lab Tech	AA	Checked By	ST	SILT	CLAY
				7%	90%
					3%

Project Information:

R.E. Warner & Associates Inc.
Proposed Football Field Impr.
Lonnie Burten Recreation Center
2511 E. 46th Str., Cleveland, OH



Report of Soil Analysis

GENERAL NOTES

SAMPLE IDENTIFICATION

The Unified Soil Classification System is used to identify the soil unless otherwise noted.

SOIL PROPERTY SYMBOLS

- N: Standard "N" penetration: Blows per foot of a 140 pound hammer falling 30 inches on a 2 inch O.D. split-spoon.
- Qu: Unconfined compressive strength, tsf.
- Qp: Penetrometer value, index value of unconfined compressive strength, tsf.
- Mc: Water content, %.
- PL: Plastic limit, %.
- LL: Liquid Limit, %.
- PI: Plasticity Index.
- γ_d : Natural dry density, pcf.
-  Groundwater level observed at time noted after completion of boring.

DRILLING AND SAMPLING SYMBOLS

- SS: Split-Spoon – 1 3/8" I.D., 2" O.D., except where noted.
- ST: Shelby Tube – 3" O.D., except where noted.
- AU: Auger Sample.
- DB: Diamond Bit.
- CB: Carbide Bit.
- WS: Washed Sample.

RELATIVE DENSITY AND CONSISTENCY CLASSIFICATION (Terzaghi & Peck, 1948)

<u>TERM (COHESIONLESS SOILS)</u>	<u>STANDARD PENETRATION RESISTANCE</u>
Very Loose	0 – 4
Loose	4 – 10
Medium	10 – 30
Dense	30 – 50
Very Dense	Over 50
<u>TERM (COHESIVE SOILS)</u>	<u>Qu – (TSF)</u>
Very Soft	0 – 0.25
Soft	0.25 – 0.50
Medium	0.50 – 1.00
Stiff	1.00 – 2.00
Very Stiff	2.00 – 4.00
Hard	4.00+

PARTICLE SIZE (ASTM D2487 AND D422)

Boulders \geq 12 in. (300mm)	Medium Sand <2mm (10 sieve) to 425 μ m (#40 sieve)
Cobbles < 12 in.(300mm) to 3 in. (75mm)	Fine Sand <425 μ m (#40 sieve) to 75 μ m (#200 sieve)
Gravel < 3 in. (75mm) to 4.75mm (#4 sieve)	Silt <75 μ m (#200 sieve) to 5 μ m
Coarse Sand <4.75mm (#4 sieve) to 2mm (#10 sieve)	Clay <5 μ m

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS	
			GRAPH	LETTER		
<p>COARSE GRAINED SOILS</p> <p>MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE</p>	<p>GRAVEL AND GRAVELLY SOILS</p> <p>(LITTLE OR NO FINES)</p>	CLEAN GRAVELS		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES	
		(LITTLE OR NO FINES)		GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES	
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURES	
	<p>MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE</p>	<p>GRAVELS WITH FINES</p> <p>(APPRECIABLE AMOUNT OF FINES)</p>	(APPRECIABLE AMOUNT OF FINES)		GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURES
			CLEAN SANDS		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
			(LITTLE OR NO FINES)		SP	POORLY-GRADED SANDS, GRAVELLY SAND, LITTLE OR NO FINES
	<p>MORE THAN 50% OF COARSE FRACTION PASSING ON NO. 4 SIEVE</p>	<p>SANDS WITH FINES</p> <p>(APPRECIABLE AMOUNT OF FINES)</p>	(APPRECIABLE AMOUNT OF FINES)		SM	SILTY SANDS, SAND - SILT MIXTURES
			CLEAN SANDS		SC	CLAYEY SANDS, SAND - CLAY MIXTURES
			(LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
	<p>FINE GRAINED SOILS</p> <p>MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE</p>	<p>SILTS AND CLAYS</p> <p>LIQUID LIMIT LESS THAN 50</p>	(LITTLE OR NO FINES)		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
(LITTLE OR NO FINES)				CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS	
(LITTLE OR NO FINES)				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY	
<p>SILTS AND CLAYS</p> <p>LIQUID LIMIT GREATER THAN 50</p>		<p>SILTS AND CLAYS</p> <p>LIQUID LIMIT GREATER THAN 50</p>	(LITTLE OR NO FINES)		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS
			(LITTLE OR NO FINES)		CH	INORGANIC CLAYS OF HIGH PLASTICITY
			(LITTLE OR NO FINES)		OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
<p>HIGHLY ORGANIC SOILS</p>				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS	

NOTE DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

EXHIBIT K

DESIGN/BUILD SERVICES CONTRACT

The City of Cleveland and the Design/Builder shall enter into a Contract for the design/build of the Project with an agreement that is based in part on AIA Document A141-2004 Agreement Between Owner and Design-Builder incorporating within said Contract the terms and conditions, the stipulated cost of the work and requirements for insurance and bonds. The Contract will fully obligate the Design/Builder to execute the work required by the design/build documents, which include the Contract with its attached Exhibits/Attachments, the Request for Proposals, the Design/Builder's Proposal, including any revisions to those documents accepted by the Owner, supplementary and other conditions, addenda and modifications. The payment type shall be the cost of the work plus a design/builder's fee with a guaranteed maximum price. The City may choose to modify the General Conditions incorporated within the AIA document.

The Design/Builder shall utilize AIA Document A142-2004 Agreement Between Design-Builder and Contractor, AIA Document A441-2008 Standard Form of Agreement Between Contractor and Subcontractor for a Design-Build Project, AIA Document B143-2004 Standard Form of Agreement Between Design-Builder and Architect, AIA Document C441-2008 Standard Form of Agreement Between Architect and Consultant for a Design-Build Project and AIA Document G704DB-2004 Acknowledgement of Substantial Completion of a Design-Build Project. The intent is that the use of the same family of standard agreements shall insure a clear understanding of roles and responsibilities in the development of the design-build project.

At this time, the City of Cleveland has not yet drafted the proposed agreement.