

CITY OF BLOOMINGTON

INVITATION TO BIDDERS

NOTICE IS HEREBY GIVEN THAT THE BOARD OF PUBLIC WORKS OF THE CITY OF BLOOMINGTON, INDIANA, WILL RECEIVE SEALED BIDS FOR THE FOLLOWING:

Disposal Services of Municipal Solid Waste and Single Stream Recycling

All sealed bids will be received in the Office of the Department of Public Works in the Showers Center, 401 N. Morton Street, Ste. 120, Bloomington, Indiana 47404, **at or before 5:00 p.m. (local time) on Tuesday, November 21, 2023**. Any bids received after this designated time will not be considered. Sealed bids will be opened and read aloud at the City of Bloomington Board of Public Works Meeting on Tuesday, **November 21, 2023, at 5:30 pm (local time)** in the Council Chambers (RM #115) of City Hall at the Showers Building, 401 N Morton Street, Bloomington, Indiana. This meeting is also available for viewing online via Zoom. Information regarding Board of Public Works Virtual Meetings is located on the City of Bloomington website at this location: <https://bloomington.in.gov/boards/public-works>.

Bid documents may also be obtained from the following location: <https://www.bloomington/rfp>

Sealed Bids shall be submitted and clearly labeled with the Bid Title Name and ITB number. No electronic or facsimile submittals will be accepted. Bids must be delivered to the address listed above for the Department of Public Works no later than **5:00 p.m. local time, Tuesday, November 21, 2023**. Bids received after this date and time will not be considered.

Right to Reject Bids: The City reserves the right to accept or reject any and all Bids and to waive any irregularities in bidding. All Bids may be held for a period not to exceed sixty (60) days before awarding a purchase or contract.

Affirmative Action Plan: Each Bidder for contracts over \$10,000 must submit their written Affirmative Action Plan to the City **AT LEAST TWENTY-FOUR HOURS BEFORE THE BIDDING DEADLINE OR SOONER**. Each Bidder must ensure that all employees and applicants for employment are not discriminated against because of any race, religion, color, sex, national origin, ancestry, disability, sexual orientation, gender identity, veteran status, or housing status. All the protected classes must be included in your Affirmative Action Plan for it to be acceptable.

In addition to other requirements, your Plan **MUST** include a workforce breakdown, a harassment plan, an internal grievance procedure, the name of the person responsible for the implementation of the Plan, specific plans for recruitment from minorities, equal access to training programs, a non-retaliation statement, and an explanation of your methods of communicating the operations of your Affirmative Action Plan to your employees and prospective recruits.

You should submit your Plan **SEPARATELY** from the sealed bid. The Contract Compliance Officer for the City of Bloomington is Audrey Brittingham. **EACH BIDDER MUST REVIEW THEIR AFFIRMATIVE ACTION PLAN WITH THE COMPLIANCE OFFICE WELL IN ADVANCE OF THE BIDDING DEADLINE**. Her telephone number is (812) 349-3426. Her office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. **EACH BIDDER'S WORKFORCE**

BREAKDOWN FIGURES MUST BE UPDATED EVERY SIX MONTHS. BIDDERS WHO FAIL TO SUBMIT ACCEPTABLE PLANS ARE SUBJECT TO DISQUALIFICATION.

Kyla Cox Deckard, President
Board of Public Works
City of Bloomington, Indiana



CITY OF BLOOMINGTON

INVITATION TO BID
ITB #2023-01 DISPOSAL SERVICES
City of Bloomington, Indiana
Department of Public
Works, Sanitation Division
November 7, 2023

SECTION 1.0

NOTICE OF BID REQUEST

ITB #2023-01 DISPOSAL SERVICES

The City of Bloomington Department of Public Works, through their Board of Public Works (hereinafter "City"), is issuing an Invitation to Bid (ITB) to select a qualified Vendor to provide services for disposal of municipal solid waste and single-stream recycling collected by the City.

1.1 BID TIMELINE – All times are local time unless expressly noted (EST)

Bid Title and Number:	Disposal Services ITB #2023-01 Disposal Services
Issue Date:	Tuesday, November 7, 2023
Bid Submittal Deadline:	Tuesday, November 21, 2023, by 5:00 pm
Address Bid to:	Board of Public Works 401 N. Morton St., Ste. 120 Bloomington, IN 47404
Method of Submittal:	US Mail, Overnight or Parcel Delivery, or Hand Delivered. Electronic or Fax submissions are NOT acceptable.
Affirmative Action Plan Due:	Monday, November 20, 2023, by 5:00 p.m. or sooner.
Opening of Bids:	Tuesday, November 21, 2023, at 5:30 p.m. Board of Public Works Meeting 401 N. Morton St., (RM 115) (Council Chambers) Bloomington, Indiana, 47404 https://bloomington.in.gov/boards/public-works
Award of Bid:	The Bids will be reviewed, and pending the Board of Public Works approval, a contract may be awarded at a future Board of Public Works meeting.

1.2 **PROJECT DESCRIPTION:**

Disposal of Municipal solid waste and processing of single-stream recyclable materials collected by the City of Bloomington's Sanitation Division of the Department of Public Works.

SECTION 2.0

INSTRUCTIONS TO BIDDERS

2.1 **SUBMISSION INSTRUCTIONS:**

Sealed bids shall be submitted to the attention of the City of Bloomington Board of Public Works at the mailing address shown below. It is the Bidder's responsibility to ensure delivery of bid documents to the City before the submittal deadline. To confirm receipt of your submittal, please contact April Rosenberger at april.rosenberger@bloomington.in.gov

2.1.1 Bid submittals shall include all of the properly executed and completed forms shown below, which are included in this bid packet.

- A. City of Bloomington Bid Form (**Exhibit A**)
- B. E-Verify Employment Affidavit (**Exhibit B**)
- C. Non-Collusion Affidavit (**Exhibit C**)

Note: The Affirmative Action Plan (**Exhibit D**) should not be submitted with the bid. The Plan requires prior pre-approval *before* the bid deadline. See Section 3.6 for details. Please send your plans via the instructions in **Exhibit D as soon as possible** so any issues can be resolved before the deadline of the bid submittal date.

Bid Submittals will be due to the address listed below on or before **5:00 p.m., Tuesday, November 21, 2023**. No emailed or faxed bids will be accepted. Sealed bids will be opened and read aloud during the Board of Public Works work session.

Submit Bids To:

Mailing Address:

City of Bloomington Board of Public Works.
Attn: April Rosenberger
ITB #2023-01 Disposal Services
401 N. Morton St., Ste. 120 Bloomington, IN
47404

Note: Any deviation from these requirements may result in your bid being considered non-responsive.

2.2 **DELIVERY OF BID:**

Each bid must be received by the date and time set for the closing receipt of submittals. The envelope shall be identified with the Title and Number **ITB #2023-01 Disposal Services**, Bidder's name, and the closing date and time. No electronic or facsimile bids will be accepted.

The City's preferred delivery method is either the U.S. Postal Service or a private courier service such as Fed-Ex or United Parcel. However, if a bid is hand-delivered, it will be received at the Front Desk located in the Atrium of the Showers, City Hall Building located at 401 N Morton St, Blgtn, IN 47404, between 8:00 a.m. and 5:00 p.m. Please make sure you hand deliver your bid submittal to a staff member. The City shall not be responsible for submittals left unattended at the front desk.

2.3 INQUIRIES:

The Bidder must examine the bid and seek clarification in writing via email if the Bidder does not understand any information or instructions.

Questions regarding the bid must be submitted via email and shall include the ITB# and Bid Title in the subject line. The City assumes no liability for assuring accurate, complete, or on-time email transmissions and receipts. Inquiries must be submitted via email no later than **5:00 p.m., Wednesday, November 15, 2023.**

1. Reference the page number and section within this bid relevant to the question(s) presented for clarification.
2. The City will respond to all inquiries within two (2) business days of the inquiry submittal deadline through an addendum, which will be available on the City's bid opportunities located here: <https://www.bloomington.in.gov/rfp>.
3. Any ambiguities or inconsistencies shall be brought to the attention of the City through written communication via email by **5:00 p.m., Wednesday, November 15, 2023.**

Submit inquiries to:

Adam Wason, Director
Department of Public Works
wasona@bloomington.in.gov

2.4 ADDENDA:

If revisions become necessary, the City will provide written addenda, which will be posted on the website shown below. Any addenda issued by the City must be signed and submitted with the bid. It is the responsibility of the Bidder to check to see whether any addenda have been issued. Failure to do so could result in an unresponsive bid. Addenda shall be posted to the City's website shown here: <https://www.bloomington.in.gov/rfp>.

2.5 AWARD:

Once the bids are opened and evaluated, the Sanitation Department, through its Board of Public Works, may award a contract to the Vendor who submits the bid judged by the City to be the lowest responsible and responsive bid that meets the specifications contained in this bid request. The award may be made at the next board meeting or a subsequent one. The Board of Public Works meetings schedule is available for viewing at: <https://bloomington.in.gov/boards/public-works>.

2.6 KEY BID DEADLINE DATES:

At its sole discretion, the City reserves the right to adjust the bid key deadline dates shown below, as it deems necessary. Any adjustment of the deadline dates shall constitute an addendum, which will be posted on the City's bid opportunities website shown below. It is the responsibility of each Bidder to confirm if any addenda have been issued before submitting their bid.

<https://www.bloomington.in.gov/rfp>

KEY DEADLINE DATES (All times are Local Time (EST))

Event	Time	Day	Date
Bid Issuance Date	N/A	Tuesday	November 06, 2023
Inquiries Due	5:00 pm	Wednesday	November 15, 2023
Responses Due	5:00 pm	Friday	November 17, 2023
Affirmative Action Plan Due (At the latest, earlier if possible)	12:00 pm Noon	Monday	November 20, 2023
Bid Submittal Deadline	5:00 pm	Tuesday	November 21, 2023
Bid Opening	5:30 pm	Tuesday	November 21, 2023

2.7 ACCEPTANCE OR REJECTION:

Submission of any bid indicates acceptance of the conditions and requirements contained in the Invitation to Bid unless clearly and specifically noted otherwise in the submittal documents.

The Bloomington Sanitation Department or its Board of Public Works reserves the right to reject any or all bids, in whole or in part, to waive any or all informalities, and to disregard all non-conforming, non-responsive, or conditional bids.

2.8 COMPLIANCE:

All applicable laws, ordinances, and the rules and regulations of all authorities having jurisdiction over this project or procurement shall apply to the project or purchase throughout. The Bidder warrants that its performance under this Contract or Award will at all times comply with all local, state, and federal laws, codes, rules, ordinances, and regulations.

2.9 QUALIFICATIONS:

Bidders shall be responsive, responsible and have the capability, experience, personnel, and inventory to render the services and materials requested in the period requested.

SECTION 3.0

GENERAL REQUIREMENTS

3.1 BIDDER REGISTRATION:

Upon notification of an award, a Bidder must meet the approval requirements of the City to become an approved Bidder. Therefore, the Bidder shall submit a current and completed Request for Taxpayer Identification Number and Certification form (IRS Form W-9) to the Controller's office as soon as they have been notified of an award or contract. A substitute IRS W-9 form can also be obtained from the City of Bloomington website located here: <http://bloomington.in.gov/controller>. The completed documents must be submitted using one of the methods listed on the form. Please contact the Controller's office at 812.349.3474 if you have any questions.

3.2 PAYMENT PREFERENCE:

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

If awarded a Contract or a Purchase, the Bidder shall submit a completed EFT form to the Controller's office through one of the methods listed on the form. The form is located on the City of Bloomington website located here: www.bloomington.in.gov. Please contact the Controller's office at 812.349.3474 if you have any questions.

3.3 TAX EXEMPTION:

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

3.4 BID FORM (Exhibit A):

All Bidders are required to complete and sign this form. Please print clearly, and complete all sections. Incomplete Bid Forms will not be considered.

Any deviations or substitutions must be noted clearly on the Bid Form.

3.5 AFFIDAVITS:

As required by Indiana State statutes, the selected Bidder will also be required to execute the following Affidavits for E-Verify and Non-Collusion.

- **E-VERIFY AFFIDAVIT (Exhibit B):** Pursuant to Indiana Code Section 22-5-1.7-11, each Bidder is required to enroll in and verify the work eligibility status of all of its newly hired employees through the E-Verify program. An Affidavit must be signed and notarized, which affirms the Bidder does not knowingly employ an unauthorized alien. This affidavit is provided and shall be submitted with your bid.
- **NON-COLLUSION AFFIDAVIT (Exhibit C):** Pursuant to Indiana Code Section 5-22-16-6, each Bidder shall include with their bid a properly executed Non-Collusion Affidavit. This affidavit has been provided and shall be submitted with your bid.

3.6 AFFIRMATIVE ACTION PLAN (Exhibit D):

Each Bidder submitting a bid over **\$10,000.00** shall submit and have approved by the City of Bloomington Contract Compliance Officer, Audrey Brittingham, their written **Affirmative Action Plan at the latest, twenty-four (24) hours prior to the submission deadline for requests, or earlier when possible.** Bids received that do not have an approved Affirmative Action Plan may be subject to disqualification.

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

employees, recruitment of minorities, equal access to training programs, and an explanation of your method of communicating the operations of your Affirmative Action Plan to employees and prospective applicants.

Audrey Brittingham, Contract Compliance Officer, may be contacted at 812.349.3426, 8:00 a.m. to 5:00 p.m., Monday through Friday. The Affirmative Action Plan paperwork is provided in this bid packet.

PLEASE CONTACT MS. BRITTINGHAM AS SOON AS POSSIBLE IF YOUR SUBMITTAL IS ABOVE \$10,000.

SECTION 4.0

SPECIFICATIONS & REQUIREMENTS

Please express your interest by submitting the following information:

- Cost per ton for processing of Municipal Solid Waste
- Location of transfer or drop-off site for Municipal Solid Waste
- Location of landfill for final disposal of Municipal Solid Waste
- Cost per ton for municipal single-stream recycling processing
- Location of transfer or drop-off site for single-stream recycling processing
- Location of Final Processing for single-stream recycling
- List of any rebates applicable to recyclable material collection
- Information on ability to accept green waste and compostable materials, including locations of any composting facilities**



CITY OF BLOOMINGTON BID FORM
ITB #2023-01 DISPOSAL SERVICES

SEND OR DELIVER BID TO:

City of Bloomington Board of Public Works
Attn: April Rosenberger
401 N. Morton St., Ste. 120
Bloomington, IN 47404

Pricing shall include all costs, including material and delivery costs.

Item No.	Description	Cost per Ton
1.	Disposal cost for Municipal Solid Waste collected by the City	\$
2.	Disposal cost of Single-Stream Recycling Materials collected by the City	\$
LOCATION INFORMATION REQUESTED		
1. Transfer or drop-off site for Solid Waste		
2. Landfill for final disposal of Solid Waste		
1. Transfer or drop-off site for single-stream recycling		
2. Processing site for single-stream recycling		

**** Include a separate sheet detailing your recycling rebates, green waste, and compost facilities.**

BIDDER INFORMATION

(Please print legibly)

Company: _____

Name and Title: _____

Address: _____

Telephone: _____ Fax: _____

E-Mail: _____

Signature: _____

(Must be signed by an authorized company representative.)

"AFFIDAVIT"

STATE OF _____)
) SS:
COUNTY OF _____)

E-VERIFY AFFIDAVIT

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

1. The undersigned is the _____ of _____.
(job title) (company name)
2. The company named herein that employs the undersigned:
 - i. has contracted with or seeking to contract with the City of Bloomington to provide services; **OR**
 - ii. is a Bidder on a contract to provide services to the City of Bloomington.
3. The undersigned hereby states that, to the best of his/her knowledge and belief, the company named herein does not knowingly employ an “unauthorized alien,” as defined at 8 United States Code 1324a(h)(3).
4. The undersigned hereby states that, to the best of his/her belief, the company named herein is enrolled in and participates in the E-verify program.

Signature

Printed Name

STATE OF _____)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared _____
_____ and acknowledged the execution of the foregoing
this _____ day of _____, 20____.

Notary Public's Signature

Printed Name of Notary Public

My Commission Expires: _____ County of Residence: _____

NON-COLLUSION AFFIDAVIT

The undersigned offer or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be offered by any person nor to prevent any person from making an offer nor to induce anyone to refrain from making an offer and that this offer is made without reference to any other offer.

OATH AND AFFIRMATION

I affirm under the penalties of perjury that the foregoing facts and information are true and correct to the best of my knowledge and belief.

Dated this _____ day of _____, 20____.

(Name of Organization)

By: _____

(Name and Title of Person Signing)

STATE OF _____)
) SS:
COUNTY OF _____)

Subscribed and sworn to before me this ____ day of _____
20__.

My Commission Expires:

Notary Public Signature

Resident of _____ County

Printed Name



Updated March 2023

TO: Prospective Bidders/Vendors/Grant Recipients

RE: Affirmative Action, Harassment Policy, Living Wage Ordinance, and Drug Testing Policy

FROM: Audrey Brittingham, Assistant City Attorney/Contract Compliance Officer

AFFIRMATIVE ACTION: All bidders, vendors, and grant recipients with the City of Bloomington for projects in excess of \$10,000.00 must submit an affirmative action plan to the City Legal Department. This plan must ensure applicants and employees are treated in a manner that provides equal employment opportunity and tends to eliminate inequality based upon race, religion, color, sex, national origin, ancestry, disability, sexual orientation, gender identity, veteran status and/or housing status.

Even if your company already has a plan on file with the City, you must check with City Legal Department to make sure it complies with the City's current requirements, including having a workforce breakdown form that is no more than six months out of date. If you already have a plan, but it does not cover all of the City's current requirements, you may submit a separate supplement with your plan to fill any gaps.

You must submit your written affirmative action plan (or supplement) to City Legal **at least twenty-four hours** before the bid, quote, or proposal deadline. When the affirmative action submission deadline falls on a weekend or City holiday, the deadline is moved up to 5:00 p.m. on the last City work day before the bid deadline. You must submit your plan to the Legal Department **separately** from your bid or quote. Twenty-four hours will give legal sufficient time to review your and the other plans. I recommend you submit your affirmative action plan to the Legal Department earlier, if possible, so there will be sufficient time to work out any problems that may be in your plan. Bidders who fail to submit acceptable plans by the deadline are subject to disqualification.

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

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

Accompanying this letter you will find the following materials:

1. A workforce breakdown form. You **MUST** submit a workforce breakdown form (sometimes called a "utilization report") with your affirmative action plan. This form is provided for your convenience. If you already have a current form you have completed for another jurisdiction that includes the same

type of information, you may submit a copy of that form instead of using our form. Your workforce breakdown data cannot be more than six months old. Even if you already have an acceptable affirmative action plan on file with the City, you should submit a new workforce breakdown each time you bid for a city contract, to be sure we have up-to-date figures.

2. An affirmative action plan checklist. We will use this checklist to review your affirmative action plan. If you compare your plan with this list, you should be able to tell whether your plan fulfills the City's requirements. If your plan omits any elements on the checklist, your plan will not be approved.
3. A sample affirmative action plan that you may amend and adopt as your own.

These documents may be useful if your company has not designed an affirmative action plan before. Feel free to adopt this plan as your own or to amend it to meet your needs.

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

HARASSMENT POLICY: All bidders and vendors required to submit an affirmative action plan now must also submit a harassment plan. The harassment plan must, at minimum, include a definition of harassment, the name or title of the individual designated to receive and investigate complaints and a statement that the contractor will not retaliate against an employee for complaining about harassment. A model harassment policy is included for your convenience as part of our attached model affirmative action plan, which you may amend and adapt as your own. **Please note that this harassment policy requirement is fairly new, adopted by the Bloomington Common Council in June, 2019.**

LIVING WAGE: Contractors that are considered "covered employers" under City Ordinance 2.28, otherwise known as the "Living Wage Ordinance" or "LWO," are required to pay their covered employees at least a living wage. Currently, the living wage is \$15.29 per hour for covered employees, and up to 15% of that amount, or \$2.29, may be in the form of the covered employer's contribution to health insurance available to the covered employee. The living wage for 2024 will be \$15.75, or \$2.36 may be offered in the form of the covered employer's contribution to health insurance available to the covered employee.

If the City determines the successful bidder is a covered employer under the LWO, Contractor shall execute the Living Wage Ordinance Affidavit; shall abide by the LWO by paying their employees a living wage and providing the City with information requested in the course of enforcing the LWO; and shall post the Living Wage Poster, provided by the City Legal Department, in areas frequented by their covered employees.

The attached flow chart provides guidance on whether the contractor is a "covered employer." If you have questions, please contact **Audrey Brittingham at audrey.brittingham@bloomington.in.gov, or call 812-349-3426.**

DRUG TEST POLICY: Finally, please be aware that if you are submitting a bid for a public works project with an estimated cost of \$150,000.00 or more, you will need to submit your company's written drug testing plan with your bid. Your plan must comply with I.C. 4-13-18-1. Failure to do so may make you ineligible to be awarded a bid or contract. Please see your bid packet for more details.

If you have any questions, contact the City's Legal Department at 812.349.3426 or email the City at legal@bloomington.in.gov. The office hours are Monday through Friday, 8-5.

Thank you.

Model Affirmative Action Plan and Harassment Policy

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

Responsible Officer

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

Publication of Policy

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

- o posting notices on employee bulletin boards,
- o including our policy statement and plan in our personnel manual,
- o regularly sending out notices of our policy in paycheck envelopes, and/or
- o training supervisors to recognize discriminatory practices.

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

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

Implementing Our Policy

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

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

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

GRIEVANCE PROCEDURE

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

Our current workforce breakdown is shown on the attached form.

Policy prohibiting harassment in the workplace

It is the policy of _____ (company name) to maintain a workplace free of harassment on the basis of race, sex, color, ancestry, national origin, religion, disability, age, sexual orientation, gender identity, housing status or veteran status. Harassment, as defined herein, is strictly prohibited in the workplace, and is punishable by appropriate discipline up to and including termination.

Harassment means any unwelcome or offensive conduct, whether written, verbal or physical, which is

- (a) directed at or to an employee because of his or her actual or perceived race, sex, color, ancestry, national origin, religion, disability, age, sexual orientation, gender identity, housing status or veteran status or
- (b) directed toward any person concerning an individual, or a class of individuals, because of the race, sex, color, ancestry, national origin, religion, disability, age, sexual orientation, gender identity, housing status or veteran status of the individual or class of individuals. For example, racial or ethnic slurs or derogatory epithets are prohibited in the workplace, regardless of whether a member of the racial or ethnic group is present when the statement is made.

Harassment does not refer to occasional compliments or other statements of a socially acceptable nature. Harassment refers to behavior which is unwelcome and which is offensive and/or persistent enough to create, or has the potential of creating an intimidating, hostile or offensive working environment for any employee. Harassment includes unwelcome sexual advances or requests for sexual favors, unwelcome touching of a sexual nature and unwelcome and/or offensive sexual comments.

1. This policy applies to all full-time, part-time, permanent and temporary employees, including supervisors and department heads, as well as to volunteers.
2. It is a violation of this policy to use an individual's submission to or rejection of harassing conduct as the basis for any employment decision affecting the individual.
3. An employee who believes she, he or they have been subjected to harassment as defined in this policy shall promptly report the harassment to her, his or their supervisor and/or the director of human resources or designee. _____ (company name) will make reasonable efforts to insure that a human resources representative of each sex is available to receive such complaints. The human resources department shall conduct a thorough and prompt investigation and, if appropriate, take disciplinary action against any offender, including but not limited to discharge. Staff will keep the complaint as confidential as reasonably possible. No one will be retaliated against for filing a harassment complaint.

4. All supervisory personnel who observe or otherwise learn of or have reason to suspect any conduct which may violate this policy shall promptly report such facts to the director of human resources or designee, and shall cooperate fully in any investigation or disciplinary action undertaken pursuant to this policy. Failure to comply with this section shall be grounds for appropriate disciplinary action, up to and including termination.
5. _____ (company name) will provide regular training to employees and supervisors on the subject of harassment in the workplace. We will include information about this policy in our orientation and in our personnel policy. A copy of this policy will be posted on a prominent bulletin board. We take this matter seriously and will do all that is reasonably necessary to maintain a harassment-free workplace for our employees.

Signature

Date

WORKFORCE BREAKDOWN FORM

COMPANY NAME: _____

ADDRESS: _____

REPRESENTATIVE: _____

PHONE: _____

E-MAIL ADDRESS: _____

Position, Title Class or Category	Total Number Employees in Each Position	Total Number Minority Employees	Percent of Total	Total Number Female Employees	Percent of Total	Total Number Employees with Disabilities	Percent of Total

I swear or affirm under penalties of perjury that this workforce breakdown is accurate, to the best of my knowledge.

Signature and Title of Representative: _____

Date: _____

AFFIRMATIVE ACTION PLAN AND HARASSMENT POLICY CHECKLIST

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

Company Name: _____

Effective Date: _____

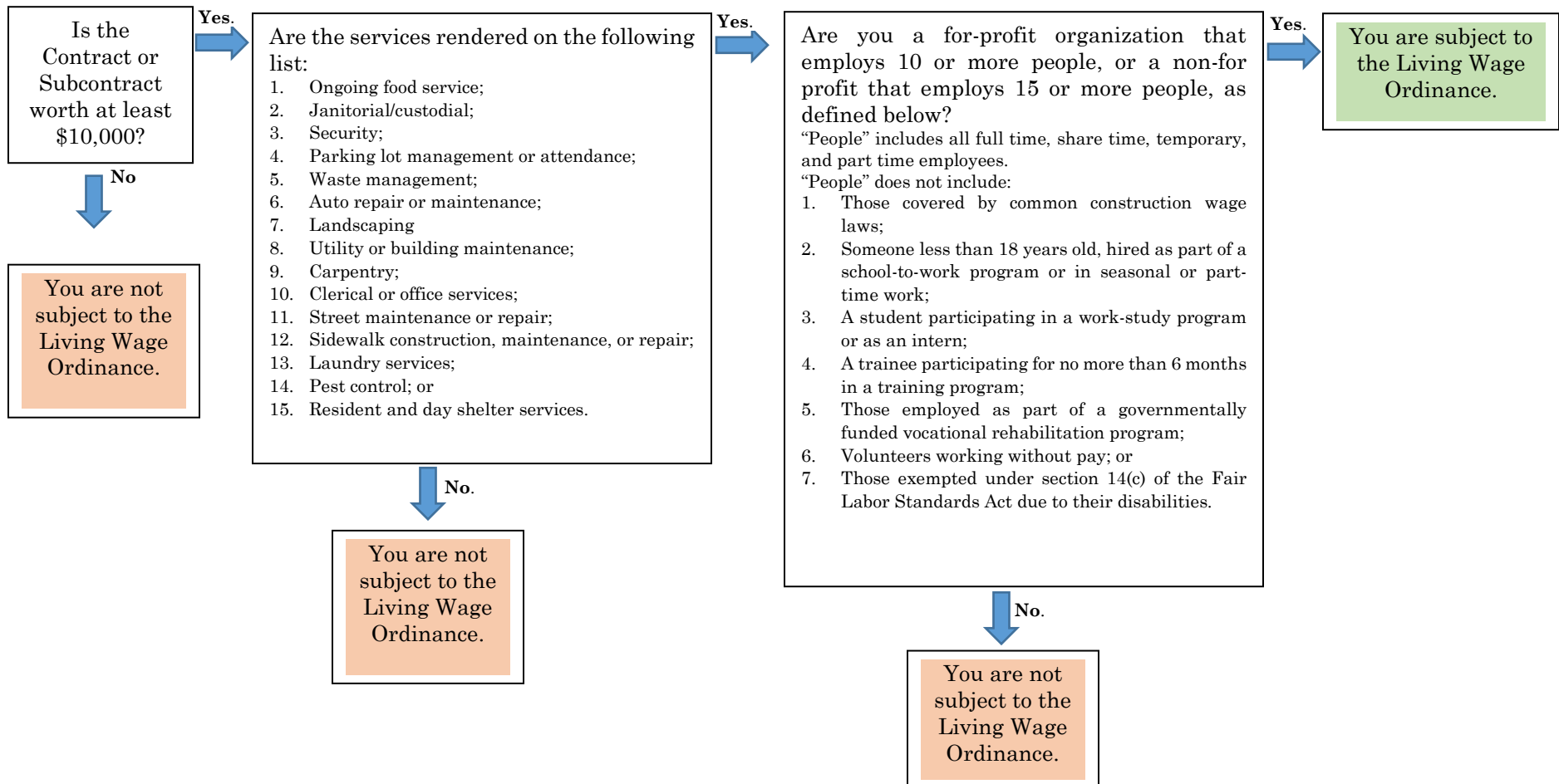
Contractor: Plan MUST Include:	Yes	No	Comments:
Policy statement of equal employment opportunity	☐	☐	
Covers: Applicants for employment	☐	☐	
Employees	☐	☐	
On basis of: Race	☐	☐	
Religion	☐	☐	
Color	☐	☐	
Sex	☐	☐	
National Origin	☐	☐	
Ancestry	☐	☐	
Disability	☐	☐	
Sexual Orientation	☐	☐	
Gender Identity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

The City of Bloomington (CoB) Living Wage Ordinance (LWO) applies to three groups of employers:

- 1) The CoB;
- 2) Companies that provide services to the CoB through contracts or subcontracts; or
- 3) Organizations that receive CoB subsidies or grants.

As an employer under categories 2 or 3, you may or may not be subject to the LWO. To find out, follow the applicable flow chart, below, or contact the City Legal Department.

Companies that Provide Services to the CoB through Contracts or Subcontracts (“Agreement”)



Companies or Organizations that Receive CoB Subsidies or Grants

