

177.14(f) Any construction contract procured through the general contracting, design-build or construction manager-at-risk methods, as set forth in Subsections (c), (d) and (e), above, shall only be entered into by the County with a responsible firm. In order for any firm to be considered a responsible firm under this Subsection, the firm shall meet each of the following criteria:

(1) The firm shall identify three (3) ~~public works projects that are each within seventy five percent (75%) of the bid estimate for~~ of similar size and scope to the Public Project that were successfully completed by the firm within the last five (5) years.

(2) The firm shall certify that it will employ supervisory personnel on the Public Project that have five (5) or more years' experience in the specific trade needed for the Public Project.

(3) The firm shall certify that, in the last five (5) years, it has not been penalized or debarred from any public works project for certified payroll records violations or any violation of the Fair Labor Standards Act.

(4) The firm shall certify that it has not been debarred from any public works projects for any prevailing wage violations; or been found (after all appeals) to have violated prevailing wage laws more than three (3) times in the last five (5) years.

(5) The firm shall certify that it is in compliance with Ohio's Drug Free Workplace Program, including but not limited to, maintaining a substance abuse policy that governs its personnel who will work on the Public Project and shall provide evidence of the same.

(6) The firm shall certify that it has not been debarred from any public contract, federal, state, or local, in the past five (5) years for any reason other than those set forth in Subsections (3), (4) and (5), above.

(7) The firm, for a licensed trade contract or fire safety contract shall certify that the firm is licensed pursuant to Chapter 4740 of the Ohio Revised Code as a heating, ventilating and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, hydronics contractor or certified by the State Fire Marshall pursuant to Section 3737.65 of the Ohio Revised Code, and shall provide evidence of the same.

(8) The firm shall certify that it has not had any professional license revoked in the past five (5) years in the State of Ohio or in any other state.

(9) The firm shall certify that it has no final judgments against it that have not been satisfied at the time of certification.

(10) The firm shall certify that it has complied with all applicable unemployment and workers compensation laws for the three (3) years preceding the date of its certification.

(11) The firm shall certify that it will notify the Income Tax Authority of the city, village, township or joint economic development district where the Public Project is located, prior to beginning work on the Public Project, of any independent contractor(s) or subcontractor(s) and/or IRS Form 1099 employee(s) that will be used on the Public Project.

(12) The firm shall certify that it will use construction employees on the Public Project who were trained in a state or federally approved apprenticeship program, or who are currently enrolled in a state or federally approved apprenticeship program, or who have at least four (4) years of experience in their particular trade.

(13) The firm shall certify that it and its subcontractors or any other contractor performing work on the Public Project pursuant to a contract with the firm shall pay the prevailing wage rate and comply with the other provisions set forth in Ohio's Prevailing

Wage Law, R.C. 4115.03 through 4115.16, and O.A.C. 4101:9-4-01 through 4101:9-4-28. This includes, but is not limited to, the filing of certified payroll reports.

(14) The firm shall certify that it will make its best efforts to secure and utilize construction employees primarily from Summit County and, secondarily, from counties that are contiguous to Summit County.

In order to ensure that a firm meets and will continue to meet the above criteria during the term of the Construction Project, any firm submitting a bid, response to a request for qualifications or response to a request for proposals shall include in that firm's bid or response an affidavit certifying that it meets each of the above criteria, will continue to meet each of the above criteria during the term of the construction contract, and shall attach to said affidavit any information or documents required by said criteria. A notice of the above criteria shall be included with the plans and specifications, request for qualifications and request for proposals for the Construction Project. Additionally, any construction contract entered into between the County and any firm shall contain provisions requiring the firm to abide by said criteria during the term of the contract.