



**REQUEST FOR PROPOSALS**  
**FOR THE**  
**CITY OF YORK COMPILATION OF FINANCIAL STATEMENTS FOR THE FISCAL YEAR**  
**ENDING DECEMBER 31, 2020.**

**ISSUE DATE: AUGUST 03, 2020**  
**RESPONSE DUE DATE: OCTOBER 01, 2020**

**ISSUED BY:**  
**THE CITY OF YORK**  
**DEPARTMENT OF BUSINESS ADMINISTRATION**  
**101 SOUTH GEORGE STREET**  
**YORK, PENNSYLVANIA 17401**

**CITY OF YORK, PENNSYLVANIA  
REQUEST FOR PROPOSALS  
FOR  
PROFESSIONAL FINANCIAL STATEMENT COMPILATION SERVICES**

**Introduction**

A. General Information

The City of York, Pennsylvania, is requesting proposals from qualified firms of certified public accountants to compile the financial statements and supplementary information of the City of York, York City Sewer Authority and York City General Authority for the fiscal year ending December 31, 2020. This compilation is to be performed in accordance with Statements on Standards for Accounting and review Services issued by the American Institute of Certified Public Accountants. The compilation shall be limited to presenting, in the form of financial statements and supplementary schedules, information that is the representation of City management

There is no expressed or implied obligation of the City of York to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

After reviewing the request for proposal, any inquiries should be addressed to Thomas Allen Ray, Business Administrator, at (717) 849-2323 or [tray@yorkcity.org](mailto:tray@yorkcity.org).

To be considered, six copies of the proposal must be received by City's Business Administrator, 101 South George Street, P.O. Box 509, York, PA 17405 by 4:30 on October 01, 2020. The City of York reserves the right to reject any and all proposals submitted. Proposals submitted will be evaluated by a five-member Audit Committee.

During the evaluation process, the City of York reserves the right to request additional information or clarifications on the proposals, or to allow corrections of errors and omissions. At the discretion of the City, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

The City of York reserves the right to retain all proposals submitted and to use any ideas contained in the proposals regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted and confirmed in the engagement letter between the City and the selected firm.

It is anticipated that the selection process will be completed by December 01, 2020. Following contract award, an engagement letter between the selected firm and the City of York will be executed.

B. Term of the Engagement

A one (1) year engagement with the option to renew for a three (3) year period is being contemplated, subject to the satisfactory negotiation of terms and the concurrence of York City Council.

**Nature of Services Required**

A. Scope of Work to be Performed

The City of York desires the firm to compile the City's general-purpose financial statements (GPFS) for the fiscal year ending December 31, 2020, prepared in accordance with generally accepted accounting principles (GAAP) as promulgated by the American Institute of Certified Public Accountants (AICPA). The compilations must be conducted in accordance with generally accepted auditing standards (GAAS) and the standards set forth for financial statements in the U.S. General Accounting Office's (GOA) *Government Auditing Standards* and the provisions of the Federal Single Audit Act Amendments of 1996, U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

B. Reports to be Issued

Following the completion of each fiscal year's financial statements, the compiler shall issue 10 copies of each of the following in both hard copies and pdf format:

1. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles.
2. A report on the Intermunicipal Sewer Fund.
3. A compilation of the schedule of revised treatment costs for the Intermunicipal Sewer Fund.
4. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles for the City of York General Authority.
5. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles for the York City Sewer Authority.
6. A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles for the Redevelopment Authority of the City of York.

Written progress reports shall be given to the Business Administrator or designee every thirty days throughout the performance of the compilation.

**Irregularities and Illegal Acts.** Compiler shall be required to make an immediate, written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the Mayor and the Business Administrator.

C. Adjustments

All adjusting entries must be given to the City of York upon completion of the compilation.

D. Working Paper Retention, Access to Working Papers and Copies of Working Papers.

All working papers and reports must be retained, at the compiler's expense, for a minimum of three (3) years, unless the firm is notified in writing by the City of York of the need to extend the retention period. The compiler will be required to make working papers available, upon request, to federal or state governments or by the City of York. In addition, the firm shall respond to the reasonable inquires of successor compilers and allow successor compilers to review working papers relating to matters of continuing accounting significance.

The firm shall supply the City of York with both hard and digital copies of all work papers, including but not limited to excel spreadsheets.

**Description of the Government**

A. Contact Person

The compiler's principal contact with the City of York will be **Thomas Allen Ray, Business Administrator, 717.849.2323 or [tray@yorkcity.org](mailto:tray@yorkcity.org)**.

B. Background Information

The City of York is a Third-Class City operating under the Third-Class City/Optional Charter Law of the Commonwealth of Pennsylvania. The City encompasses an area of approximately 5½ square miles, serving a population of approximately 45,000.

The City of York is organized into five departments. The accounting and financial reporting functions of the City are both centralized and decentralized. The City has a centralized, city-wide accounting system; however, individual departments are responsible for compiling financial information for federal and state grant reporting requirements.

Budgeted expenses for 2020 are as follows:

General Fund	\$49,636,952
Internal Services Fund	\$18,097,084
Sewer Fund	\$14,976,050
Ice Rink Fund	\$965,250
Intermunicipal Sewer Fund	\$8,610,040
Recreation Fund	\$1,694,742
CDBG Fund	\$2,186,618
HOME Fund	\$1,362,854
State Health Fund	\$1,730,570

Weyer Trust Fund	\$147,334
Liquid Fuels Fund	\$1,356,722
Debt Service Fund	\$5,297,585
Capital Projects	\$3,947,837

The City's books are maintained on both a cash basis and a modified accrual basis for all funds.

The City's budget is incorporated into the General Ledger. All funds have automated financial records.

Monthly reports include the following:

- trial balance, balance sheet,
- budget vs. actual (expense and revenue), and
- all subsidiary ledgers pertaining to accounts payable, payroll, and revenue.

Data maintained in the accounting system is available in a variety of formats and reports can be created at any time.

The City of York maintains a record of fixed assets as required by generally accepted accounting principles.

The Finance Bureau generates monthly financial reports. The Controller's Office generates the annual financial report for the PA Department of Community and Economic Development.

## C. Fund Structure

### 1. Government Funds

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Projects Fund

### 2. Proprietary Funds

- Enterprise Funds
- Internal Services Fund

### 3. Fiduciary Funds

- Trust Funds
- Agency Funds

## Component Units

The City of York is defined, for financial reporting purposes, in conformity with the Governmental Accounting Standards Board's Codification of Governmental Accounting and Financial Reporting Standards, Section 2100. Using these criteria, component units are included in the City of York's Financial Statements.

The City of York has identified the following component units for inclusion in the City of York's financial statements:

City of York General Authority – The York City General Authority was established per Ordinance No. 2 of Session 1995 under the authority of the Municipalities Authorities Act of 1945 (the "Act"). The Act grants municipalities the power to create authorities, such as the General Authority, to engage in various projects, which can benefit the municipality and/or to finance projects, some of which are outside of the boundaries of the City. The profit from these projects is then brought back to the home municipality.

The General Authority may also act as a conduit to issue tax-exempt debt and can earn significant fees just for being a conduit for such debt. Some of the benefits of having a local General Authority were noticed when local governments saw the need to work together on projects, which sometimes crossed municipal boundaries. Some of these projects include but are not limited to: acquiring, holding, constructing, improving, maintaining and operating, owning, leasing, in the capacity of a lessor or lessee, projects such as buildings devoted wholly or partially for public uses, parks and recreation, industrial development projects, and/or business improvement projects. The General Authority may also provide financing for insurance reserves for these types of projects. One major undertaking of the York City General Authority was acquiring certain assets constituting the City of York Parking System in 1995.

The York City General Authority operates the public parking system in the City. The system consists of three parking garages in the downtown business district, numerous surface parking lots throughout the City and over one thousand parking meters in the core business district and commercial districts surrounding the core district.

The York City General Authority Board is made up of seven (7) members appointed by the Mayor and confirmed by City Council. Each member shall be a taxpayer in, maintain a business in, or be a citizen of the incorporating municipality. The term of office for each member is set at five years, with staggering terms.

The General Authority's fiscal year begins on January 1 and ends on December 31.

York City Sewer Authority – The City of York, under the Municipal Authorities Act of 1945, incorporated this Authority on November 27, 1950. The Authority adopted Articles of Amendment on January 19, 1977, which extended the existence of the Authority for a period of 50 years. York City Council approved this Amendment on February 1, 1977. The

Commonwealth of Pennsylvania approved the Articles of Amendment on February 22, 1977. The Sewer Authority owns the Wastewater Treatment Plant and the interceptor (conveyance) pipes, referred to as the "System". The operation of the System is leased to the City of York.

The Sewer Authority consists of five members who were required to reside or pay taxes in one of the municipalities served by this system. Changes in the law during 2001 require that a majority of the membership reside within the City of York. If the Authority does not meet the residency requirement, it must do so as non-residents members' terms expire.

The System municipalities include York City, Spring Garden Township, North York Borough, West York Borough, West Manchester Township, Manchester Township, and York Township. Each member is nominated by the Mayor of York and appointed by York City Council for a defined term. Members may be re-appointed with no term limits.

From time to time the Authority borrows money from bondholders to pay for System improvements. Two times a year interest and principal are paid to these bond holders, as due.

The Sewer Authority is governed by the United States Environmental Protection Agency, the Pennsylvania Department of Environmental Protection, other Federal laws, other State laws, Act 22-2001, the Trust Indenture and the lease agreement between the City and the Authority.

The Authority's financial statements are blended with the City of York's Sewer Fund and accounted for as the sewer fund, an Enterprise Fund in the City's general-purpose financial statements.

The Sewer Authority's fiscal year begins on January 1 and ends on December 31.

The Redevelopment Authority of the City of York - The Redevelopment Authority acquires title to blighted properties in the City, either individually by gift or purchase, or pursuant to a plan approved by the Planning Commission and the City Council designed to rehabilitate an entire area. The purpose is to demolish or renovate properties in order to restore them so that (a) they comply with building codes and are no longer a blighting influence in their neighborhoods, (b) they again become economic assets which contribute to the City's tax base and (c) that they advance the City's plan for the appropriate development and use of the neighborhood involved.

The work of the Authority is financed by Block Grant Funds made available to the City by the Federal Government and by grants from the Commonwealth of Pennsylvania. Projects are designed to promote urban renewal by providing housing to low- and moderate-income families or by providing urban economic development.

Urban Redevelopment Law: Refer to 35 P.S. 1701-1705 et. seq. as amended by Act 137 of 2004 (HB2027/PN4051). Act 137 of 2004 regulates that in the case of a 3rd Class City, a majority of the members of the Authority shall be residents of the city and the remainder may be non-residents who own and operate a business in the city in which the authority operates.

The Redevelopment Authority's fiscal year begins on January 1 and ends on December 31.

*The contracted firm must issue individual audit reports for the City of York General Authority, the York City Sewer Authority, and the Redevelopment Authority of the City of York.*

### **Time Requirements**

A. Proposal Calendar: The following is a list of key dates up to and including the date proposals are due to be submitted:

Request for Proposals Issued	August 03, 2020
Due Date for Proposals	October 01, 2020
Audit Committee Review (potential interviews)	October - November

B. Notification and Contract Dates

Council Approval	December 01, 2020
Award Notification	December 08, 2020

### **Assistance to be provided to the Auditor**

A. City Staff

The Finance Bureau will provide the primary staff support during the compilation engagement. The Controller's Office, Treasurer's Office and other staff as needed will also be available to assist the compilers by providing information, documentation, and explanations.

The Finance Bureau staff will prepare the workpapers and schedules for the compiler as agreed to in the Entrance Conference.

B. Work Area and Equipment

The City of York will provide the compiler with reasonable workspace, desks or tables and chairs. The compiler will have access to internet, telephones, photocopying and fax machines.



## C. Report Preparation

Report preparation, editing, and printing shall be the responsibility of the compiler.

## Proposal Requirements

### A. General Requirements

Copies of the City's most recently issued financial statements, single audit reports and management letter and management response are available on the City's website [www.yorkcity.org](http://www.yorkcity.org).

#### 1. Submission of Proposals

The following material is required to be received by close of business on October 01, 2020 for a proposing firm to be considered:

- a. Two Copies of the Technical Proposal that includes the following:
  - Title page showing the request for proposals' subject; the firm's name; the name, address, and telephone number of the contact person; and the date of the proposal.
  - Table of Contents.
  - Transmittal letter briefly stating the proposer's understanding of the work within the time period, a statement why the firm believes itself to be best qualified to perform the engagement and a statement that the proposal is a firm and irrevocable offer good for 90 days from the date of submission.
  - A detailed proposal following the order set forth below under "Technical Proposal".
- b. The proposer shall submit one copy of a dollar cost bid detailing costs for all three years of the engagement. The Cost proposal shall be in a separate sealed envelope marked as follows:

**Sealed Cost Proposal For  
Professional Financial Statements Compilation Services  
City of York**

- c. Proposers should send the completed proposal consisting of the two separate envelopes to the following address:

Thomas Allen Ray  
Deputy Administrator  
City of York  
101 South George Street

P.O. Box 509  
York, PA 17405  
[tray@yorkcity.org](mailto:tray@yorkcity.org)

## B. Technical Proposal Requirements

### 1. General Requirements

The purpose of the technical proposal is to demonstrate the qualifications, competency and capacity of the firms seeking to undertake financial statement compilation the City of York in conformity with the requirements of this request for proposals, as such, the substance of proposals will carry more weight than their form or manner of presentation. The technical proposal should demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement. It should also specify the approach that will meet the requirements of the request for proposals. There should be no dollar units or total costs included in the technical proposal document.

The proposal should be prepared simply, providing a straightforward, concise description of the proposer's capabilities to satisfy the requirements of the request for proposals. While additional data may be presented, the following items number 1 through 8 must be included. These items represent the criteria on which the proposals will be evaluated.

### 2. Independence

The firm must provide an affirmative statement that it is independent of the City of York as defined by generally accepted auditing standards and the U.S. General Accounting Office's *Government Auditing Standards*. The firm must also provide an affirmative statement that it is independent of all of the component units of the City of York as defined by those same standards.

### 3. License to Practice in Pennsylvania

The firm must include an affirmative statement indicating that the firm and all assigned key professional staff are properly licensed to practice accountancy in the Commonwealth of Pennsylvania.

### 4. Qualifications and Experience

The proposal should state the size of the firm, the size of the firm's governmental accounting staff, the location of the office from which the work on this engagement is to be performed, and the number and nature of the staff to be used on the engagement.

If the proposer is a joint venture or consortium, the qualifications of each firm comprising the joint venture or consortium should be separately identified and the firm that is to serve as the principal auditor should be noted, if applicable.

The firm is also to submit a copy of the report on its most recent external quality control review, with a statement whether that quality control review included a review of specific government engagements.

The firm shall also provide information on the results of any federal or state desk reviews or field audits during the past three years. In addition, the firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past three years with state regulatory agencies or professional organizations.

#### 5. Partner, Supervisory and Staff Qualifications and Experience

The firm should identify the principal supervisory and management staff, including engagement partners, managers, other supervisors, and specialists who would be assigned to the engagement and indicate whether each such person is licensed to practice as a certified public accountant in Pennsylvania.

The firm should also provide information on the government accounting experience of each person, including information relevant to the performance of this compilation.

The firm should provide as much information as possible regarding the number, qualifications, experience, and training of specific staff to be assigned to this engagement. The firm should indicate how the quality of staff will be assured during the entire course of the engagement.

#### 6. Similar Engagements

For the principal staff that will be assigned responsibility for this engagement, list the most significant engagements (maximum 5) performed in the last three years that are similar to the engagement described in this request for proposals. Indicate the scope of work, date, engagement partners, size and the name and telephone number of the principal client contact.

#### 7. Specific Approach

The proposal should set forth a work plan, including an explanation of the compilation methodology to be followed, to perform the services required under this request for proposals. Proposers will be required to provide the following information on their compilation approach:

- Proposed segmentation of the engagement.
- Identification of critical financial statement compilation areas.
- Type and extent of analytical procedures to be used in the engagement.
- Approach to be taken to gain and document an understanding of the City of York's internal control structure and assess risk.
- Approach to be taken in determining laws and regulations that will be subject to compilation test work.

#### 8. Identification of Anticipated Potential Compilation Problems

The proposal should identify and describe any anticipated potential compilation problems, the firm's approach to resolving these problems, and any special assistance that will be requested from the City of York.

### C. Sealed Cost Proposal

#### 1. Total All-Inclusive Maximum Price

The sealed cost proposal should contain all pricing information relative to performing the compilation engagement as described in this request for proposals. The total all-inclusive maximum price to be charged is to contain all direct and indirect costs, including out-of-pocket expenses.

The City of York will not be responsible for expenses incurred in preparing and submitting the technical proposal or the sealed cost bid. Such costs should not be included in the proposal.

The first page of the sealed cost bid should include the following information:

- Name of the Firm
- Certification that the person signing the proposal is entitled to represent the firm, empowered to submit the bid, and authorized to sign an engagement letter with the City of York.
- Total all-inclusive maximum price for the engagement, detailed by fiscal year.
- Break out of total cost associated for component unit audits.

#### 2. Pay Rates by Classification

The second page of the sealed bid should include a schedule of professional fees and expenses, presented in the format provided the attachment that supports the total all-inclusive maximum cost.

### 3. Out-of-Pocket Expenses

Out-of-pocket expenses for firm personnel (such as travel, lodging, meals) should be presented in the sealed bid in the format provided in the attachment. All expense reimbursements will be charged against the total all-inclusive maximum price submitted by the firm.

### 4. Rates for Additional Professional Services

If it should be necessary for the City of York to request the compiler to render any additional services to either supplement the services requested in this request for proposals, to perform additional work as a result of the specific recommendations included in any report issued on this engagement, or because of a future change in the scope of compilation(s), such additional work shall be performed only if set forth in an engagement letter addendum between the City of York and the firm.

### 5. Changes to the Contract

There shall be no changes except in writing and agreed upon by both parties.

### 6. Manner of Payment

Progress payments will be made as follows:

- 20% will be paid upon completion of Interim Field Work
- 30% will be paid upon completion of Field Work
- 30% will be paid upon delivery of Draft Reports
- 20% will be paid upon delivery of Final Reports

## **Evaluation Procedures**

### A. Audit Committee:

Proposals submitted will be evaluated by a minimum 5-member Audit Committee<sup>1</sup> including the Mayor or his or her designee, the Business Administrator or his or her designee, the Deputy Business Administrator for Finance, the Council President or his or her designee and the Controller or his or her designee. Additional evaluation team members may be designated by the Mayor.

### B. Review of Proposals

The Audit Committee will use a point formula during the review process to score each technical proposal by each of the criteria described below. The full Audit Team will then

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<sup>1</sup> See City of York Codified Ordinances Article 137 Fiscal Procedures §137.07 Annual Audits

convene to review and discuss these evaluations and combine individual scores to arrive at a composite technical score for each firm. Firms with unacceptably low technical scores will be eliminated from further consideration.

After the composite technical scores have been established, the sealed cost bid will be opened and additional points will be added to the technical score based on the bid price. The maximum score for price will be assigned to the firm offering the lowest total all-inclusive maximum price. Appropriate fractional scores will be assigned to the other proposals.

The City of York reserves the right to reject any and all proposals submitted and request additional information from any proposing firm.

### C. Evaluation Criteria

Proposals will be evaluated using three sets of criteria. Firms meeting the mandatory criteria will have their proposals evaluated and scored for both technical qualifications and price. The following represent the principal selection criteria that will be considered during the evaluation process.

#### 1. Mandatory Elements

- The firm is independent and licensed to practice in Pennsylvania.
- The firm's professional personnel have received adequate continuing professional education within the preceding two years.
- The firm has no conflict of interest with regard to any other work performed by the firm for the City of York.
- The firm submitted a copy of its most recent external quality control review report and the firm has a record of quality audit work.
- The firm adhered to the instructions in this request for proposals in preparing and submitting the proposal.

#### 2. Technical Elements (Maximum Points-100)

##### a. Expertise and Experience (Maximum Points-30)

- The firm's past experience and performance on similar engagements.
- The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical assistance.

##### b. Compilation Approach (Maximum Points-30)

- Adequacy of proposed staffing plan for the engagement.
- Adequacy of auditor risk analysis and critical audit area evaluation.
- Adequacy of communications with management.

3. Price (Maximum Points-28)

Cost will not be the primary factor in the selection of an audit firm.

4. To comply with City Ordinances and meet the goals of City Ordinance Article 136<sup>2</sup> Small and Disadvantaged Business Enterprise Program, which is designed to encourage and support Local and Small business enterprises, Proposals may be awarded preferences as follows (Article 136.04(b)):

- a. Eight points of a possible 100, eight percent (8%), for Local business enterprises;
- b. Two points of a possible 100, two percent (2%), for businesses located in enterprise zones;
- c. Four points of a possible 100, four percent (4%), for a Small business enterprise;
- d. However, in no event shall any bidder receive greater than twelve (12) points of a possible 100, twelve percent (12%), preference.

Local business enterprises and Small businesses enterprise are defined in Article 136.02(d) and (e), and are generally defined as follows: a Local Business Enterprise has its principal office in the City of York, or is majority-owned by and has a majority of employees of City residents (Article 136.02(d)), and a Small business enterprise generally has its principal office and/or a significant percentage of its assets, employees, owners, or sales revenues in the City of York metropolitan area (Article 136.02(e)).

The City of York encourages participation by Small Diverse Businesses as prime contractors and encourages all prime contractors to make a significant commitment to use Small Diverse Businesses as subcontractors and suppliers.

A Small Diverse Businesses are certified minority-owned, woman-owned, veteran-owned, or service-disabled veteran-owned businesses.

A Small Business is a business in the United States which is independently owned, not dominant in its field of operation, employs no more than 100 full-time or full-time equivalent employees, and earns less than \$7 million in gross annual revenues for building design, \$20 million in gross annual revenues for sales and services, and \$25 million in gross annual revenues for information technology sales or service.

D. Oral Presentations

During the evaluation process, the Audit Committee may, at its discretion, request any one or all firms to make oral presentations. Such presentations will provide firms with an opportunity to answer any questions the Audit Committee may have on a firm's proposal. Not all firms may be asked to make such oral presentations.

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<sup>2</sup>[yorkcity.org/wp-content/uploads/2017/04/Article-136-Small-Disadvantaged-Business-Enterprise-Program.pdf](http://yorkcity.org/wp-content/uploads/2017/04/Article-136-Small-Disadvantaged-Business-Enterprise-Program.pdf)

#### E. Final Selection

The Audit Committee's recommendation is contingent upon final approval of the Mayor, City Controller and City Council. Council approval is expected on December 01, 2020.



## Appendix A

### Schedule of Professional Fees and Expenses 2020 Compilation

	Hourly Rate	Hours	Total
Partners	_____	_____	_____
Managers	_____	_____	_____
Supervisory Staff	_____	_____	_____
Staff	_____	_____	_____
Other (Specify)	_____	_____	_____
Subtotal	_____	_____	_____
Out of Pocket Expenses	_____	_____	_____
• Meals / Lodging	_____	_____	_____
• Transportation	_____	_____	_____
• Other (specify)	_____	_____	_____
<b>Total All Inclusive Maximum Price</b>	<b>_____</b>	<b>_____</b>	<b>_____</b>
<i>Total Price for City of York General Authority</i>	_____	_____	_____
<i>Total Price for York City Sewer Authority</i>	_____	_____	_____
<i>Total Price for Redevelopment Authority of the City of York</i>	_____	_____	_____

**APPENDIX B: CERTIFICATE OF NONDISCRIMINATION**

**NON-DISCRIMINATION STATEMENT**

The consultant agrees, in connection with the performance of work under this contract:

- a. That the consultant will not discriminate against any employee or applicant for employment, because of race, creed, color, sex, age, national origin, ancestry or disability. The contractor shall take affirmative action to ensure that employees are treated without regard to their race, creed, color, age, national origin, sex, ancestry or disability. Such actions shall include, but not be limited to, the following: employment, promotion, demotion or transfer, recruitment, advertising, lay-off, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. The contractor agrees to post, in a conspicuous place available to employees and applicants for employment, notices to be provided by the City Clerk/Secretary of the Contract Entity setting forth the provisions of this section, and;
- b. That the consultant will include this non-discrimination clause in any subcontracts connected with the performance of this contract.
- c. In the event of the consultant's non-compliance with the above non-discrimination clause, this contract may be canceled or terminated by the Contract Entity. The Contract Entity may declare the consultant ineligible for further contract(s) with the Contract Entity until satisfactory proof of intent to comply is made by the consultant.

**THIS FORM MUST BE SIGNED BY THE CONSULTANT**

\_\_\_\_\_  
Signature of Individual

\_\_\_\_\_  
Title

**Note: The owner or an officer of the business or corporation may sign this document. A Corporate Seal or a letter of authorization is needed for any other signer. For instance, if a Salesman or Manager signs the form, a letter of authorization or Corporate Seal is to be attached.**

\_\_\_\_\_  
Printed Name of Individual

\_\_\_\_\_  
Company Name and Address (Please Print)

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Telephone Number and Fax Number if any

**APPENDIX C: ANTI-COLLUSION AFFIDAVIT**

**ANTICOLLUSION AFFIDAVIT  
THIS FORM MUST BE COMPLETED PRIOR TO CONTRACT AWARD**

The undersigned individual, of lawful age, being duly sworn, upon his/her oath, deposes and says: That the undersigned individual has the lawful authority to execute the within and foregoing proposal for, and on behalf of, the proposer, that the proposer has not, directly or indirectly, entered into any agreement, express or implied, with any proposer or proposers, having for its object the controlling of the price or amount of such proposal or proposals, the limiting of the proposals or the proposers, the parceling or farming out to any proposer or proposers or other persons, or any part of the contract or any part of the subject matter of the proposal or proposals, or of the profits thereof, and that proposer has not and will not divulge the sealed proposal to any person whomsoever, except those having a partnership or other financial interest with the proposer in the said proposal or proposals, until after the said sealed proposal or proposals are opened.

The undersigned individual further states that the proposer has not been a party to any collusion: among proposers in restraint of freedom of competition, by any agreement to propose at a fixed price or to refrain from proposing; or with any city/trust official, city/trust employee or city/trust agent as to the quantity, quality, or price in the prospective contract, or any other terms of the said prospective contract; or in any discussions between the proposers or city/trust official, city/trust employee or city/trust agent concerning the exchange of money or other thing of value for special consideration in the letting of a contract. The proposer states that it has not paid, given or donated or agreed to pay, give or donate to any city/trust official, officer or employee of the City or awarding agency, any money or other thing of value, either directly or indirectly, in the procuring of the award of contract pursuant to this proposal.

Witness the hand of the parties hereto:

The undersigned individual states that the Proposer will be bound by its proposal, the specification, the terms and conditions of the contract, and the requirements for proposers.

**THIS FORM TO BE COMPLETED BY THE PROPOSER**

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\_\_\_\_\_  
Signature of Individual Title

**Note: If individual signing is not the owner or an officer of the business or corporation a letter of authorization is to be included. For instance, if a Salesperson or Manager signs this form, a letter of authorization is to be attached. Corporate Seal will be accepted in lieu of an authorization letter if affixed to this document.**

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\_\_\_\_\_  
Printed Name of Individual



**APPENDIX D: BUSINESS RELATIONSHIP AFFIDAVIT**

**THE CITY OF YORK  
BUSINESS RELATIONSHIP AFFIDAVIT**

The following Affidavit is submitted by the Bidder, or Bidder's Authorized Agent, as a part of this Bid:

The undersigned, of lawful age, being first duly sworn on oath, affirms and says that the Bidder is fully knowledgeable of Bidder's business relationships and associations. Bidder further states that the nature of any corporation, company, partnership, joint venture, or other business relationship presently in effect of which existed within one (1) year prior to the date of this statement between Bidder and the architect, the engineer, the Mayor or Members of the Council of The City of York or any Trustee of any Trust or Authority of which The City is the beneficiary and which is a party to this contract, or other party, including but not limited to any consultant or employee engaged to further the Project is as follows:

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**(IF NONE OF THE BUSINESS RELATIONSHIPS HEREINABOVE MENTIONED EXISTS, BIDDER SHALL SO STATE BY WRITING THE WORD "NONE, NO, N/A" OR BY OTHERWISE INDICATING THE ABSENSE OF SUCH BUSINESS REALTIONSHIPS IN THE BLANK. IF THE ABOVE LINE IS LEFT BLANK, THE BID SHALL BE REJECTED.)**

The Bidder further states that any such business relationship presently in effect of which existed within one (1) year prior to the date of this statement between any officer, agent, employee, partner or director of the Bidder and any officer or director, agent, employee, or partner of the architectural or engineering firm, or consultant or employee engaged to further the project, or other party to the Project or any official or trustee of any public entity which is a party to the Contract for the Project is as follows:

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**(IF NONE OF THE BUSINESS RELATIONSHIPS HEREINABOVE MENTIONED EXISTS, BIDDER SHALL SO STATE BY WRITING THE WORD "NONE, NO, N/A" OR BY OTHERWISE INDICATING THE ABSENSE OF SUCH BUSINESS REALTIONSHIPS IN THE BLANK. IF THE ABOVE LINE IS LEFT BLANK, THE BID SHALL BE REJECTED.)**

The Bidder also states that the names of all persons having any such business relationships and the positions held within their respective companies or firms are as follows:

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**(IF NONE OF THE BUSINESS RELATIONSHIPS HEREINABOVE MENTIONED EXISTS, BIDDER SHALL SO STATE BY WRITING THE WORD "NONE, NO, N/A" OR BY OTHERWISE INDICATING THE ABSENSE OF SUCH BUSINESS REALTIONSHIPS IN THE BLANK. IF THE ABOVE LINE IS LEFT BLANK, THE BID SHALL BE REJECTED.)**

This Bid will not be considered unless this form has been fully completed and signed by the Bidder, and notarized, dated and completed by the Notary Public.

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Name of Individual, Partnership, Limited Liability Company, or Corporation hereinafter called Bidder

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Signature of Bidder or Authorized Agent

