

Appendix 5: The Ohio School Facilities Commission

Model Responsible Bidder Workforce Standards.³¹

The Ohio School Facilities Commission use the U.S. Green Building Council's LEED® for Schools rating system to build high performing, energy efficient buildings, and also provides local areas the option of adopting the following responsible bidder criteria for the construction contracts to build them:

1. On projects of \$100,000.00 or more, the Board of Education **may review the bid** to verify that the bidder included all required work. A bidder with a very low bid, if more than twenty percent below the next lowest bid, must also list three projects successfully completed within the previous five years.
2. For relevant contracts, the bidder must be **licensed** or **certified** (heating, ventilating, and air conditioning, refrigeration, electrical, plumbing, or hydronics), and cannot subcontract more than 25% of the labor (excluding materials) for its awarded contract, unless the named subcontractors are also licensed accordingly.
3. Project supervisors must have three or more years experience in the specific trade and/or maintain the appropriate state license, if any. **Personnel must be trained in a state or federally approved apprenticeship program or Career Technical program, or enrolled** in a state or federally approved apprenticeship program or Career Technical Program, or have at least three years experience in their particular trade.
4. The Bidder **cannot have been debarred** or penalized from any public contract, have violated the Fair Labor Standards Act, or had a professional license revoked, in the last five years, or have prevailing wages violations more than three times in the last ten years, and must be in compliance with Ohio's Drug-Free Workplace requirements, and maintain a substance abuse policy.
5. The Bidder must **be in compliance with unemployment and workers compensation laws** for at least the two years, cannot have an Experience Modification Rating of greater than 1.5 (a penalty rated employer) with respect to the Bureau of Workers Compensation risk assessment rating, and must not have final judgments against it that have not been satisfied for 50% of the bid amount of the project.
6. The Bidder and its subcontractors must **pay the prevailing wage rate, provide a minimum health care medical plan and contribute to an employee pension or retirement program** for employees working on this project, and must comply with the requirements of a project labor agreement adopted for use on the project.

³¹ <http://www.osfc.state.oh.us/Construction/ResponsibleBidderCriteria/tabid/146/Default.aspx>