

# Contract Compliance Complaint Form

Complaint No. :

**Type of Complaint**

- Wages     Work Performed     Payment     Worker Utilization  
 Other    Please specify \_\_\_\_\_

Your Name \_\_\_\_\_

Your Address \_\_\_\_\_

Your Phone Number: Days \_\_\_\_\_ Evenings \_\_\_\_\_

E-mail address: \_\_\_\_\_

Your Role     Observer/Citizen     Subcontractor     Prime Contractor     City Employee

**Follow Up Requested:**    Yes     No

## DESCRIPTION OF COMPLAINT

Name of Vendor or Contract against whom the complaint is being made:

**Time** \_\_\_\_\_ **Today's Date** \_\_\_\_\_

Use this space to tell us **WHERE** you made your observations, **WHEN** you made your observations, **WHOM** you spoke to, and **WHAT** is your specific complaint. Use as much space as you need and feel free to add additional pages.

# INSTRUCTIONS FOR FILING A CONTRACT COMPLIANCE COMPLAINT

Please fill out the attached form. Send the completed form to:  
City of Dayton Human Relations Council, Attn: Contract  
Compliance, 371 W. Second St. Ste. 100, Dayton OH 45402;  
or e-mail to: [bta@daytonohio.gov](mailto:bta@daytonohio.gov)

## **1. Non-Discrimination Policy for Contracting.**

- A. No bidder, proposer, vendor, and contractor doing business with the City (collectively referred to as “Bidders”) who competes for or is awarded a public contract may discriminate or retaliate against a subcontractor in the awarding of a subcontract because the subcontractor is a minority, female, or small business enterprise.
- B. A Bidder may be debarred or disqualified from contracting with the City if found to have violated subsection (1) of this section in the awarding of a subcontract in connection with a contract advertised by the City or a contract between the City and the Bidder.
- C. The City may not allege an occurrence of discrimination or retaliation in subcontracting as a basis for debarring or disqualifying a Bidder under subsection (B) of this section more than three (3) years after the alleged discriminatory or retaliatory conduct occurred or more than three (3) years after the City, in the exercise of reasonable diligence, should have discovered the conduct, whichever is later.
- D. A Bidder shall certify in the documents accompanying the Bidder’s offer to enter into a public contract that the Bidder has not discriminated or retaliated, and will not discriminate or retaliate, in violation of subsection (A) of this section, against any minority, female, disadvantaged, or small business in obtaining any required subcontract.
- E. After a Bidder is awarded a public contract, if the Bidder violates the certification made under subsection (D) of this section, the City may regard the violation as a breach of contract that permits one or more actions in Section 1.04, “Remedies.”

### **1.01 Complaints of Discrimination or Retaliation.**

- A. Any adult person, business entity, association, organization, or government agency may file a complaint with the Executive Director of the Council stating facts showing or tending to show that a Bidder has, within the preceding three (3) year period, engaged in discrimination or retaliation in connection with a City contract or solicitation.
- B. Within ten (10) business days, the Executive Director of the Council, or his/her designee, shall notify the Bidder against whom the complaint was filed that a complaint has been received.

### **1.02 Complaint Procedure, Initial Findings and Recommendations.**

The Executive Director of the Council, or his/her designee, shall be responsible for investigating discrimination and retaliation complaints filed under this section and following the procedures as included in Section 32.20 of the Revised Code of General Ordinances. In conducting its investigation, the Executive Director of the Council, or his/her designee, may enlist the assistance of a Hearing Examiner to participate as described in Section 32.16, Part L of the Revised Code of General Ordinances.