

Introduced by: City Manager Nathan Mai-Lombardo

**AN ORDINANCE OF THE CITY OF BERKELEY, MISSOURI, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SPENCER CONTRACTING FOR PAVING AND CONCRETE OF CERTAIN STREETS AND SIDEWALKS ACCORDING TO BID #925 (CDBG FUNDING) (*The City Council hereby find and declare that an emergency exists which requires the immediate passage of this ordinance for the preservation of the welfare of the citizens of the City of Berkeley.*)**

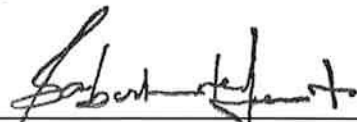
**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY, MISSOURI, AS FOLLOWS:**

- Section 1.** The City Manager is hereby authorized to enter into and execute the attached agreement with Spencer Contracting, Company for paving and concrete replacement of certain streets and sidewalks project, to comply with all rules and regulations of Bid #925, which is funded through CDBG.
- Section 2.** This agreement will be attached and hereby incorporated herein and made a part of this ordinance, as if fully set out herein.
- Section 3.** Ordinance 4782, passed June 12, 2023, is hereby repealed and replaced.
- Section 4.** This Ordinance shall be in full force and effect from and after its date of passage.
- Section 5.** The City Council hereby find and declare that an emergency exists which requires the immediate passage of this ordinance for the preservation of the welfare of the citizens of the City of Berkeley.

1st Reading this 17<sup>th</sup> day of July 2023

2nd Reading this 17<sup>th</sup> day of July 2023

3rd Reading, PASSED and APPROVED, this 17<sup>th</sup> day of July 2023



Babatunde Deinbo, Mayor

ATTEST:



Deanna L. Jones, City Clerk



Approved as to Form:  
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Verges	Aye <u>X</u> Nay ___ Absent ___ Abstain ___
Councilwoman Williams	Aye <u>X</u> Nay ___ Absent ___ Abstain ___
Councilman Hoskins	Aye ___ Nay <u>X</u> Absent ___ Abstain ___
Councilwoman Anthony	Aye <u>X</u> Nay ___ Absent ___ Abstain ___
Councilman Hindeleh	Aye <u>X</u> Nay ___ Absent ___ Abstain ___
Councilwoman-at-Large Crawford-Graham	Aye <u>X</u> Nay ___ Absent ___ Abstain ___
Mayor Deinbo	Aye <u>X</u> Nay ___ Absent ___ Abstain ___

# Bid Proposal Form

Proposals have: (HEREIN AFTER CALLED "BIDDER")

TO: The City of Berkeley Missouri, 8425 Airport Road, Berkeley, MO 63134

The bidder, in compliance with your invitation for the: **Bid No. 925 "PAVING AND CONCRETE OF CERTAIN STREETS & SIDEWALKS"** Having examined the specifications with related documents and being familiar with all of the conditions surrounding the proposed project including the availability of materials and labor, hereby propose to furnish all equipment, labor, materials, and supplies, and to complete the project in accordance with the specifications, within the time set forth therein, and at the prices stated below:

Contractor shall make site visit, and if needed, strike-thru listed quantities and insert proper numbers for a successful project.

8700 BLK HAROLD					
ITEM NO.	DESCRIPTION	Quantity	UNIT	UNIT PRICE	TOTAL
1.	Mobilization & Traffic Control	1	LS	5,000.-	\$ 5,000.-
2.	Slab Replacement (Concrete 5000 psi PCCP 9" thick)	1,713	Square Yards	108.-	\$ 185,004.-
<b>TOTAL -</b>					\$ 190,004.-

8800 BLK HAROLD					
ITEM NO.	DESCRIPTION	Quantity	UNIT	UNIT PRICE	TOTAL
1.	Mobilization & Traffic Control	1	LS	1,000.-	\$ 1,000.-
2.	Mill & Overlay (Replace 3" Type "C" Bituminous Asphalt)	22,960	Square Feet	2.33	\$ 53,496.80
3.	Concrete Curb and Gutter Replacement	212	Linear Feet	68.-	\$ 14,416.-
<b>TOTAL -</b>					\$ 68,912.80

MARSHALL ROAD					
ITEM NO.	DESCRIPTION	Quantity	UNIT	UNIT PRICE	TOTAL
1.	Mobilization & Traffic Control	1	LS	1,000.-	\$ 1,000.-
2.	Mill & Overlay (Replace 3" Type "C" Bituminous Asphalt)	27,464	Square Feet	2.33	\$ 63,991.12
3.	Asphalt Curb	276	Linear Feet	14.-	\$ 3,864.-
<b>TOTAL -</b>					\$ 68,855.12

McKIBBON SIDEWALKS					
ITEM NO.	DESCRIPTION	Quantity	UNIT	UNIT PRICE	TOTAL
1.	Slab Replacement (Concrete 5000 psi PCCP 4" thick)	75	Square Yards	162.-	\$ 12,150.-
<b>TOTAL -</b>					\$ 12,150.-

<b>TOTAL PROJECT COSTS- ALL STREETS</b>	\$ 339,921.92
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This activity is funded in whole or in part with the City of Berkeley General Funds, St. Louis County Road and Bridge Funds, and Federal CDBG Funds. All applicable federal regulations shall be in full force and effect.



The above unit prices shall include all labor, materials, incidentals etc. The above quantities could be increased or decreased, and the contractor will be paid on actual quantities.

The bidder shall supply 4 (four) copies of the **Bid # 925 "PAVING AND CONCRETE OF CERTAIN STREETS & SIDEWALKS"** for our review and decision.

Bidder understands that the owner reserves the right to reject any or all bids, or any combination thereof, and to waive any informality in the bidding.

The bidder agrees that this bid shall be good and may not be withdrawn for a period of hundred and eighty (180) calendar days after the scheduled closing time for receiving bids.

Anthony S. Spence  
(Signature) Printed Name

President  
Title

Spencer Contracting Company  
Company Name

314-843-5166  
Telephone No. (with area code)

3073 Arnold Tenbrook Rd  
Address

314-843-6106  
Fax #

tony@spencercontracting.com  
Email

www.spencercontracting.com  
Company's Website

Arnold, Mo. 63010  
City, State and Zip Code

July 13, 2023  
Date

**COMPANY INFORMATION FORM**

**PAVING AND CONCRETE OF CERTAIN STREETS & SIDEWALKS  
BID #925**

**CITY OF BERKELEY, MISSOURI**

*Please print legibly, except where signature is required.*

Date: 05/10/2023

Company Name: Spencer Contracting Company

Company Address: 3073 Arnold Tenbrook Rd Arnold, Mo 63010

Phone Number: 314-843-5166

E-mail Address: tony@spencercontracting.com

Website: www.spencercontracting.com

Authorized Officer: Anthony Spencer

Signature: 

Title: President

Cell Phone Number: \_\_\_\_\_

# TOTAL BID PRICE FORM

## BID NO. 925 - PAVING AND CONCRETE OF CERTAIN STREETS & SIDEWALKS CITY OF BERKELEY, MISSOURI

Date: 05/10/2023

Deanna Jones, City Clerk  
City of Berkeley Missouri  
8425 Airport Road  
Berkeley, Missouri 63134

To Whom It May Concern:

1. The undersigned, having familiarized (himself) (themselves) (itself) with the existing conditions of the project affecting the cost of work, and with the Contract documents, hereby proposes to furnish all supervision, technical personnel, labor, materials, machinery, tools, appurtenances, equipment and services, including utility, transportation services (including all incidentals) required to perform the street repair in connection with the work within the City of Berkeley.
2. In submitting this bid, the bidder understands that the right is reserved by the City to reject any and all bids. Basis of award will be the total base bid of the lowest, responsible & the best qualified bidder. If written notice of acceptance of this bid is mailed or delivered to the undersigned within hundred & eighty (180) days after the opening thereof, or any time thereafter before the bid is withdrawn, the undersigned agrees to execute and deliver an agreement in the prescribed form and furnish the required bonds & insurance certificate within ten (10) days after the Agreement is presented to him for signature.
3. Security in the sum of 10% of B.D Dollars (\$ 48,488.80) in the form of BID SECURITY is submitted herewith in accordance with the INVITATION FOR BID.
4. The bidder is prepared to submit a financial and experience statement upon request.
5. The total bid price should include the costs for removal of the existing pavement, replacement of the pavement, forming of curbs, removal and replacement of driveway approaches, any other work associated with the project, and any permit cost from the City of Berkeley.
6. **TOTAL BID PRICE:** Four hundred eighty four thousand eight hundred eighty eight Dollars and No Cents (\$ 484,888. -)

# BID FORM

Project No: 925

The following proposals are hereby provided by: (Name of company), Spencer Contracting Company hereinafter called "BIDDER")

To: Deanna Jones, City Clerk, City of Berkeley, 8425 Airport Road, Berkeley, MO. 63134

The BIDDER, in compliance with the invitation to bid for the City of Berkeley Project "**PAVING AND CONCRETE OF CERTAIN STREETS & SIDEWALKS**" having examined the plans, specifications and related documents and being familiar with all of the conditions surrounding the proposed project including the availability of materials and labor, hereby propose to furnish all equipment, tools, labor, materials, supplies, and whatever else is needed to complete the project in accordance with the plans and specifications, within the time set forth therein, and at the prices stated on the bid form located on the following page.

The total price shall include all equipment, labor, materials, supplies and whatever else is needed to complete the item.

In addition, additional spaces have been provided for items which the BIDDER determines need to be separated from the items listed. Regardless of whether or not separate items are listed, the BIDDER is still obligated to complete the entire project according to the plans, specifications and related documents, and will also meet or exceed the general industry standards in the construction industry for the work completed.

The BIDDER shall supply **4 (four) copies** of the Bid #925 "**PAVING AND CONCRETE OF CERTAIN STREETS & SIDEWALKS**"

The BIDDER understands that the owner reserves the right to reject any or all bids, or any combination thereof, and to waive any informality in the bidding.

The BIDDER agrees that this bid shall be good and may not be withdrawn for a period of hundred and twenty (120) calendar days after the scheduled closing time for receiving bids. The bid will be awarded after receiving approval from City Council for this project. The work will be completed by no later than **September 15, 2023.**

SIGNATURE:  DATE: 05/10/2023

ADDRESS: 3073 Arnold Tenbrook Rd

CITY, STATE, ZIP: Arnold, Mo 63010

EMAIL: tony@spencercontracting.com

OFFICE PHONE: ( 314 ) 843 - 5166 CELL: (      )      -     

ATTEST: 



**BID NO. 925**

**AFFIRMATIVE ACTION STATEMENT**

THE CITY OF BERKELEY, MISSOURI is an EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

We acknowledge that we will hire and develop qualified people, solely on merit and qualifications, without regard to race, color, creed, religion, sex, national origin, ancestry, handicaps, or age.

While acknowledging an obligation to the community to reaffirm its Fair Employment Policy, we also reaffirm our support for the various Presidential Executive Orders and regulations of the Equal Employment Opportunity Commission. In addition, we support the applicable provisions contained in the Civil Rights Acts, the Equal Pay Law, the Age Discrimination and Employment Act and the Missouri Human Rights Act. The regulations, acts, orders, and laws provide that discrimination based on race, color, creed, religion, sex, national origin, ancestry, handicaps or age is prohibited.

Our policy can be implemented only through the efforts of everyone within the company. A simple statement is not enough without full support. It is hoped that through an Equal

Opportunity Plan, a fair and equitable program might be practiced. Through such a plan, applicants and employees should feel they could become an active part of the company without fearing reprisals due to extraneous factors not related to merit or qualifications.

**SIGNED:** 

**POSITION:** President

**DATE:** 05/10/2023

**Note: THIS FORM IS VALID FOR THIS CALENDAR YEAR ONLY (2023)**

*This activity is funded in whole or in part with the Community Development Block Grant Funds and City of Berkeley Funds.  
All applicable federal regulations shall be in full force and effect.*

**Affirmative Action/Prime Vendor Questionnaire**

Many of you will probably be compiling similar information for your yearly E.E.O. Reports. If this is the case, and you would prefer to wait and complete this form at that time, please feel free to do so. If you want to be placed on the prime vendor list prior to that time we can do so with a copy of your Affirmative Action Plan.

1. Name and address of your organization: Spencer Contracting Company

2. Name and position of person completing this report: Alex Heuring

3. We do not wish to be on your prime vendor list and are returning this form incomplete:  
 Yes  No

4. Do you consider your organization to be an Equal Employment Opportunity Employer?  
 Yes  No

5. Are you part of or a division of a larger parent organization? If yes, please give parent organization name and home office address:  
No

6. How many employees were on the payroll last pay period?  
Full-Time 35 Part-Time 1

6.1. How many women were on the payroll? 2

6.2. How many minorities were on the payroll? 2

6.3. Full Time Male Minority employees: 2

6.4. Full Time Female Minority employees: 0

6.5. Part Time Male Minority employees: 0

6.6. Part Time Female Minority employees: 0

7. Does your organization include in its employment advertising a phrase similar to: "We are an Equal Employment Opportunity Employer "; or if your organization has not advertised recently, will similar phrase be included if advertising is undertaken in the future:  
 Yes  No

8. Does your organization or you parent organization have an Affirmative Action Plan?  
 Yes  No If, yes, please supply a copy of the current plan.

9. Does your organization have a designated department or person to function in the Equal Opportunity Position?  YES  NO If yes, please supply the name, title, phone number and address for future correspondence.  
Pat Buttner Project Manager 314-302-4152

The City of Berkeley thank you for your cooperation in completing this form and returning with your bid.

The City of Berkeley thanks you for your cooperation in filling out this form.

*This activity is funded in whole or in part with the Community Development Block Grant Funds and City of Berkeley Funds. All applicable federal regulations shall be in full force and effect.*



**St. Louis County Office of Community Development  
Workforce Equity Report  
FORM 1 – ASSESSMENT AND CERTIFICATIONS**

This form is required for ALL projects and must be submitted with bid or application for funding.

**Project Information**

Project Name: <b>Berkeley Paving and Concrete of Certain Streets and Sidewalks</b>
Project Location or Address(es): <b>Berkeley, MO</b>

**Developer/Contactor/Subcontractor Information:**

Name of Firm: <b>Spencer Contracting Company</b>	Address: <b>3073 Arnold Tenbrook Rd Arnold, Mo 63010</b>
Authorized Representative: <b>Anthony Spencer</b>	Title: <b>President</b>
Phone: <b>314-843-5166</b>	Email: <b>tony@spencercontracting.com</b>


1. Check all that apply to your business:  Certified Section 3  Certified MBE  Certified WBE
2. Will you be hiring new employees or providing new training opportunities because of this contract?  YES  NO
3. Will you be using subcontractors to complete this project?  YES  NO
- If YES, what percent of your contract amount will be subcontracted to Section 3 certified businesses? 0 %
4. Is your bid/contract/subcontract amount greater than \$200,000?  YES  NO

If YES, Section 3 requirements will be fully enforced on this project. Failure to comply may result in the suspension of funding. Please complete the certifications below and submit FORMS 1-5 with your bid or application for funding.

If NO, Section 3 participation is strongly encouraged but not required. Please attempt to meet the Section 3 goals to the greatest extent feasible. **You must still complete the certifications below as applicable and return Forms 1 & 2 with your bid or application for funding.**

Certifications		YES	NO	N/A
All Projects:	I understand the goals for MBE/WBE participation and I have completed FORMS 1 & 2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	By completing and signing this form, I agree to comply with all applicable requirements of the Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	I have confirmed that all subcontractors on this project meet E-Verify requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Projects over \$200K:	I have included the Section 3 Clause (FORM 6) in all subcontracts and included a sample subcontract with my bid.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	I understand that I am required to submit Section 3 reports as required, including quarterly/final (FORMS 7, 7A and 7B), and year end reporting.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	I agree that our company has made and will continue to make efforts "to the greatest extent feasible" to comply with Section 3 as required by HUD.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	I understand the minimum numerical goals for Section 3 participation and I have completed FORMS 1 thru 5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*I declare under penalty of perjury, under the laws of the State of Missouri and the County of St. Louis, that all statements contained in this form and any accompanying documents are true and correct, and made with full knowledge that all statements given are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or revocation of OCD funding.*

  
Authorized Representative Signature

05/10/2023  
Date

**St. Louis County Office of Community Development  
Workforce Equity Report  
FORM 2 – SUBCONTRACTOR INFORMATION**

This form is required for ALL projects and must be submitted with bid or application for funding. List ALL subcontractors who will be hired for this project and attach additional sheets if necessary. Include a current certification letter for all subcontractors identified below as MBE, WBE or Section 3.

No.	Subcontractor Name	Subcontractor Address	Trade	Check all that apply:			Separate Workforce Equity Report required? (Subcontracts over \$100K)	Contract Amount		
				Certified MBE	Certified WBE	Certified Section 3		Non-Construction*	Construction	
1	BS Grinding	O'Fallon Mo	Milling				N/A		17,257.50	
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15	<b>TOTAL</b>							\$		\$ 17,257.50

\*Non-construction includes professional service contracts associated with construction (i.e. architectural, engineering, legal services, accounting, marketing, etc.).

Type	Total Subcontracts	Section 3			MBE			WBE		
		Amount	Actual	Goal	Amount	Actual	Goal	Amount	Actual	Goal
Construction	\$ 17,257.50	\$	%	10%	\$	%	24%	\$	%	9.5%
Non-Construction	\$	\$	%	3%	\$	%	16%	\$	%	15%

**ANNUAL WORKER ELIGIBILITY VERIFICATION AFFIDAVIT**  
(for joint ventures, a separate affidavit is required for each business entity)

STATE OF Missouri )  
 ) ss  
COUNTY OF Jefferson )

On the 10 day of May, 2023, before me appeared Anthony Spencer,  
Affiant name  
personally known to me or proved to me on the basis of satisfactory evidence to be a person whose name is subscribed to this affidavit, who being by me duly sworn, stated as follows:

• I, the Affiant, am of sound mind, capable of making this affidavit, and personally certify the facts herein stated, as required by Section 285.530, RSMo, to enter into any contract agreement with the state to perform any job, task, employment, labor, personal services, or any other activity for which compensation is provided, expected, or due, including but not limited to all activities conducted by business entities.

• I, the Affiant, am the President of Spencer Contracting Co, and I am duly authorized, directed, and/or empowered to act officially and properly on behalf of this business entity.  
title business name

• I, the Affiant, hereby affirm and warrant that the aforementioned business entity is enrolled in a federal work authorization program operated by the United States Department of Homeland Security, and the aforementioned business entity shall participate in said program to verify the employment eligibility of newly hired employees working in connection with any services contracted by the Missouri Highways and Transportation Commission (MHTC). I have attached documentation to this affidavit to evidence enrollment/participation by the aforementioned business entity in a federal work authorization program, as required by Section 285.530, RSMo.

• I, the Affiant, also hereby affirm and warrant that the aforementioned business entity does not and shall not knowingly employ, in connection with any services contracted by MHTC, any alien who does not have the legal right or authorization under federal law to work in the United States, as defined in 8 U.S.C. § 1324a(h)(3).

• I, the Affiant, am aware and recognize that, unless certain contract and affidavit conditions are satisfied pursuant to Section 285.530, RSMo, the aforementioned business entity may be held liable under Sections 285.525 through 285.550, RSMo, for subcontractors that knowingly employ or continue to employ any unauthorized alien to work within the state of Missouri.

• I, the Affiant, acknowledge that I am signing this affidavit as a free act and deed of the aforementioned business entity and not under duress.

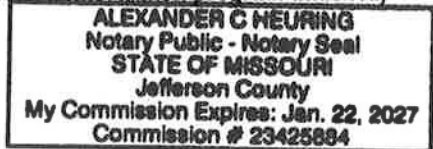
Anthony Spencer  
Affiant Signature

Subscribed and sworn to before me in Jefferson County, MO, the day and year first above-written.  
city (or county) state

Alexander C Heuring  
Notary Public

My commission expires: 01/22/2027

*[documentation of enrollment/participation in a federal work authorization program attached]*







**AFFIRMATIVE ACTION PROGRAM**



3073 Arnold Tenbrook Road  
Arnold, MO 63010  
Phone 314-843-5166  
Fax 314-843-6106

## **AFFIRMATIVE ACTION POLICY**

It is the policy of Spencer Contracting Company not to discriminate against any employee or any applicant for employment because of age, race, religion, color, sex, national origin, disability or veteran status.

This policy shall include, but not be limited to the following:

- Hiring, placement, upgrading, transfer, demotion or promotion
- Recruitment, advertising or solicitation for employment
- Treatment during employment
- Rates of pay or other forms of compensation
- Selection for training, including apprenticeship and on the job training
- Layoff or termination

It is the policy of this company to achieve and maintain full compliance with all applicable statutes, regulations and executive orders on equal opportunity and affirmative action.

The Equal Opportunity Officer for Spencer Contracting Company is:

Pat Buttner  
3073 Arnold Tenbrook Road  
Arnold, MO 63010  
Cell: 314-302-4152

All personnel who are responsible for hiring and promoting employees and for the development and implementation of programs or activities are directed to support this program. They shall provide leadership in implementing affirmative action goals and initiatives.

**Spencer Contracting Company employs the following trades people:**

**Carpenters Laborers Operators Cement Masons**

Anthony M. Spencer  
President



3073 Arnold Tenbrook Road  
Arnold, MO 63010  
Phone 314-843-5166  
Fax 314-843-6106

### **EQUAL OPPORTUNITY POLICY**

It is the policy of Spencer Contracting Company to assure applicants are employed, and employees are treated during employment without regard to their race, religion, sex, color, national origin, age, or disability. Such action shall include: employment upgrading, demotion, transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.

It is also the policy to maintain a work environment free of harassment, intimidation and coercion of any kind at the company location and all job sites.

All supervisors and managers will be responsible for implementation and enforcement of this policy in their respective areas of responsibility. Management performance of this program will be evaluated as a performance on other company goals.

The Equal Opportunity Officer for Spencer Contracting Company is:

Pat Buttner  
3073 Arnold Tenbrook Road  
Arnold, MO 63010  
Cell: 314-302-4152

Timothy J. Spencer  
Vice President



## **Designation of Responsibility for Implementation**

### **Responsibilities of the Equal Employment Opportunity Officer**

The EEO Officer has the responsibility for designing and ensuring the effective implementation of Spencer Contracting Co.'s Affirmative Action Program (AAP). These responsibilities include, but are not limited to, the following:

- Developing Equal Employment Opportunity (EEO) policy statements, affirmative action programs and internal and external communication procedures;
- Assisting in the identification of AAP/EEO problem areas;
- Assisting management in arriving at effective solutions to AAP/EEO problems;
- Keeping Spencer Contracting Co.'s Officers informed of equal opportunity progress and reporting potential problem areas with the company;
- Reviewing the company's AAP for qualified minorities and women with all managers and supervisors at all levels to ensure the policy is understood and is followed in all personnel activities;
- Auditing the contents of the company's bulletin boards to ensure compliance information is posted and up-to-date; and
- Serving as liaison between Spencer Contracting Co. and enforcement agencies.

### **Responsibilities of Managers and Supervisors**

It is the responsibility of all managerial and supervisory staff to implement Spencer Contracting Co.'s AAP. These responsibilities include, but are not limited to:

- Assisting in the identification of problem areas, formulating solutions, and establishing departmental goals and objectives when necessary;
- Reviewing the qualifications of all applicants and employees to ensure qualified individuals are treated in a non-discriminatory manner when hiring, promotion, and termination actions occur; and
- Reviewing the job performance of each employee to assess whether personnel actions are justified based on the employee's performance or his or her duties and responsibilities.

## **Action-Oriented Programs**

Spencer Contracting Co. has instituted action programs to eliminate identified problem areas. These programs include:

- Conducting analysis of job descriptions to ensure they accurately reflect job functions;
- Reviewing job descriptions by department and job title using job performance criteria;
- Reviewing job applications to ensure information requested is job-related;
- Training personnel and management staff on proper interview techniques;
- Training in EEO for management and supervisory staff if deemed necessary;
- Include the phrase "Equal Opportunity / Affirmative Action Employer" in all printed employment advertisements;
- Disseminate information on job opportunities to organizations representing minorities, women and employment development agencies when applicable;
- Encourage all employees to refer qualified applicants;
- Ensuring all employees are given equal opportunity for promotion.

## Reporting System

The EEO Officer has the responsibility of developing and preparing the formal documents of the AAP. The EEO Officer is responsible for the effective implementation of the AAP; however, responsibility is also with each department manager and supervisor.

- Measure the effectiveness of the AAP/EEO program;
- Identify problem areas where action is needed;
- Determine if Spencer Contracting Co.'s AAP objectives have been met.

The following personnel activities are reviewed to ensure nondiscrimination and equal employment opportunity for all individuals without regard to their race, color, sex, religion, national origin, or disability.

- Recruitment, advertising, and job application procedures;
- Hiring, promotion, upgrading, layoff, recall from layoff;
- Rates of pay and any forms of compensation including fringe benefits;
- Job assignments, leaves or absence, or any other leave;
- Training and apprenticeships;
- Any other term, condition, or privilege of employment



## **Guidelines on Discrimination Because of Religion or National Origin**

It is the policy of Spencer Contracting Co. to take affirmative action to insure applicants are employed without regard to their religion or national origin. Such action includes, but is not limited to the following employment practices: hiring, promotion, demotion, recruitment or recruitment advertising, layoff, termination, rates of pay or other form of compensation and selection for training.

- The policy concerning Spencer Contracting Co.'s obligation to provide equal employment opportunity without regard to religion or national origin is communicated to all employees via employee handbooks, policy statement and the Affirmative Action Program.
- Internal communication between the EEO Officer, Officers, Supervisors, and all employees insure the obligation to provide equal employment opportunity without regard to religion or national origin.
- Employees are informed at least annually to Spencer Contracting Co.'s commitment to provide equal employment opportunity without regard to religion or national origin through on-site bulletin boards or other forms of communication.

Reasonable accommodations to the religious observances and practices of employees or prospective employees will be made, unless doing so would result in undue hardship. In determining whether undue hardship exists, factors such as the cost to the company and the impact on the rights of other employees would be considered.