



Delegate Agency Solicitation #8095,1 (RFP)

BACP Outdoor Dining Grants for Restaurants

Specification Number:1224644

Required for use by: DEPT OF BUSINESS AFFAIRS & CONSUMER PROTECTION

Bid/Proposal Submittal Date and Time: 12:00 PM Central Time, 13-SEP-2021

Deadline for Questions:

Buyer: MCCLARN, GRAYLEN

Email Address: Graylen.McClarn@cityofchicago.org

Phone Number: 3127449745

Pre-Solicitation Conference Date and Time: 02:00 PM Central Time, 18-AUG-2021

Pre-Solicitation Conference Location: Link is in attachment 01

Site Visit Date & Time: N/A

Site Visit Location: N/A

Please submit your response to:

<http://www.cityofchicago.org/eProcurement>
iSupplier vendor portal registration is required.
Allow 3 business days to complete registration.

LORI E. LIGHTFOOT
MAYOR

Kenneth Meyer
Acting Commissioner

Specification Number: 1224644

Type of Funding:

Title: BACP Outdoor Dining Grants for Restaurants

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1 Header Information

1.1 General Information

Title	BACP Outdoor Dining Grants for Restaurants		
Description	BACP Outdoor Dining Grants for Restaurants		
Amendment Date	01-SEP-2021 13:33:44		
Amendment Description	This amendment was created to correct the close date that was listed on BACP's Website and also listed in the Supplemental Document of the RFP from 8/31/2021 to 9/13/2021.		
Preview Date	Not Specified	Open Date	01-SEP-2021 13:33:44
Close Date	12:00 PM Central Time, 13-SEP-2021	Award Date	Not Specified
Time Zone	Central Time	Buyer	MCCLARN, GRAYLEN
Quote Style	Blind	Email	Graylen.McClarn@cityofchicago.org
Event	Delegate Agency	Outcome	Delegate Agency Blanket Agreement

1.2 Terms

Effective Start Date	Not Specified	Effective End Date	Not Specified
Ship-To Address	070- BUS AFFAIRS AND CONSUMER PROT 121 N. LaSalle St. Rm. 805 Chicago, IL 60602 United States	Bill-To Address	070- BUS AFFAIRS AND CONSUMER PROT 121 N. LaSalle St. Rm. 805 Chicago, IL 60602 United States
Payment Terms	IMMEDIATE	Carrier	
FOB		Freight Terms	
Currency	USD (US Dollar)	Price Precision	Any
Total Agreement Amount (USD)	Not Specified	Minimum Release Amount (USD)	Not Specified

1.3 Requirements

Contact Information
First Name Provide your answer below
Last Name Provide your answer below
Telephone Number

Contact Information
..... Provide your answer below
E-mail Address Provide your answer below
Contact Type Provide your answer below
Organization Information
Legal Organization Name Provide your answer below
Address Provide your answer below
City Provide your answer below
State

Organization Information
..... Provide your answer below
Zip Provide your answer below
County Provide your answer below
Country Provide your answer below
Legal Organization Telephone Number Provide your answer below
Head of Agency Name Provide your answer below
Please provide the official title for the chief executive of your agency.

Organization Information
Provide your answer below
Please provide the Chief Executive's contact telephone number, including area code. Provide your answer below
Please provide your Chief Executive's e-mail address. Provide your answer below
Please provide the name of your agency's chief financial officer. Provide your answer below
Please provide the official title of your agency's chief financial officer. Provide your answer below
Please provide the contact phone number for your agency's chief financial officer. Provide your answer below
Please provide the contact e-mail address for your agency's chief financial officer. Provide your answer below

Organization Information
Previous Program Experience
Please provide a brief history of your organization's mission and philosophy. Provide your answer below
What is your organization's specific knowledge and experience with grants administration and business development? Please explain your previous and/or current programs. Provide your answer below
Please describe your experience working with the local businesses. Provide your answer below
Please describe how you will implement the program goals and reporting requirements described in the RFP. Description should include an overview of the online application process, disbursement of grants, reconciliation and reporting. Provide your answer below
Why do you think your organization is uniquely well suited to administer the Outdoor Dining Program? Provide your answer below
Please give two examples of how your organization in administering a grant program for businesses.

<p>Previous Program Experience</p> <p>.....</p> <p>Provide your answer below</p>
<p>Administrative/Fiscal Capacity</p> <p>Please describe your organization's programmatic, fiscal, and administrative capacity for operating and managing the proposed program.</p> <p>.....</p> <p>Provide your answer below</p>
<p>Given the reimbursement nature of the contract, how will your agency meet payroll obligations and other upfront costs?</p> <p>.....</p> <p>Provide your answer below</p>
<p>Please describe what monitoring tools your agency has in place to ensure contract compliance i.e. recordkeeping, accounting practices for your agency and the administration of the grants to businesses.</p> <p>.....</p> <p>Provide your answer below</p>
<p>Please attach a list of your organization's current major grants identifying the name of the granting organization and amount.</p> <p>.....</p> <p>Provide your answer below</p>
<p>Please describe your organization's experience working with City contracts and if you have or have had any federal, state or city findings.</p> <p>.....</p> <p>Provide your answer below</p>

Administrative/Fiscal Capacity
Budget
Using the attached file and the instructions provided, please prepare a budget for this program. Please acknowledge the budget was uploaded. Provide your answer below
Please provide a budget narrative that describes how costs were derived for each item and budget category. Provide your answer below

1.4 Attachments

Name	Data Type	Description
ATTACHMENT 01: RFP	File	

1.5 Response Rules

- Solicitation is restricted to invited suppliers
- Suppliers are allowed to respond to selected lines
- Suppliers are allowed to provide multiple responses
- Buyer may close the solicitation before the Close Date
- Buyer may manually extend the solicitation while it is open

2 Price Schedule

2.1 Line Information

Display Rank As **No indicator displayed**
 Ranking **Price Only**
 Cost Factors **None**

Line	Item, Rev / Job	Target Quantity	Unit	Unit Price	Amount
1	0005 - Personnel	1	USD		
2	0044 - Fringe Benefits	1	USD		
3	0100 - Operating/Technical	1	USD		
4	0140 - Professional and Technical Services	1	USD		
5	0200 - Travel	1	USD		
6	0300 - Materials and Supplies	1	USD		
7	0400 - Equipment	1	USD		
8	0801 - Indirect	1	USD		
9	0999 - Other	1	USD		

2.2 Line Details

2.2.1 Line 1 0005 - Personnel

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.2 Line 2 0044 - Fringe Benefits

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.3 Line 3 0100 - Operating/Technical

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.4 Line 4 0140 - Professional and Technical Services

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.5 Line 5 0200 - Travel

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.6 Line 6 0300 - Materials and Supplies

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.7 Line 7 0400 - Equipment

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.8 Line 8 0801 - Indirect

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

2.2.9 Line 9 0999 - Other

Category	94855.DA.	Start Price (USD)	Not Specified
Shopping Category	Not Specified	Target Price (USD)	Not Specified
Minimum Release Amount (USD)	Not Specified		
Estimated Total Amount (USD)	Not Specified		

CITY OF CHICAGO



REQUEST FOR PROPOSALS (RFP) FOR COVID-19 OUTDOOR DINING GRANT

RFP # 8095

ISSUED BY: CITY OF CHICAGO DEPARTMENT OF
BUSINESS AFFAIRS AND CONSUMER PROTECTION

All proposals must be submitted via the eProcurement system.

<http://www.cityofchicago.org/eprocurement>

Questions concerning the RFP should be directed to

Kenya Merritt

Chief Small Business Officer

Department of Business Affairs and Consumer Protection
121 N. LaSalle, Room 805

Chicago, Illinois 60602

Email: nbdc@cityofchicago.org

Website: www.chicago.gov/bacp

LORI E. LIGHTFOOT
MAYOR

KENNETH J. MEYER
ACTING COMMISSIONER

OVERVIEW OF DEPARTMENT

The City of Chicago's Department of Business Affairs and Consumer Protection (BACP) empowers and educates entrepreneurs and business owners to start, grow and succeed. BACP supports the entrepreneurs through the provision of business education, access to support and the administration of resources through a network of nearly 70 business service organizations. Additionally, BACP licenses businesses and public vehicles, supports consumers, promotes and enforces Chicago's labor laws.

OBTAINING THE RFP SOLICITATION DOCUMENTS

Documents may be downloaded from the website of the Department of Procurement Services at the following URL: <http://www.cityofchicago.org/eProcurement>. Click on "Current Bids and Solicitation Opportunities", then "eProcurement Bid and RFP solicitation Opportunities". Respondents are solely responsible for obtaining all RFP Solicitation Documents including Clarifications and Addenda's. In order to receive Notice of Clarifications and Addenda, Respondents must log-in to iSupplier, search for the RFP solicitation number, review, and accept the disclaimer.

The City accepts no responsibility for the timely delivery of materials or failure of the Respondent to submit required information, as identified in this RFP. The City will not accept Proposal that are not received by deadline of this RFP.

PROGRAM DESCRIPTION:

The City of Chicago ("City") acting through the Chicago Department of Business Affairs and Consumer Protection (BACP) seeks qualified organization(s) (i.e. 501(c)(3) or 501(c)(6)) to administer an Outdoor Dining Grants Program. The grantee will be responsible for administering the Outdoor Dining Grants Program that will provide \$5,000 grants to eligible licensed restaurants located in the allowable Chicago community areas (see appendix) to cover costs for dining furniture, signs, and protective equipment to facilitate a safe environment for consumers and workers, resulting from the COVID-19 pandemic.

The goals of this Request for Proposal are to address the needs of businesses, located in low to moderate income communities, that have experienced revenue loss due to COVID-19 the necessary capital to purchase equipment to maintain a safe workplace and environment. The grantee m

PROGRAM DESIGN

The Outdoor Dining Grant program is designed to identify grant administrator(s) to provide restaurants located in low to moderate income eligible community areas with a grant in the amount of \$5,000 to purchase furniture, supplies and signage to continue to safely operate. The grant must be used for necessary cost needs, such as outdoor furniture, signage, and personal protective equipment to maintain growth resulting from economic losses from COVID-19.

Grants may not be used for any other expenses or for expenditures that will be reimbursed through another federal program, or reimbursement to other parties for goods or services previously donated.

The total amount available for this program is \$2 Million, which is inclusive of funding for grants and a cap of 10% for costs associated with the administration of the program.

Grantees must have the ability to:

- Develop an online accessible application using the criteria prescribed by the City
- Conduct an initial screen of all applications for duplicate applications and preliminary information, disqualifying, where necessary
- Determine eligible pool of applicants based on the review of required documentation and listing of eligible/ineligible business types, where minimal documentation is missing, conduct follow-up with businesses
- Where the demand exceeds the available funding, conduct a randomized lottery
- Provide listing of eligible applicants to review by City within two weeks of application end date
- Upon approval of the eligible applicants, submit an invoice for the funding needed for the small business grants
- Once funds are received, disburse grants within 48 hours via EFT.
- Provide confirmation, ledger confirming the disbursement of funds
- Provide a report of approved/ineligible applicants

REPORTING REQUIREMENTS

Grantees will be required to track the number of applicants and pertinent data using a City approved platform and will report daily on the agreed upon applicant information to the City. Grantees will be required to provide all data from the application portal in an editable version, such as excel. Additionally, the Grantee will be required to submit a final report confirming that grants were disbursed within the required timeframe and received by the small business owners.

PROGRAM REQUIREMENTS:

All program specific questions, requirements, forms, or templates that applicants must answer or complete will be available on the online application for this program.

SELECTION CRITERIA:

All proposals that are received by the deadline will undergo a technical review to determine whether all required components have been addressed and included. Proposals that are determined by BACP to be incomplete will not be considered. BACP reserves the right to waive irregularities that, within its sole discretion, BACP determines to be minor. If such irregularities are waived, similar irregularities in all proposals will be waived. Proposals that are determined to be complete will be forwarded to a Review Panel. The Review Panel will evaluate and rate all remaining proposals based on the following evaluation criteria:

- Applicant demonstrates they have the following key existing capacities for the program section of this RFP:
 - The mission of the organization is aligned with objectives of the program; which include demonstrated experience working with small businesses in low to moderate income communities
 - Experience, or verifiable ability, in administering a small business grants program to scale and to execute on expected timeframes
 - Ability to develop an accessible online application for small businesses, conduct trainings, evaluate applications based on eligibility criteria, and finalize approved applicants
 - Fiscal capacity to administer the program by demonstrated experience and ability to disburse grants with proper controls and in compliance with federal and local regulations within an expedited timeframe
 - Demonstrated ability with administering federally funded programs, including proper monitoring, record keeping and accounting
- Applicant demonstrates how they will be successful in performing activities listed in this RFP.
- Number of years the agency is financially in the black as evidenced by IRS Form 990.
- Overall quality and completeness of the application.

- Not responding to any question in the application (e.g. stating the agency is “not a City grantee” etc.) will be considered an incomplete application and will disqualify the application.

BACP reserves the right to recommend qualified funding proposals out of rank to ensure adequate geographic distribution of services throughout the city, minimize duplication of similar service offerings within the same service area, and prevent a disproportionate number of service providers within a service area that does not have the corresponding amount of business support needs. Qualified proposals will be scored against proposals in the same modality or type of service.

SCORING CRITERIA

Proposals will be scored based on the following, with 100 being the maximum score.

- Program Summary – 35 points
- Organizational Capacity – 35 points
- Budget Information – 15 points
- Overall Responsiveness – 15 points

PROPOSED CONTRACT TERM

The anticipated start date of the contract is September 13, 2021 for a one-year term, with up to one extension not to exceed one year, at the discretion of the City, based on available funds, the need to extend services, and the Respondent’s performance. This initiative is funded by the US Department of Housing and Urban Development Community Development Block Grant.

All Proposals submitted to the City are subject to the Freedom of Information Act. The City will make the final determination as to whether information, even if marked “confidential”, will be disclosed pursuant to a request under the Freedom of Information Act or valid subpoena. Respondent agrees not to pursue any cause of action against the City with regard to disclosure of information.

REQUIRED PROPOSAL CONTENT

Respondents are advised to adhere to the submittal requirements of the RFP and in particular this section. Failure to comply may be cause for rejection of the non-compliant Proposal. Respondent must provide information in the appropriate areas throughout the RFP. By submitting a response to this RFP, you are acknowledging that if your Proposal is accepted by the city, the Proposal and related submittals may become part of the contract.

RFP INFORMATIONAL/ DUE DATE/SUBMISSION LOCATION

INFORMATIONAL SESSIONS: August 18, 2021, 2:00 PM, CST

DUE DATE: September 13, 2021, 12:00 PM, NOON CST

Proposals must be submitted via online application. Emailed or faxed proposals will not be accepted.

E-PROCUREMENT SYSTEM

To complete an application for this RFP, RESPONDENTS will need to set up an account in the new eProcurement/iSupplier system.

Registration in iSupplier is the first step to ensuring your agency's ability to conduct business with the City of Chicago and BACP. Please allow five to seven days for your registration to be processed.

The Department of Procurement Services (DPS) manages the iSupplier registration process. All delegate agencies are required to register in the iSupplier portal at www.cityofchicago.org/eProcurement. All vendors must have a Federal Employer Identification Number (FEIN) and an IRS W9 for registration and confirmation of vendor business information.

1. New Vendors – Must register at www.cityofchicago.org/eProcurement
2. Existing Vendors – Must request an iSupplier invitation via email. Include your Complete Company Name and City of Chicago Vendor/Supplier Number (found on the front page of your contract) in your email to customersupport@cityofchicago.org. You will then receive a response from DPS so you can complete the registration process. Please check your junk email folder if you have made a request and not heard back as many agencies have reported responses going their junk folder.

To receive training about all aspects of the eProcurement system register using the link below and include the name of the agency which you will represent. Training will review eProcurement functions such as iSupplier registration and overview, responding to RFPs, creating invoices and reviewing / tracking payments.

For further eProcurement help use the following contacts:

- Questions on Registration: customersupport@cityofchicago.org
- Questions on eProcurement for Delegate Agencies including: CustomerSupport@cityofchicago.org or contact the eProcurement hotline at 312-744-4357 (HELP)
- Online Training Materials: <https://www.cityofchicago.org/city/en/depts/dps/isupplier/online-training-materials.html>

If you are having difficulty registering additional people, please refer to this handout https://www.cityofchicago.org/content/dam/city/depts/dps/isupplier/training/Vendor_Create

[_New_Address_and_Contact.pdf](#)

Here is a link to all additional technical assistance videos and handouts.

<https://www.cityofchicago.org/city/en/depts/dps/isupplier/online-training-materials.html>

Additionally, Respondents may e-mail CustomerSupport@cityofchicago.org to receive more specific advice and troubleshooting.

Respondents must submit an application for the request for proposal via eProcurement.

For this application, all answers to application questions are limited to 4,000 characters, including spaces and punctuation.

For respondents wishing to submit more than one application to a RFP

Organizations submitting more than one proposal may do so by submitting each proposal under a separate, unique registered account user with online bidding responsibilities within the organization's iSupplier account, using their individual login information.

If you are having difficulty registering additional people, please refer to this handout

https://www.cityofchicago.org/content/dam/city/depts/dps/isupplier/training/Vendor_Create_New_Address_and_Contact.pdf

Here is a link to all additional technical assistance videos and handouts.

<https://www.cityofchicago.org/city/en/depts/dps/isupplier/online-training-materials.html>

Additionally, Respondents may e-mail CustomerSupport@cityofchicago.org to receive more specific advice and troubleshooting.

PRE-SUBMITTAL CONFERENCE

A virtual pre-submittal conference will be held on the following dates:

August 18, 2021 at 2:00 PM, Registration is available by clicking [here](#).

The purpose of the pre-submitting event is to clarify the RFP process and the score of the required services. Attendance is not mandatory, but it is strongly suggested the interested applicants attend. Questions can be emailed to nbdc@cityofchicago.org

PROGRAM CONTACT

Kenya Merritt, Chief Small Business Officer

Email: NBDC@cityofchicago.org

Phone: 312-744-5288

Eligible Community areas

RIVERDALE	GREATERGRAND	ROGERS PARK
ENGLEWOOD	CROSSING	AVONDALE
SOUTH LAWNSDALE	SOUTH SHORE	ROSELAND
WASHINGTON PARK	WOODLAWN	BELMONT CRAGIN
NORTH LAWNSDALE	AUBURN GRESHAM	PULLMAN
WEST GARFIELD PARK	AUSTIN	ARCHER HEIGHTS
WEST ENGLEWOOD	FULLER PARK	EAST SIDE
GAGE PARK	OAKLAND	BRIDGEPORT
BRIGHTON PARK	BURNSIDE	WEST LAWN
NEW CITY	HERMOSA	ALBANY PARK
EAST GARFIELD PARK	SOUTH DEERING	MONTCLARE
LOWER WEST SIDE	MCKINLEY PARK	WEST RIDGE
ARMOUR SQUARE	DOUGLAS	WASHINGTON HEIGHTS
CHICAGO LAWN	WEST PULLMAN	KENWOOD
SOUTH CHICAGO	WEST ELSDON	AVALON PARK
HUMBOLDT PARK	CHATHAM	LOGAN SQUARE
	GRAND BOULEVARD	UPTOWN
		IRVING PARK
		EDGEWATER
		HYDE PARK

_____. Compliance with Laws, Statutes, Ordinances and Executive Orders

Grant awards will not be final until the City and the respondent have fully negotiated and executed a grant agreement. All payments under grant agreements are subject to annual appropriation and availability of funds. The City assumes no liability for costs incurred in responding to this RFP or for costs incurred by the respondent in anticipation of a grant agreement. As a condition of a grant award, respondents must comply with the following and with each provision of the grant agreement:

1. Conflict of Interest Clause: No member of the governing body of the City of Chicago or other unit of government and no other officer, employee, or agent of the City of Chicago or other government unit who exercises any functions or responsibilities in connection with the carrying out of the project shall have any personal interest, direct or indirect, in the grant agreement.

The respondent covenants that he/she presently has no interest, and shall not acquire any interest, direct, or indirect, in the project to which the grant agreement pertains which would conflict in any manner or degree with the performance of his/her work hereunder. The respondent further covenants that in the performance of the grant agreement no person having any such interest shall be employed.

2. Governmental Ethics Ordinance, Chapter 2-156: All respondents agree to comply with the Governmental Ethics Ordinance, Chapter 2-156 which includes the following provisions: a) a representation by the respondent that he/she has not procured the grant agreement in violation of this order; and b) a provision that any grant agreement which the respondent has negotiated, entered into, or performed in violation of any of the provisions of this Ordinance shall be voidable by the City.
3. Selected respondents shall establish procedures and policies to promote a Drug-free Workplace. The selected respondent shall notify employees of its policy for maintaining a drug-free workplace, and the penalties that may be imposed for drug abuse violations occurring in the workplace. The selected respondent shall notify the City if any of its

employees are convicted of a criminal offense in the workplace no later than ten days after such conviction.

4. Business Relationships with Elected Officials - Pursuant to Section 2-156-030(b) of the Municipal Code of Chicago, as amended (the "**Municipal Code**") it is illegal for any elected official of the City, or any person acting at the direction of such official, to contact, either orally or in writing, any other City official or employee with respect to any matter involving any person with whom the elected official has a business relationship, or to participate in any discussion in any City Council committee hearing or in any City Council meeting or to vote on any matter involving the person with whom an elected official has a business relationship. **Violation of Section 2-156-030(b) by any elected official with respect to the grant agreement shall be grounds for termination of the grant agreement.** The term business relationship is defined as set forth in Section 2-156-080 of the Municipal Code.

Section 2-156-080 defines a "business relationship" as any contractual or other private business dealing of an official, or his or her spouse or domestic partner, or of any entity in which an official or his or her spouse or domestic partner has a financial interest, with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a financial interest shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the share of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended; (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; or (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse or domestic partner with an entity when such spouse or domestic partner has no discretion concerning or input relating to the relationship between that entity and the City.

5. Compliance with Federal, State of Illinois and City of Chicago regulations, ordinances, policies, procedures, rules, executive orders and requirements, including Disclosure of

Ownership Interests Ordinance (Chapter 2-154 of the Municipal Code); the State of Illinois - Certification Affidavit Statute (Illinois Criminal Code); State Tax Delinquencies (65ILCS 5/11-42.1-1); Governmental Ethics Ordinance (Chapter 2-156 of the Municipal Code); Office of the Inspector General Ordinance (Chapter 2-56 of the Municipal Code); Child Support Arrearage Ordinance (Section 2-92-380 of the Municipal Code); and Landscape Ordinance (Chapters 32 and 194A of the Municipal Code).

6. If selected for grant award, respondents are required to (a) execute the Economic Disclosure Statement and Affidavit, and (b) indemnify the City as described in the grant agreement between the City and the successful respondents.

7. **Prohibition on Certain Contributions, Mayoral Executive Order 2011-4.** Neither you nor any person or entity who directly or indirectly has an ownership or beneficial interest in you of more than 7.5% ("**Owners**"), spouses and domestic partners of such Owners, your Subcontractors, any person or entity who directly or indirectly has an ownership or beneficial interest in any Subcontractor of more than 7.5% ("**Sub-owners**") and spouses and domestic partners of such Sub-owners (you and all the other preceding classes of persons and entities are together, the "**Identified Parties**"), shall make a contribution of any amount to the Mayor of the City of Chicago (the "**Mayor**") or to his political fundraising committee during (i) the bid or other solicitation process for the grant agreement or Other Contract, including while the grant agreement or Other Contract is executory, (ii) the term of the grant agreement or any Other Contract between City and you, and/or (iii) any period in which an extension of the grant agreement or Other Contract with the City is being sought or negotiated.

You represent and warrant that since the date of public advertisement of the specification, request for qualifications, request for proposals or request for information (or any combination of those requests) or, if not competitively procured, from the date the City approached you or the date you approached the City, as applicable, regarding the formulation of the grant agreement, no Identified Parties have made a contribution of any amount to the Mayor or to his political fundraising committee.

You shall not: (a) coerce, compel or intimidate your employees to make a contribution of any amount to the Mayor or to the Mayor's political fundraising committee; (b) reimburse your employees for a contribution of any amount made to the Mayor or to the Mayor's political fundraising committee; or (c) bundle or solicit others to bundle contributions to the Mayor or to his political fundraising committee.

The Identified Parties must not engage in any conduct whatsoever designed to intentionally violate this provision or Mayoral Executive Order No. 2011-4 or to entice, direct or solicit others to intentionally violate this provision or Mayoral Executive Order No. 2011-4.

Violation of, non-compliance with, misrepresentation with respect to, or breach of any covenant or warranty under this provision or violation of Mayoral Executive Order No. 2011-4 constitutes a breach and default under the grant agreement, and under any Other Contract for which no opportunity to cure will be granted. Such breach and default entitles the City to all remedies (including without limitation termination for default) under the grant agreement, under any Other Contract, at law and in equity. This provision amends any Other Contract and supersedes any inconsistent provision contained therein.

If you violate this provision or Mayoral Executive Order No. 2011-4 prior to award of the Agreement resulting from this specification, the Commissioner may reject your bid.

For purposes of this provision:

"Other Contract" means any agreement entered into between you and the City that is (i) formed under the authority of Municipal Code Ch. 2-92; (ii) for the purchase, sale or lease of real or personal property; or (iii) for materials, supplies, equipment or services which are approved and/or authorized by the City Council.

"Contribution" means a "political contribution" as defined in Municipal Code Ch. 2-156, as amended.

"Political fundraising committee" means a "political fundraising committee" as defined in Municipal Code Ch. 2-156, as amended.

8. (a) The City is subject to the June 24, 2011 "City of Chicago Hiring Plan" (the "2011 City Hiring Plan") entered in *Shakman v. Democratic Organization of Cook County*, Case No 69 C 2145 (United States District Court for the Northern District of Illinois). Among other things, the 2011 City Hiring Plan prohibits the City from hiring persons as governmental employees in non-exempt positions on the basis of political reasons or factors.

- (b) You are aware that City policy prohibits City employees from directing any individual to apply for a position with you, either as an employee or as a subcontractor, and from directing you to hire an individual as an employee or as a subcontractor. Accordingly, you must follow your own hiring and contracting procedures, without being influenced by City employees. Any and all personnel provided by you under the grant agreement are employees or subcontractors of you, not employees of the City of Chicago. The grant agreement is not intended to and does not constitute, create, give rise to, or otherwise recognize an employer-employee relationship of any kind between the City and any personnel provided by you.

(c) You will not condition, base, or knowingly prejudice or affect any term or aspect of the employment of any personnel provided under the grant agreement, or offer employment to any individual to provide services under the grant agreement, based upon or because of any political reason or factor, including, without limitation, any individual's political affiliation, membership in a political organization or party, political support or activity, political financial contributions, promises of such political support, activity or financial contributions, or such individual's political sponsorship or recommendation. For purposes of the grant agreement, a political organization or party is an identifiable group or entity that has as its primary purpose the support of or opposition to candidates for elected public office. Individual political activities are the activities of individual persons in support of or in opposition to political organizations or parties or candidates for elected public office.

(d) In the event of any communication to you by a City employee or City official in violation of paragraph (b) above, or advocating a violation of paragraph (c) above, you will, as soon as is reasonably practicable, report such communication to the Hiring Oversight Section of the City's Office of the Inspector General ("IGO Hiring Oversight"), and also to the head of the Department. You will also cooperate with any inquiries by IGO Hiring Oversight related to this Agreement.