

CITY OF CHICAGO



REQUEST FOR PROPOSALS (RFP) for Chicago Vaping Education, Prevention & Cessation – Youth

RFP# 54798

All Proposals must be submitted through eProcurement system

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

For further information:
Chioma Ejiofor
Chicago Department of Public Health
(312) 742 – 6217
Chioma.ejiofor@cityofchicago.org

BRANDON JOHNSON
MAYOR

Dr. Olusimbo Ige
Commissioner

City of Chicago
Department of Public Health
Bureau of Quality Performance and Improvement – Office of Chronic Disease Prevention and Health
Promotion

I. Purpose

CDPH is committed to the health and well-being of its communities and recognizes the public health crisis of vaping, especially on youth and young adults. To achieve this objective, CDPH seeks to fund organizations to reduce the impact of electronic nicotine devices (ENDS), the practice of vaping, and non-combustible nicotine products (including oral nicotine pouches).

The purpose of this Request for Funding Proposals (RFP) is to implement evidence-based interventions aimed at reducing the use and impact of electronic nicotine delivery systems (ENDS) among Chicago youth. This includes the development and implementation of anti-vaping programs for individuals under the age of 18 in Chicago. Organizations will implement community and school-based education, prevention and cessation strategies for youth on the topic of vaping and oral nicotine use.

For this RFP, youth is defined as individuals up to age 18, though services provided may extend to those over 18 if they participate in that shared setting.

Organizations that have a commitment to young people and a track record of implementing effective programs in the city of Chicago, are encouraged to apply. Previous tobacco prevention work is not required but encouraged.

The mission of the Chicago Department of Public Health (CDPH) is to work with communities and partners to create an equitable, safe, resilient, and Healthy Chicago. Our efforts build toward our vision where everyone in Chicago thrives and achieves their optimal health and wellness.

II. Background

CDPH's approach is guided by our community health improvement plan, [Healthy Chicago 2025](#) that is focused on racial and health equity, especially eliminating Chicago's racial life expectancy gap. This RFP aligns with Healthy Chicago 2025's theme of improving systems of care for populations most affected by inequities.

Chicago has been recognized as a leader in tobacco control due to progressive policymaking and counter marketing efforts that contributed to significant reductions in cigarette smoking among Chicagoans. Chicago became one of the first cities in the country to add e-cigarettes to its Clean Indoor Air Ordinance, the first U.S. city to impose a vaping tax, one of the first jurisdictions to institute a flavored tobacco sales ban for stores within 500 feet of high schools, and securing a minimum purchasing age of 21 for tobacco products that went into effect years prior to the national law.

Despite these advances, the vaping product market has grown and evolved rapidly over the last decade. Chicago high school students are more likely to use e-cigarettes daily compared to 2017, the first year this data was collected (0.5% in 2017 vs. 2.0% in 2021)². E-cigarettes are now the most commonly used tobacco product by youth. In 2021, 10.3% of Chicago high school students reported current use of vapor products, a significant increase from the reported rate in 2017 (6.6%)¹.

¹ *High school e-cigarette use rate* based on data from Data Source, available on Chicago Health Atlas (<https://chicagohealthatlas.org>)

In 2023, 10.9% of Chicago adults and 2% of Chicago high school students smoked cigarettes². The recent rise in vaping amongst youth has begun to reverse Chicago's earlier declines in youth smoking rates, introducing nicotine use to many who otherwise might not have smoked. The most concerning rate of use is in LGBTQ+ youth, where rates jumped to 26.9% in 2019 and continue in 2023 at 24.1% - almost a quarter of these children. A sizeable rate increase was seen in girls in 2023 (16.6%) over boys (8.9%) in contrast to 2019, when boys reported greater use.

Further, rates of use in youth of color are on the rise. In 2019, the e-cigarette use in Chicago's non-Hispanic White youth was 19.2%, but fell to 10.4% in 2021 before climbing in 2023 to 13.1%. Meanwhile in 2019 the e-cigarette use in Chicago's Non-Hispanic Black youth was 11.3% but in 2023 was up to 12.2%. The rate of use in Chicago's Latino/Hispanic youth has consistently increased each year since data reporting began in 2017, with a 2023 rate of 13.7% use (the highest use of any race/ethnicity demographic available to CDPH for Chicago and visible on the [Chicago Health Atlas](#)).

In order to address these vaping increases and to close disparities, it will require building on our previous efforts through a robust multi-pronged approach that focuses on three pillars: Education, Prevention and Cessation.

Alignment with CDPH Guiding Principles

All CDPH investments are guided by the following principles. CDPH delegates and their sub-contractors are expected to integrate these principles into organizational policy and practice and should be reflected in this submission.

- **Deconstructing racist systems** – actively working to reframe and dismantle systems that perpetuate privilege. Examples include efforts to bolster diversity and inclusion at your agency and within the list of contractors hired by your agency.
- **Trauma prevention and trauma-informed services** – ensuring services address trauma and healing. Examples include trauma-informed trainings provided to staff and or subcontractors.
- **Cultural responsiveness** – ensuring services are culturally and linguistically appropriate. Examples include training, education materials, and policies that demonstrate cultural competency efforts both at organization and staff level
- **Health equity in all communities** – allocating resources and services to people and areas with the greatest need. Examples include providing free or low-cost services to residents living in a low-income household; or offering evening health appointments to those who work long hours and are unable to access care.

² *Adult smoking rate* based on data from the Healthy Chicago Survey, available on Chicago Health Atlas (<https://chicagohealthatlas.org>)

High school smoking rate based on data from the Youth Risk Behavior Survey, available on Chicago Health Atlas (<https://chicagohealthatlas.org>)

III. Internet Access to this RFP

Respondents may download the RFP and any future addenda from the City's Department of Procurement Services (DPS) website at the following URL:

<https://www.chicago.gov/city/en/depts/dps/isupplier/current-bids.html>. Respondents are required to have Internet access and an email address. The City will not provide hardcopies of this RFP or clarifications and/or addenda. Respondents are required to submit responses via the City's online purchasing system, eProcurement.

The City accepts no responsibility for the timely delivery of materials or for alerting Respondents on posting to the DPS website information related to this RFP.

Under no circumstances shall failure to obtain clarifications and/or addenda relieve a Respondent from being bound by any additional terms and conditions in the clarifications and/or addenda, or from considering additional information contained therein in preparing a submittal. Furthermore, failure to obtain any clarification and/or addendum shall not be valid grounds for a protest against award(s) made under this RFP.

IV. Available Funding

A total of \$450,000 in Vaping Settlement Funds will be available through this RFP for the initial contract period, which will run from August 1, 2025, to December 31, 2026. There is the potential for up to two extensions, each not to exceed one year; at the discretion of the City, depending on the availability of funds, the necessity to continue services, and the performance of the respondent. CDPH may reallocate funding across selected respondents during contract extension negotiations based on funding, each respondent's performance and programmatic priorities.

For this RFP only one awardee may be named for Category I and up to 3 awardees may be named for Category II. The award amount will be determined based on evaluators recommendations.

In **Category I** the total amount awarded in the contract period will be no more than \$100,000.

In **Category II** the total amount awarded in the contract period will be within the range of \$300,000- \$400,000.

V. Project Description

A. Program Activities

This RFP contains two categories, Category I and Category II.

Category I: Development of Vaping Prevention and Anti-Vaping Education Units for Chicago Schools

This category seeks a universal education intervention that supports all Chicago schools through an update, expansion and realignment of the current Chicago Public Schools (CPS)

vaping curriculum for 9-12 graders. This new curriculum and adoption resources will be made available to all Chicago schools. There are existing models of evidence-based vaping curricula that could theoretically be used in schools, but none of the available options are financially sustainable. It is the goal of this funding to be directed towards creating Vaping Curricula that meet school standards and does not put financial strain on schools to maintain. Models such as [Catch my Breath](#), [You and Me, Together Vape Free](#), [Vape Educate](#) can and should be used as reference.

Category II: Implementation of Anti-Vaping Outreach and Engagement Plan for Chicago Youth in Targeted Communities

This category will support the planning and implementation of Anti Vaping activities in both schools and non-traditional settings where youth frequent. The goal is to create more opportunities for young people to participate in anti-vaping outreach, activation, and engagement and to be introduced to resources that promote healthier choices.

Applicants may choose to apply to Category I or Category II or submit separate proposals for each category.

B. Scope of Services

This work aims to equip all participating students with the knowledge and skills needed to understand the health outcomes associated with substance use. These scopes will focus specifically on the risks of vaping and nicotine to youth.

Category I: Development of Vaping Prevention and Anti-Vaping Education units for Chicago Schools

The respondents will develop a sustainable and comprehensive substance use prevention unit focusing on vaping prevention for middle school and an Anti-Vaping Education supplemental unit for high school. These units will be made available to all Chicago Schools and created in alignment with the existing CPS health curriculum.

- a. Middle school: Nine lessons aligned with the National Health Education Standards (NHES)
 - i. Core skills: Interpersonal communication and refusal skills (NHES 4).
 - ii. Content focus: Nicotine
- b. High School: Five lessons aligning with the National Health Education Standards (NHES) Standards
 - i. Core skill: Analyzing influences (NHES 2).
 - ii. Content focus: Vaping nicotine and other substances (youth use of vaped THC and CBD is allowable in this scope) and oral nicotine (specifically but not exclusively oral nicotine pouches)
- c. These lessons will contain:
 - i. Standards
 - ii. Scripting
 - iii. Slide Decks/Presentations
 - iv. Any worksheets or supplemental materials

The respondents will also collaborate with CPS central office teams to provide professional learning and technical assistance both on-site and virtually.

- a. Facilitate one half-day of Professional Learning sessions within the first two months of the fall semester for health teachers that include:
 - i. Trends in adolescent vaping behaviors
 - ii. Best practices in skills-based substance use prevention education
 - iii. Lesson content structure
- b. Provide Technical Assistance in the fall semester to up to 10 teachers, including:
 - i. At least one classroom observation per teacher
 - ii. At least one lesson co-taught (respondent + classroom teacher)
 - iii. One virtual follow-up coaching session will be held to improve instructional practice.

Technical Assistance: The mission of Healthy Chicago 2025 is to create a healthy and equitable Chicago. Accordingly, respondents are requested to direct activities to COMMUNITY AREAS highlighted in the Healthy Chicago 2025 [Strategic Action Plan](#) that have been identified as having the lowest life expectancies or the most significant declines in life expectancy in recent years. CDPH program efforts are being directed to these 5 priority COMMUNITY AREAS in attempt to reduce barriers and increase health outcomes. Respondents to **Category I** should describe a plan for providing technical assistance to teachers working in schools located in these five priority COMMUNITY AREAS.

Category I Community Reach

Schools receiving technical assistance will be selected in coordination with CDPH and CPS from across the following five priority COMMUNITY AREAS:

- East Garfield Park
- West Garfield Park
- Englewood
- West Englewood
- North Lawndale

Category II: Implementation of Anti-Vaping Outreach and Engagement Plan for Chicago Youth in Targeted Communities

This category will support the planning and implementation of Anti Vaping activities in both schools and non-traditional settings where youth frequent. The goal is to create more opportunities for young people to participate in anti-vaping education and to be introduced to resources that promote healthier choices.

- a. Anti-Vaping Engagement Plan must target at least **two** of following populations to support Chicago Youth:
 - i. Middle School Elementary
 - ii. Highschool Students
 - iii. Parents and/or Guardians
 - iv. Teachers, Counselors, and School Faculty
- b. Anti-Vaping Engagement will:

- i. Address the connection between mental health and nicotine use
 1. Provide healthy alternative activities for young people to engage in
 2. Raise awareness about the risks of vaping among target population, including the risks of at least combustible cigarette smoking and of high nicotine doses
 3. Creation of a youth engagement toolkit highlighting all program planning processes and implemented activities

Category II Community Reach

This Category is being issued specifically to address e-cigarette and nicotine use with concerning rates of nicotine use, especially groups with high prevalence and up trending use. CDPH recognizes the limitations of our existing data about youth vaping, which is not available at the community area/zip code level. Historically, vaping use has been highest by race/ethnicity in non-Hispanic White youth (just under 20% of White youth reported vaping in 2019), but in the last 5 years the rate of use has climbed in Latino/Hispanic and Non-Hispanic Black youth. As of 2023, the highest rate of vaping by race/ethnicity is in Latino/Hispanic children. Importantly, the rates in Black and Hispanic/Latino youth have been going up, whereas the rate in white youth dropped sizeably. LGBTQ+ youth remain substantially and consistently higher users of e-cigarettes than heterosexual peers.

Accordingly, Category II respondents should describe their plan in prioritizing Latino/Hispanic, Black, and LGBTQ+ youth in their outreach and engagement. Due to the shifting use patterns of vaping, CDPH will consider all applications submitted with a well-informed and well-described approach to their target demographic.

As part of each proposal, provide an attachment detailing a program implementation plan and timeline for executing the scope of work, ensuring that the plan and timeline follows the requirement within the RFP that activities are in operation within 30 days of start date.

The successful respondent will:

- Develop a comprehensive workplan for planning, program implementation, and evaluation with clear objectives, measurable goals, timelines, and responsibilities. Both categories must include planned in person activities.
- Describe activities your organization will complete to ensure the planning phase is completed within 3 months and implementation phase initiated immediately after.
- Describe how your organization will document track and share learnings at the end of this project. Final products must be designed to be shared.
 - **Category I: Development of Vaping Prevention and Anti-Vaping Education units for Chicago Schools**
 - All materials produced through this initiative are property of CDPH and CPS and may be disseminated at CDPH's discretion.
 - This will include standards, scripting, slide, decks/presentations and any worksheets or supplemental materials for each lesson.
 - **Category II: Implementation of Anti-Vaping Outreach and Engagement Plan for Chicago Youth in Targeted Communities**

- All materials produced through this initiative are property of CDPH and will be made publicly available to and shared with schools and community partners.
 - Convey key messages about vaping in print and/or digital format, by utilizing media materials created for the Me and Nic Broke Up Campaign in conjunction with educational materials the respondent has created.
- Participate in all CDPH program monitoring and evaluation activities and review performance measures with CDPH program director to set appropriate benchmarks.
 - Finalize annual workplan and budget with CDPH approval.
 - Provide monthly programmatic and fiscal reports to CDPH.
 - Participate in all site visits, meetings, and quality assurance activities as determined by CDPH.

Program and Fiscal Monitoring Standards

Any grantee found to be non-compliant with the standards at any time, will be held responsible and required by the City of Chicago to restore any damage and/or cost associated with grantee non-compliance

VI. Staffing Plan

Please describe how many staff (part time, full time, or hourly) will receive compensation from this grant. If one or more agencies will serve as subcontractors to the respondent, be specific in outlining staffing plans for each agency. Describe the role of all positions supported by this grant. Provide job descriptions and resumes of staff and explain time allocation for each person (full-time, part-time as well as hourly), as well as job descriptions for any vacant positions or new positions that will be created because of this funding opportunity. This **MUST** match the budget.

- **Category I:** CDPH will be prioritizing staffing with strong backgrounds in curriculum creation work and teacher preparation, particularly those related to health education, substance use prevention, or social-emotional learning.
- **Category II:** CDPH will be prioritizing staff with strong backgrounds in youth focused engagement and community outreach, prevention and health education, and work with schools.

VII. Budget and Justification

The wages of the staff who are employed by the respondent and any agencies that will serve as subcontractors to the respondent must meet the City's minimum wage requirements found here https://www.chicago.gov/city/en/depts/bacp/supp_info/minimumwageinformation.html. CDPH strongly encourages Respondents to pay all employees a fair living wage. More information about calculating living wages can be found using the [Living Wage Calculator](#).

Staff supported by this grant are NOT City of Chicago employees; they are employed by the agency/agencies. The respondent must list the salary and/or hourly rate of staff assigned to

this grant. Staff are not permitted to serve as volunteers; they must be paid for their time worked, skill level, lived experience (if applicable), and their expertise in the field. The job description detailing the duties and responsibilities required will serve as guidance for the work flow and salary/hourly wage. Complete a program budget outlining all detailed expenses in its entirety for this proposal (e.g. salaries, program materials, travel reimbursement). Program budget cannot exceed the available funding amount indicated below, and the total amount awarded will be in accordance with Section IV. Available Funding above.

Category I: As this RFP is anticipated to begin late in the 2025 calendar year, please provide a 5-month budget for 2025 and a separate 12-month budget for 2026. The total budget for a Category I application should be no greater than \$100,000.

Category II: As this RFP is anticipated to begin late in the 2025 calendar year, please provide a 5-month budget for 2025 and a separate 12-month budget for 2026. The total budget for a Category II application should be no greater than \$200,000.

VIII. Fiscal Capacity

Payment for services will be made on a reimbursement basis. Respondents must demonstrate capacity to fund program expenditures from the start date until they are reimbursed by the City. If multiple agencies will be subcontractors of a lead agency, then the application must be submitted by the lead agency as the respondent. The lead agency must obtain all expenses from the agency/agencies and assume all reporting responsibilities for all the expenses for the award. If a lead agent applies, the budget for the total fiscal year must include all expenses for the award from the lead agency and all agencies to receive funds through this RFP.

An organization may use a fiscal agent to administer the grant. If a fiscal agent is used, provide the total budget for the agency that will serve as the fiscal agent. The fiscal agent must designate a staff person who will prepare and review all vouchers for accuracy before making monthly submissions. Please identify who will be responsible for financial reporting.

CDPH recognizes that various organization types may be interested in responding to this RFP but lack the infrastructure to apply for and administer a City contract. In the interest of equity, organizations may utilize the following configurations when applying: (1) Respondents may submit directly on behalf of their agency, (2) Respondents may submit a proposal including one or more subcontractors, or (3) Respondents may identify a fiscal agent to administer the grant on behalf of the respondent. Any Respondent submitting a proposal including or subcontractors must include a detailed budget and narrative of how the Respondent will engage and support the subcontractor(s). Additional detail regarding the use of a fiscal agent is provided in the preceding paragraph.

Subcontracted agencies must demonstrate competence to implement programmatic elements whereas lead agencies must also demonstrate financial strength and ability to comply with all administrative requirements outlined in the RFP. If a respondent uses subcontractors to provide programming, they must provide a current Memorandum of Understanding (MOU) or Linkage Agreement to CDPH at the time of contract.

VIX. Eligibility Requirements

- Be a not-for-profit with a 501(c)(3)
- Be in good standing with the City of Chicago
- Have an office located in the City of Chicago from which the agency offers services and be able to provide proof.
- Have demonstrated experience working with youth tobacco or substance use cessation services
- **Category I** applicants must have at least a minimum of three years' demonstrated experience with administering youth health education curriculum.
- **Category I** applicants must also have three years of experience working with the Chicago Public School (CPS) system or collaborate with an organization that has an established partnership with CPS or similar K-12 school systems.
- Have the administrative, organizational, programmatic, information technology and fiscal capability to plan, develop, implement, and evaluate the proposed project. Agencies with a limited capacity to administer the fiscal responsibilities associated with their programs may choose to subcontract with a fiscal and reporting agency to provide administrative services.

Respondents that do not meet these eligibility requirements will **NOT** have their applications evaluated; incomplete applications will **NOT** be evaluated for this funding opportunity.

X. RFP and Submission Information

a. 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 CDPH. ***Please allow three days for your registration to be processed. Respondents requiring access to eProcurement are encouraged to register immediately upon receiving the notice of this solicitation; customer support will be available to provide additional assistance as needed. Please see below for additional contact information.***

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** – You must request an iSupplier invitation via email if your organization does not have an account in the iSupplier system. Include your **Complete Company Name, City of Chicago Vendor/Supplier Number (found on the front page of your contract), and W-9** in your email to customersupport@cityofchicago.org. You will then receive a response from DPS, which will allow the user to complete the registration process. Please check your junk email folder if you have made a request and have not received a response within 3 days of the request.

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 Customer Support Center at 312-744-HELP
- **Online Training Materials:** <https://www.cityofchicago.org/city/en/depts/dps/isupplier/online-training-materials.html>

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.

a. For respondents who wish to submit more than one application to an RFP

Organizations submitting more than one proposal (maximum of three) may do so by submitting each proposal by a separate, unique registered account user with online bidding responsibilities, 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 contact CustomerSupport@cityofchicago.org or contact the Customer Support Center at 312-744-HELP to receive more specific instructions and troubleshooting.

XI. Evaluation of Proposals

b. Selection/Review Criteria:

An Evaluation Committee made up of representatives from the Chicago Department of Public Health, other City, County or State Departments, and/or other community members may review and evaluate the proposals in accordance with the evaluation criteria. The Evaluation Committee will review the Respondent's Proposal to determine overall responsiveness and completeness of the Proposal with respect to the components outlined as follows recommend either:

i. Phase I: Technical and Eligibility Review

CDPH will assess a Respondent's compliance with and adherence to the stated submission requirements in the RFP. Respondents that do not meet these eligibility requirements will **NOT** have their applications evaluated; incomplete applications will **NOT** be evaluated for this funding opportunity.

Respondents found to be compliant and adherent to the RFP and without issues that would cause them to be ineligible from entering into an agreement will move to Phase II.

ii. Phase II: Proposal Evaluation

Phase II will include a detailed analysis of qualifications, experience, strength of proposed plans for service delivery and other factors based on the Evaluation Criteria and points allocated to sections of the RFP, as well as the eProcurement RFP Requirements/Questions found in Section 7-13.

The Evaluation Committee will recommend either:

1. A short list of potential awardees from whom it needs clarification of RFP response; or
2. A list indicating recommended awardees. All recommendations are presented for approval to the Commissioner of Public Health.

The City reserves the right to accept or reject any or all proposals; take exception to parts of proposals, request written or oral clarification of proposals and supporting materials or cancel this Request for Proposals process if it is in the City's best interest to do so. A respondent may be asked to clarify their proposal by making a presentation, performing a demonstration, or hosting a site visit. CDPH reserves the right to negotiate separately with competing respondents for all or any part of the services described in this RFP.

a. Evaluation Criteria

Category	Available Points
Staffing Plan	12
Alignment with CDPH Principles	8
Project Description	35
Experience and Capacity	23
Evaluation	10
Budget and Fiscal Capacity	12
Total Points	100

XII. Reporting and Other Requirements for Successful Respondents

All successful respondents will be required to submit monthly program reports, voucher on a monthly basis, and participate in all CDPH-sponsored site visits, evaluation, and quality assurance activities.

Vouchers must be accompanied by appropriate documentation and contain adequate details for all expenses for which reimbursement is requested.

XIII. Additional Guidance

a. Bidders' Conference

A virtual Bidders' Conference has been scheduled for July 8, 2025 at 2PM CST. The purpose of the Bidders' Conference is to provide an overview of this RFP, describe the proposal review process, and answer prospective respondents' questions. Organizations planning to apply for funding are strongly encouraged to participate in a Bidders' Conference.

XIV. Insurance Requirements

The Chicago Department of Finance (Finance) has established minimum insurance requirements for applicants awarded federal or state funds. The types of insurance required include worker's compensation; general liability; a fidelity bond (if applicable); automobile liability; and professional liability. Finance reserves the right to require additional types of insurance.

Respondent, if selected, shall register with the City's online insurance certificate portal using the designated email registration link provided at <http://www.cityofchicago.org/COI> and as specified in Exhibit 122123. Respondent shall provide a current and valid email address for both the contractor and the contractor's insurance agent or provider, as described in further detail in Exhibit 122123. The Selected Respondent is responsible for ensuring the submission of a certificate of insurance (COI) through the City's online insurance certificate portal prior to award of a contract.

A Respondent selected for contract negotiation and award who fails to fulfill the requirement to register and submit a COI through the City's online insurance certificate portal may be deemed nonresponsive and the City may choose to instead engage a different Respondent for contract negotiation. If a Respondent is unable to register and submit the COI through the City's online insurance certificate portal and instead submits a printed insurance certificate prior to contract award, the City may accept a paper COI provided that written justification is provided explaining the Respondent's good faith efforts to comply with the terms of this section and the reasons why the submission could not be completed. Instructions for registering and submitting COIs are available at the following URL: <http://www.cityofchicago.org/COI>

XV. 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.

If any Respondent has provided any services for the City in researching, consulting, advising, drafting, or reviewing of this RFP or any services related to this RFP, such Respondent may be disqualified from further consideration.

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 MCC Sect. 2-156-030(b), it is illegal for any elected official, 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 any business relationship that creates a financial interest on the part of the official, or the domestic partner or spouse of the official, or from whom or which he has derived any income or compensation during the preceding twelve months or from whom or which he reasonably expects to derive any income or compensation in the following twelve months. In addition, no elected official may participate in any discussion in any City Council committee hearing or in any City Council meeting or vote on any matter involving the person with whom the elected official has any business relationship that creates a financial interest on the part of the official, or the domestic partner or spouse of the official, or from whom or which he has derived any income or compensation during the preceding twelve months or from whom or which he reasonably expects to derive any income or compensation in the following twelve months. Violation of MCC Sect. 2-156-030 by any elected official with respect to this contract will be grounds for termination of this contract. The term financial interest is defined as set forth in MCC Chapter 2-156.
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 MCC); 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 MCC); Office of the Inspector General Ordinance (Chapter 2-56 of the MCC); Child Support Arrearage Ordinance (Section 2-92-380 of the MCC); and Title 17 and Chapter 10-32 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 successful respondents.
7. **Prohibition on Certain Contributions, Mayoral Executive Order 2011-4**. No Contractor or any person or entity who directly or indirectly has an ownership or

beneficial interest in Contractor of more than 7.5% ("**Owners**"), spouses and domestic partners of such Owners, Contractors, 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 (Contractor 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 this Contract or Other Contract, including while this Contract or Other Contract is executory, (ii) the term of this Contract or any Other Contract between City and Contractor, and/or (iii) any period in which an extension of this Contract or Other Contract with the City is being sought or negotiated.

Contractor represents and warrants 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 the Contractor or the date the Contractor approached the City, as applicable, regarding the formulation of this Contract, no Identified Parties have made a contribution of any amount to the Mayor or to his political fundraising committee.

Contractor shall not: (a) coerce, compel or intimidate its employees to make a contribution of any amount to the Mayor or to the Mayor's political fundraising committee; (b) reimburse its 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 this Contract, 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 this Contract, under Other Contract, at law and in equity. This provision amends any Other Contract and supersedes any inconsistent provision contained therein.

If Contractor violates this provision or Mayoral Executive Order No. 2011-4 prior to award of the Contract resulting from this specification, the Commissioner may reject Contractor's bid.

For purposes of this provision:

"Other Contract" means any agreement entered into between the Contractor and the City that is (i) formed under the authority of MCC 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 MCC Ch. 2-156, as amended.

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

8. (a) The City is subject to the June 16, 2014 "City of Chicago Hiring Plan" (the "2014 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 2014 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) Contractor is aware that City policy prohibits City employees from directing any individual to apply for a position with Contractor, either as an employee or as a subcontractor, and from directing Contractor to hire an individual as an employee or as a Subcontractor. Accordingly, Contractor must follow its own hiring and contracting procedures, without being influenced by City employees. Any and all personnel provided by Contractor under this Contract are employees or Subcontractors of Contractor, not employees of the City of Chicago. This Contract 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 Contractor.

(c) Contractor will not condition, base, or knowingly prejudice or affect any term or aspect of the employment of any personnel provided under this Contract, or offer employment to any individual to provide services under this Contract, 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 this Contract, 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 Contractor by a City employee or City official in violation of paragraph (b) above, or advocating a violation of paragraph (c) above, Contractor will, as soon as is reasonably practicable, report such communication to the Hiring Oversight Section of the City's Office of the Inspector General, and also to the head of the relevant City Department utilizing services provided under this Contract. Contractor will also cooperate with any inquiries by the City's Office of the Inspector General Hiring Oversight.

9. False Statements

(a) 1-21-010 False Statements

Any person who knowingly makes a false statement of material fact to the city in violation of any statute, ordinance or regulation, or who knowingly makes a false statement of material fact to the City in connection with any application, report, affidavit, oath, or attestation, including a statement of material fact made in connection with a bid, proposal, contract or economic disclosure statement or affidavit, is liable to the city for a civil penalty of not less than \$500.00 and not more than \$1,000.00, plus up to three times the amount of damages which the city sustains because of the person's violation of this section. A person who violates this section shall also be liable for the city's litigation and collection costs and attorney's fees.

The penalties imposed by this section shall be in addition to any other penalty provided for in the municipal code. (Added Coun. J. 12-15-04, p. 39915, § 1; Amend Coun. J. 3-18-09, p. 56013, § 1)

(b) 1-21-020 Aiding and Abetting.

Any person who aids, abets, incites, compels, or coerces the doing of any act prohibited by this chapter shall be liable to the city for the same penalties for the violation. (Added Coun. J. 12-15-04, p. 39915, § 1)

- (c) 1-21-030 Enforcement.
In addition to any other means authorized by law, the corporation counsel may enforce this chapter by instituting an action with the department of administrative hearings. (Added Coun. J. 12-15-04, p. 39915, § 1)

10. Labor Peace Agreement Ordinance (MCC 2-112-205)

All respondents must agree to comply with the requirements of Section 2-112-205, *Essential service contracts*, of the Municipal Code of Chicago, as provided below in part:

(a) *Definitions.* For purposes of this section, the following definitions shall apply:

"Commissioner" means the Commissioner of Public Health, or the Commissioner's designee.

"Contract" means an agreement entered into between the City, through the Department of Public Health, and a Contractor to perform Essential Services.

"Contractor" means a person, as defined by Section 1-4-090(e), contracting directly with the City through the Department of Public Health to perform Essential Services, where the Contractor has 20 or more employees. "Contractor" does not include hospitals licensed pursuant to the Illinois Hospital Licensing Act, 210 ILCS 85, or any hospital affiliate as defined by the Illinois Hospital Licensing Act, 210 ILCS 85/10.8(b), or any hospital licensed pursuant to the University of Illinois Hospital Act, 110 ILCS 330.

"Employee" means those employees directly performing Essential Services under a Contract. The term "Employee" excludes employees who work for the Contractor, but do not provide Essential Services under the Contract, management or supervisory or other employees who do not enjoy a right to engage in strikes, work stoppages, or other concerted activities.

"Essential Services" means health and social services.

"Labor Peace Agreement" means an agreement between a Contractor and a labor organization that

(i) prohibits the labor organization and its members from engaging in work stoppages, boycotts, or any other activity that may interfere or hinder the performance of a Contract for the duration of the Contract; and

(ii) contains a means of resolving disputes between the Contractor and the labor organization.

(b) *Terms of Contracts.*

(1) The Commissioner, in the interest of preventing a disruption of Essential Services and protecting the City's financial and proprietary interest in the provision of such Essential Services, shall ensure that all Contracts that are entered into after the effective date of this section shall require:

- (A) written notice be provided by the Contractor to the Commissioner administering the Contract, or the Commissioner's designee, within 72 hours of when the Contractor:
- (i) becomes aware of any threatened, imminent, or actual strike, work stoppage, or other concerted activity that may interfere or hinder the work performed by Employees;
 - (ii) is informed that Employees seek to be represented by a labor organization, join a labor organization, or otherwise elect to self-organize for the purpose of engaging in concerted activity;
 - (iii) receives a notice or announcement from a labor organization that it represents or seeks to represent the Employees; or
 - (iv) enters into a Labor Peace Agreement, Collective Bargaining Agreement, or the expiration or breach of any such agreement.

(B) that the Contractor shall not prohibit, retaliate, or otherwise coerce Employees with respect to rights guaranteed by the First Amendment of the United States Constitution or any other rights afforded by federal or state laws.

(2) Within 90 days of subsection (b)(1)(A)(ii) or subsection (b)(1)(A)(iii) occurring, that the Contractor enter into a Labor Peace Agreement with the labor organization.

(c) The provisions of subsection (b) shall be material terms of any Contract entered into by the City, the breach of which by a Contractor shall be grounds to terminate or decline to renew the Contract.

(d) A Contractor is in compliance with this Section 2-112-205 if (1) the Contractor remains in compliance with subsection (b), or (2) the Contractor and the Employees have a collective bargaining agreement with a labor organization, or (3) no labor organization represents or seeks to represent the Employees.