JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT

COMPLETE THIS SECTION IF NEW CONTRACT
For contract(s) in this request, answer applicable questions in each of the 4 major subject areas below in accordance with the Instructions for Preparation of Non-Competitive Procurement Form on the reverse side.

Request that negotiations be conducted only with William Filan for the product and/or services described herein.

(Name of Person or Firm)

This is a request for ___ (One-Time Contractor Requisition # ___, copy attached) or ___ Term Agreement or ___ Delegate Agency (Check one). If Delegate Agency, this request is for "blanket approval" of all contracts within the ___ (Attach List) Pre-Assigned Specification No. ___ (Program Name) Pre-Assigned Contract No. ___

COMPLETE THIS SECTION IF AMENDMENT OR MODIFICATION TO CONTRACT
Describe in detail the change in terms of dollars, time period, scope of services, etc., its relationship to the original contract and the specific reasons for the change. Indicate both the original and the adjusted contract amount and/or expiration date with this change, as applicable. Attach copy of all supporting documents. Request approval for a contract amendment or modification to the following:

Contract #: ___________________________ Company or Agency Name: ___________________________

Specification #: ___________________________ Contract or Program Description: ___________________________

Mod. #: ___________________________ (Attach List, if multiple)

Diane Calleone ___________________________ 4-6501 ___________________________ Diane Calleone ___________________________ Mayor's Office ___________________________ Date ___________________________

Indicate SEE ATTACHED in each box below if additional space needed:

( ) PROCUREMENT HISTORY

See Attached.

( ) ESTIMATED COST

See Attached.

( ) SCHEDULE REQUIREMENTS

See Attached.

( ) EXCLUSIVE OR UNIQUE CAPABILITY

See Attached.

( ) OTHER

See Attached.

* Conditional approval pending correspondence from Law that this should not be a law contract. Also, managing dept should submit a copy of the old contract.
DPS PROJECT CHECKLIST

IMPORTANT: PLEASE READ AND FOLLOW THE INSTRUCTIONS FOR COMPLETING THE PROJECT CHECKLIST AND CONTACT THE APPROPRIATE UNIT MANAGER IF YOU HAVE ANY FURTHER QUESTIONS. ALL INFORMATION SHOULD BE COMPLETED, ATTACH ALL REQUIRED MATERIALS AND SUBMIT FOR HANDLING TO THE DEPARTMENT OF PROCUREMENT SERVICES, ROOM 403, CITY HALL, 121 N. LASALLE STREET, CHICAGO, ILLINOIS 60602.

GENERAL INFORMATION:
Date: 9/29/06
REQ No.: #30293
PO No.: (if known):
Modification No.: (if known):
Project Description: Legislative Consulting

Contact Person: Diane Calderone
Tel: 4-6301 Fax: 4-2727 E-mail: @cityofchicago.org
Project Manager: Eva B. Delgado
Tel: 4-7905 Fax: 4-9538 E-mail: @cityofchicago.org
Previous PO No.: (if known): C027529

FUNDING:
City: Corporate
State: IDOT/Transit
Federal: FHWA

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*IF GRANT FUNDED, A COPY OF THE APPROVED GRANT AND APPLICATION ARE REQUIRED and any other Terms and Conditions that may apply.

SCOPE STATEMENT:

Attached is a Detailed Scope of Services and/or Specification

IMPORTANT: THIS IS A CRITICAL PORTION OF YOUR SUBMITTAL. IN ORDER FOR DPS TO ACCEPT YOUR SUBMITTAL YOU MUST COMPLETE THE SPECIFIC SCOPE REQUIREMENTS AS SET FORTH IN THE SUPPLEMENTAL CHECKLIST FOR THAT UNIT.

The following is a general description of what should be included in a Scope of Services or Specification:
A clear description of all anticipated services and products, including: time frame for completion, special qualifications of prospective vendors, special requirements or needs of the project, locations, anticipated participating user departments, citation of any applicable City ordinance or state/federal regulation or statute.

TYPE OF PROCUREMENT REQUESTED (check all that apply):

NEW REQUEST
- Blanket Agreement
- Standard Agreement
- Small Orders

MOD/AMENDMENT
- Time Extension
- Vendor Limit Increase
- Scope Change/Price Increase/Additional Line Item(s)
- Other (specify):

FORMS:
- Requisition
- Special Approvals
- Non-Competitive Review Board (NCRB)

CONTRACT TERM: 3 year Requested Term (number of months):

PRE BID/SUBMITTAL REQUIREMENTS:
Requesting Pre Bid/Submittal Conference? Yes No
Requesting Site Visit? Yes No

Form Dated 03/10/2006
Reg. # 30293
JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT

WILLIAM FILAN, CORPORATE AND GOVERNMENT PLANNER

Procurement History

1. For decades, the City has contracted with individuals to assist in the representation of the City at the state level. The City requires the services of a consultant with unique and extensive knowledge of the State legislative process and the people that work within that process. As such, it is important to maintain outside representation continuously. Such a consultant will provide advice and insight regarding such matters and will further the City’s interests in initiatives taking place at the state level.

2. This is a continuation of a contract that Mr. Filan has held with the City for a number of years. He was originally contracted to assist with the management of communications between the City and the legislative leaders.

3. This contract was not made available through the competitive bidding process. William Filan is uniquely qualified to provide such services based upon his background in state government and his relationships with legislators.

4. Proposals were not solicited due to the specific nature of the duties to be performed under this Agreement.

5. Mr. Filan’s services are of utmost importance and may be required for an unknown period of time.

6. The services under this Agreement are extremely sensitive and the City requires a high degree of trust and confidence in the individual who will perform them. It is inappropriate to put this kind of contract out to bid because of the nature of the work.

Estimated Cost

William Filan shall be paid by the City for all the services performed under the Agreement at a yearly rate of Eighty Four Thousand Dollars ($84,000.00).

Therefore the maximum compensation to be paid to the Consultant by the City is Eighty Four Thousand Dollars ($84,000.00) per year.

Schedule Requirements

1. The contract term is a three year Blanket Term Agreement, from April 1, 2006 through March 31, 2009, with an option to extend the contract for two (2) one (1) year periods.

2. It is nearly impossible to outline the exact requirements and expectations in this area because of the complexity of the issues and processes in state government. Additionally, it is difficult to define requirements for institutional knowledge that Mr. Filan brings in his role.

3. The Illinois General Assembly has a calendar that is constrained by statutory dates. The next scheduled session dates are in November and after that begin in January and continue on through May. It is imperative to have a complete team during the scheduled session days. Mr. Filan is an integral part of the team.
Exclusive or Unique Capability

1. William Filan is uniquely qualified to represent the City’s interest before state governmental bodies and to assist the City in forming strategies to influence the posture of state legislation, state regulations, or other state matters affecting the City. Mr. Filan has been involved in the politics and policy in state government for over 15 years. His relationships with key political players enhances the City’s standing and provides direct access to decision-makers.

2. Mr. Filan is the only individual involved in this contract. He is outstanding in his field of expertise and brings highly specific experiences that broaden the effectiveness of the City’s team in Springfield.

3. Mr. Filan brings a unique perspective from his prior experiences. Now, as an independent contractor, he brings that unique experience to the City’s team. There have not been many people that have similar experiences, and that enhances the City’s ability to be effective in Springfield.

4. The kinds of unique tools that Mr. Filan brings to this project are not tangible.

5. While in Springfield, the City team must work under incredible time constraints and deadlines. Having an individual, such as Mr. Filan, is indispensable to provide a direct line to decision-makers and high level staffers to make quick progress on vital issues.

6. N/A

7. No.

8. N/A
SCHEDULE OF COMPENSATION

The Consultant shall be paid for all services performed under this Agreement at a yearly rate of Eighty Four Thousand Dollars ($84,000.00).

The maximum compensation to be paid to the Consultant by the City is Eighty Four Thousand Dollars ($84,000.00) per year.
Scope of Services

A. Consult with the City on various matters, including, but not limited to, policy matters and legislative strategy.

B. Assist in developing strategies to approach the Illinois General Assembly and its leaders.

C. Assist in the passage and enactment of state legislation favored by the City.

D. Assist in the defeat of state legislation opposed by the City.

E. Provide intelligence on all legislation that affects the City positively or negatively.

F. Provide the City information about ongoing events and programs that may be of interest to City departments.

G. Communicate the City’s position and posture on legislation to elected and appointed state public officials.

H. Maintain open lines of communication with legislative leaders and their professional staffs.

I. Assist state public officials in any matter which the City may determine to be in its best interests.

J. Assist the City in drafting, preparing, and presenting state legislation; appear before state legislative committees representing the City’s interest in accordance with the Director’s instructions.

K. Review and comment on state legislative proposals, state regulatory proposals, or other matters which may have a bearing on City policy or programs given by City departments, City officials, or City employees.

L. Assist the City in all other projects, programs, or initiatives concerning the City as the City may direct.

M. Provide training for new City team members as an introduction to the state legislative process.
To: James Brennwald, Department of Law, Labor Division

CITY OF CHICAGO
REQUEST FOR INDIVIDUAL CONTRACT SERVICES

Department: Office of the Mayor
Date: June 6, 2006

Explain Why Contractor Necessary:

Mr. Filan has extensive experience regarding the State of Illinois legislative process. His expertise is highly valuable and useful in coordinating our lobbying efforts in Springfield for the City of Chicago. Mr. Filan has immediate access to high-ranking officials in the state governmental agencies and leadership, thereby enhancing the City’s influence in funding and other legislative matters.

Explain Why Individual Considered Independent Contractor, and Not Employee:

Mr. Filan is a contractor that is uniquely qualified to fulfill specific needs during the legislative session. He works out of his own office on N. Clark Street in Chicago and heads his own lobbying firm that services many clients. He assists the state lobbying team on certain issues and projects. Such projects and issues are year-round. Mr. Filan works with the City’s lobbying team in Springfield during the six-month legislative session or immediately prior. He also assists in planning and organization before and after the legislative session.

Number of Contractors Needed: 1
Hours Per Week: varies

Project Assignment: Legislative Strategy and Support

Duration of Assignment: 3 year term agreement and the option of two 1 year extensions

Department Representative to Contact for Further Information

Name: Diane Calderone
Phone: 744-6501

Total Available Funding: Chargeable To:

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Department Head: [Signature] Date: 7/25/06

Law Department: [Signature] Date: 7/26/06

Budget Office: [Signature] Date: 7/27/06

Law Department: [Signature] Date: 

Budget Office: [Signature] Date: 
MEMORANDUM

DATE: September 29, 2006

TO: Barbara A. Lumpkin
    Chief Procurement Officer
    Department of Procurement Services

FROM: John F. Dunn
      Director
      Mayor's Office of Intergovernmental Affairs

SUBJECT: WILLIAM FILAN

I concur with the consultant, William Filan, that there will be no stated goals for MBE/WBE participation resulting from the contract.

Please contact me at 744-2460 if you have any further questions.

DC: mdr
September 29, 2006

Ms. Barbara Lumpkin  
Chief Procurement Officer  
Department of Procurement Services  
City of Chicago  
121 North LaSalle Street, Room 403  
Chicago, Illinois 60602

Dear Ms. Lumpkin:

I am writing to you concerning my Legislative Consulting Contract with the Mayor's Office of Intergovernmental Affairs. Because I am a sole proprietor with no employees, I do not have any stated goals for any MBE/WBE participation.

Please call if you have any questions or need additional information. Thank you for your assistance in this matter.

Very truly yours,

William Filan

William Filan
CITY OF CHICAGO  
DEPARTMENT OF PROCUREMENT SERVICES  
ROOM 403, CITY HALL, 121 N. LA SALLE ST.  

JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT

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Company or Agency Name: ____________________________

Specification #: ____________________________  
Contract or Program Description: ____________________________

Mod. #: ____________________________ (Attach List, if multiple)

Diane Calleonne  
4-6501

Signature

Department  
Date

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( ) ESTIMATED COST

See Attached.

( ) SCHEDULE REQUIREMENTS

See Attached.

( ) EXCLUSIVE OR UNIQUE CAPABILITY

See Attached.

( ) OTHER

See Attached.

APPROVED BY:  
DEPARTMENT HEAD OR DESIGNEE  
DATE  
BOARD CHAIRPERSON  
DATE

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