

**REQUEST FOR PROPOSALS (RFP) FOR
HEAD START/EARLY HEAD START INFANT AND TODDLER RESTRAINTS IN
SCHOOL BUSES
MARCH 17, 2010**

**CITY OF CHICAGO
DEPARTMENT OF FAMILY AND SUPPORT SERVICES**

**RESPONSES MUST BE RECEIVED NO LATER THAN
APRIL 9, 2010
AT 4:30 P.M. CST**

One original of the proposal should be submitted in a sealed envelope or package labeled as shown below:

Infant and Toddler Restraints in School Buses

Responses should be addressed and returned to:

Vanessa Rich
Deputy Commissioner of Early Childhood
Department of Family and Support Services
1615 W. Chicago Ave. 2nd Fl.
Chicago, Illinois 60622

**DFSS will host a Bidders Conference on
Friday, March 31, 2010, 9a.m. – 12:00 noon:
At the
Department of Family and Support Services,
1615 W. Chicago Ave. 1st Fl. Conference Room
Chicago, IL**



**RICHARD M. DALEY
MAYOR**

**MARY ELLEN CARON
COMMISSIONER**

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SECTION I: GENERAL INFORMATION

A. Purpose

The Department of Family and Support Services (DFSS) is interested in funding Chicago-based school bus companies who have current contracts in good standing with either Chicago Public Schools or the City of Chicago to purchase and correctly install 120 infant and toddler restraint systems and 14 special need child restraint system in two buses per company.

Companies interested in this opportunity will be eligible to provide reimbursed bus transportation services to Head Start and Early Head Start classrooms for field trips, socialization sessions and other support needs as their schedules permit via the installation of the restraint systems. Recipients of this funding will be asked to provide reimbursed bus transportation services to Head Start and Early Head Start classrooms for field trips, socialization sessions and other support needs as their schedules permit. All services provided will be reimbursed.

B. Background

In 2009, Mayor Richard M. Daley created the Department of Family and Support Services and appointed Mary Ellen Caron, PhD, as the Commissioner, in order to provide more coordinated services for the city's most vulnerable citizens. The mission of FSS is as follows:

“The Chicago Department of Family and Support Services is dedicated to supporting a continuum of coordinated services to enhance the lives of Chicago residents, particularly those most in need, from birth through the senior years. The department works to promote the independence and well-being of neighborhoods by providing direct assistance and administering resources to a network of community-based organizations, social service providers and institutions.”

The Children Services Division at FSS administers the City's Head Start, Early Head Start and Child Care funding, providing childcare and childcare related services to thousands of children ages 0-12 in Chicago.

Head Start and Early Head Start are comprehensive child development programs which serve children from birth to age 5, pregnant women, and their families. They are child-focused programs, and have the overall goal of increasing the social competence of young children in low income families. Social competence takes into account the interrelatedness of social, emotional, cognitive, and physical development.

Head Start services are also family-centered, following the tenets that children develop in the context of their family and culture and that parents are respected as the primary educators and nurturers of their children. Head Start offers family members opportunities and support for growth and change, believing that people can identify their own strengths, needs, and interests and are capable of finding solutions.

The Chicago Department of Family and Support Services provides Head Start and Early Head Start programming to income eligible children, ages 3-5 and 0-3, respectively. DFSS provides Head Start to 16,518 children and Early Head Start to 623 infants and toddlers through a network of 46 delegate and their partner agencies.

For further information about these and the other social services offered through the Department of Family and Support Services, please visit the DFSS website: www.cityofchicago.org/fss.

C. Anticipated Term of Contract Funding Source

This opportunity represents a one-time release of funding. All purchasing and installation of the necessary restraint equipment must be completed by July 1, 2010.

D. Eligible Respondents

Eligible respondents to this opportunity are those bus companies with current contracts with either the City of Chicago or Chicago Public Schools willing to purchase and install required infant and toddler restraint equipment. Additionally, all recipients of this funding will be obliged to provide reimbursed services to Head Start and Early Head Start classrooms as their schedules permit.

SECTION II: RFP AND SUBMISSION INFORMATION

A. Proposal Deadline and Submittal Procedures

The due date for this RFP is **Friday, April 9, 2010 at 4:30pm. One original and one copy** should be submitted to:

Vanessa Rich
Deputy Commissioner of Children Services
City of Chicago
Department of Family Support Services
1615 W. Chicago Avenue, 2nd Floor
Chicago, Illinois 60622

Proposals should be prepared on 8.5" x 11" letter size paper, typed, with page numbers. It is the City's policy to encourage the use of reusable, recycled, recyclable, and chlorine-free paper in the submission of all RFP documents. Expensive papers and bindings are discouraged since no materials will be returned.

Proposals will be accepted prior to the due date, from 9:00 a.m. to 4:00 p.m. Monday – Friday at the same location. All proposals must be complete. Incomplete proposals may not be reviewed. In-person or bonded messenger delivery of proposals is encouraged. Time stamped receipts will be issued as proof of timely submittal.

Proposals received after the due date and time may be deemed NON-RESPONSIVE and, therefore, subject to rejection.

B. Pre-Submittal Conference

A pre-proposal conference will be held on **Wednesday March 31, 2010 9:00 a.m. – 12:00 noon.** at DFSS offices at 1615 W. Chicago Ave., First Floor Conference Room. No RSVP is required.

To request reasonable accommodation for the pre-proposal conference, please contact, Monica Rafac, mrafac@cityofchicago.org. Requests for accommodations will be accepted up to 48 hours prior to the event.

C. Contact Person Information

Respondents are strongly encouraged to submit all questions and comments related to the RFP via e-mail. For answers to program-related questions please contact:

Earline Alexander: Earline.Alexander@cityofchicago.org,

All other questions regarding the administrative aspects of this RFP may be directed to: Julia Talbot, 312-743-1679, jtalbot@cityofchicago.org.

D. Timeline

Request for Proposal Issued:	March 17, 2010
Pre-Proposal Conference:	March 31, 2010
Responses due to DFSS:	April 9, 2010
Anticipated Announcement of Grantees:	April 21, 2010
Contract begins	May 10, 2010

SECTION III: SCOPE OF SERVICES

A. Background

DFSS is undertaking this effort in order to increase the number of Head/Early Head Start compliant buses available to its Head Start/Early Head Start providers. Currently, there are not enough school busses with the age appropriate restraint systems in place to serve the Head Start population adequately. As field trips are a required activity of the Head Start curriculum (and often require bus travel), DFSS risks being found not in compliance if this matter is not addressed.

There are three considerations in transporting children in vehicles with height and weight-appropriate safety restraints. The child restraint system is the source of major concern and one of the most challenging. The state of Illinois has different regulations than those outlined in Section 1310 of Head Start regulations (see below). Under state law the Illinois Transportation Safety Board under School Bus Types I & II [625 ILCS 5/12-800] does not require these buses to install child restraint systems.

Following are the regulations the Head Start programs must adhere to concerning child restraint systems.

§ 1310.11 Child Restraint Systems.

a) Effective June 21, 2004, each agency providing transportation services must ensure that each vehicle used to transport children receiving such services is equipped for use of height- and weight-appropriate child safety restraint systems.

(b) [Reserved]

[69 FR 2517, Jan. 16, 2004, as amended at 71 FR 58535, Oct. 4, 2006]

45 CFR 1301-1311. Head Start Program Performance Standards and Other Regulations. 2006. English.

§ 1310.12 Required use of school buses or allowable alternate vehicles.

(a) Effective December 30, 2006, each agency providing transportation services must ensure that children enrolled in its program are transported in school buses or allowable alternate vehicles that are equipped for use of height- and weight-appropriate child restraint systems, and that have reverse beepers. As provided in 45 CFR 1310.2(a), this paragraph does not apply to transportation services to children served under the home-based option for Head Start and Early Head Start.

(b) Effective February 20, 2001, each Head Start and Early Head Start agency receiving permission from the responsible HHS official to purchase a vehicle with grant funds for use in providing transportation services to children in its program or a delegate agency's program must ensure that the funds are used to purchase a vehicle that is either a school bus or an allowable alternate vehicle and is equipped

(1) for use of height- and weight-appropriate child restraint systems; and

(2) with a reverse beeper.

(c) As provided in 45 CFR 1310.2(a), paragraph (b) of this section does not apply to vehicles purchased for use in transporting children served under the home-based option for Head Start and Early Head Start.

[66 FR 5311, Jan. 18, 2001, as amended at 71 FR 58535, Oct. 4, 2006]

§ 1310.17 Driver and bus monitor training.

(a) Each agency providing transportation services must ensure that persons employed to drive vehicles used in providing such services will have received the training required under paragraphs (b) and (c) of this section no later than 90 days after the effective date of this section as established by §1310.2 of this part. The agency must ensure that drivers who are hired to drive vehicles used in providing transportation services after the close of the 90 day period must receive the training required under paragraphs (b) and (c) prior to transporting any child enrolled in the agency's program. The agency must further ensure that at least annually after receiving the training required under

paragraphs (b) and (c), all drivers who drive vehicles used to provide such services receive the training required under paragraph (d) of this section.

(b) Drivers must receive a combination of classroom instruction and behind-the-wheel instruction sufficient to enable each driver to:

- (1) Operate the vehicle in a safe and efficient manner;
- (2) safely run a fixed route, including loading and unloading children, stopping at railroad crossings and performing other specialized driving maneuvers;
- (3) administer basic first aid in case of injury;
- (4) Handle emergency situations, including vehicle evacuation procedures;
- (5) operate any special equipment, such as wheelchair lifts, assistance devices or special occupant restraints;
- (6) Conduct routine maintenance and safety checks of the vehicle; and
- (7) Maintain accurate records as necessary.

(c) Drivers must also receive instruction on the topics listed in 45 CFR 1304.52(k)(1), (2) and (3)(i) and the provisions of the Head Start Program Performance Standards for Children with Disabilities (45 CFR 1308) relating to transportation services for children with disabilities.

(d) Drivers must receive refresher training courses including the topics listed in paragraphs (b) and (c) of this section and any additional necessary training to meet the requirements applicable in the State where the agency operates.

(e) Each agency providing transportation services must ensure that drivers who transport children receiving the services qualify under the applicable driver training requirements in its State.

(f) Each agency providing transportation services must ensure that:

- (1) The annual evaluation of each driver of a vehicle used to provide such services includes an on-board observation of road performance; and
- (2) Before bus monitors assigned to vehicles used to provide such services begin their duties, they are trained on child boarding and exiting procedure, use of child restraint systems, any required paperwork, responses to emergencies, emergency evacuation procedures, use of special equipment, child pick-up and release procedures and pre- and post-trip vehicle check.

§ 1310.20 Trip routing.

(a) Each agency providing transportation services must ensure that in planning fixed routes the safety of the children being transported is the primary consideration.

(b) The agency must also ensure that the following basic principles of trip routing are adhered to:

- (1) The time a child is in transit to and from the Head Start or Early Head Start program must not exceed one hour unless there is no shorter route available or any alternative shorter route is either unsafe or impractical.
- (2) Vehicles must not be loaded beyond the maximum passenger capacity at any time.
- (3) Vehicles must not be required to back up or make “U” turns, except when necessary for reasons of safety or because of physical barriers.
- (4) Stops must be located to minimize traffic disruptions and to afford the driver a good field of view in front of and behind the vehicle.
- (5) When possible, stops must be located to eliminate the need for children to cross the street or highway to board or leave the vehicle.
- (6) If children must cross the street before boarding or after leaving the vehicle because curbside drop off or pick up is impossible, they must be escorted across the street by the bus monitor or another adult.
- (7) Specific procedures must be established for use of alternate routes in the case of hazardous conditions that could affect the safety of the children who are being transported, such as ice or water build up, natural gas line breaks, or emergency road closing. In selecting among alternatives, transportation providers must choose routes that comply as much as possible with the requirements of this section.

45 CFR 1301-1311. Head Start Program Performance Standards and Other Regulations. 2006. English.

§ 1310.21 Safety education.

(a) Each agency must provide training for parents and children in pedestrian safety. The training provided to children must be developmentally appropriate and an integral part of program experiences. The need for an adult to accompany a preschool child while crossing the street must be emphasized in the training provided to parents and children. The required transportation and pedestrian safety education of children and parents, except for the bus evacuation drills required by paragraph (d) of this section, must be provided within the first thirty days of the program year.

(b) Each agency providing transportation services, directly or through another organization or an individual, must ensure that children who receive such services are taught:

- (1) Safe riding practices;
- (2) Safety procedures for boarding and leaving the vehicle;

- (3) Safety procedures in crossing the street to and from the vehicle at stops;
 - (4) Recognition of the danger zones around the vehicle; and
 - (5) Emergency evacuation procedures, including participating in an emergency evacuation drill conducted on the vehicle the child will be riding.
- (c) Each agency providing transportation services must provide training for parents that:
- (1) Emphasizes the importance of escorting their children to the vehicle stop and the importance of reinforcing the training provided to children regarding vehicle safety; and
 - (2) Complements the training provided to their children so that safety practices can be reinforced both in Head Start and at home by the parent.
- (d) Each agency providing transportation services must ensure that at least two bus evacuation drills in addition to the one required under paragraph (b)(5) of this section are conducted during the program year.
- (e) Each agency providing transportation services must develop activities to remind children of the safety procedures. These activities must be developmentally appropriate, individualized and be an integral part of the Head Start or Early Head Start program activities.

§ 1310.22 Children with disabilities.

- (a) Effective December 30, 2006 each agency must ensure that there are school buses or allowable alternate vehicles adapted or designed for transportation of children with disabilities available as necessary to transport such children enrolled in the program. This requirement does not apply to the transportation of children receiving home-based services unless school buses or allowable alternate vehicles are used to transport the other children served under the home-based option by the grantee. Whenever possible, children with disabilities must be transported in the same vehicles used to transport other children enrolled in the Head Start or Early Head Start program.
- (b) Each Head Start, Early Head Start and delegate agency must ensure compliance with the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*), the HHS regulations at 45 CFR part 84, implementing Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Head Start Program Performance Standards on Services for Children with Disabilities (45 CFR part 1308) as they apply to transportation services.
- (c) Each agency must specify any special transportation requirements for a child with a disability when preparing the child's Individual Education Plan (IEP) or Individual Family Service Plan (IFSP), and ensure that in all cases special transportation requirements in a child's IEP or IFSP are followed, including:
- (1) Special pick-up and drop-off requirements;

- (2) Special seating requirements;
- (3) Special equipment needs;
- (4) Any special assistance that may be required; and
- (5) Any special training for bus drivers and monitors.

[66 FR 5311, Jan. 18, 2001, as amended at 71 FR 58536, Oct. 4, 2006]

§ 1310.23 coordinated transportation.

(a) Each agency providing transportation services must make reasonable efforts to coordinate transportation resources with other human services agencies in its community in order to control costs and to improve the quality and the availability of transportation services.

(b) At a minimum, the agency must:

- (1) Identify the true costs of providing transportation in order to knowledgeably compare the costs of providing transportation directly versus contracting for the service;
- (2) Explore the option of participating in any coordinated public or private transportation systems existing in the community; and
- (3) Where no coordinated public or private non-profit transportation system exists in the community, make every effort to identify other human services agencies also providing transportation services and, where reasonable, to participate in the establishment of a local transportation coordinating council

B. Program Design

DFSS is seeking bus companies in good standing interested in being reimbursed for the purchase of up to 120 infant and toddler restraint systems and 14 special need child restraint systems in two buses per company

This funding opportunity will provide reimbursement for school bus companies to purchase and install approved infant/toddler and special need child restraint systems in their bus. By entering into this agreement, said bus companies will also agree to provide field trip transportation services to Head Start and Early Head Start sites as requested.

The approved seats for installation are:

Infant/Toddler: Protech III seats. DFSS will reimburse up to \$81.33 per seat

Disabled Child: Special Needs Star. DFSS will reimburse up to \$275.69 per seat

Additionally, DFSS will pay the following amount for the following required

Cleaning services for child restraints: \$10 per seat. Cleaning can occur twice times a year or as necessary for individual seats.

DFSS staff will monitor all bus companies and buses where the restraint systems have been installed prior to the last reimbursement of payment on this grant. All purchasing and installation must be completed before July 1, 2010.

Head Start/Early Head Start sites will be responsible for requesting and scheduling bus transportation as needed by their individual sites. They will also use the transportation safety checklist before the beginning of any field trip.

Additionally, Head Start/Early Head Start sites will need to run three bus-based evacuation drills annually. The number of children in these evacuation drills may vary depending on the number of classrooms.

On site monitoring by DFSS staff will occur at the transportation company four times a year and includes preparation and reports. At that time, staff will review staff background information, drug test results and bus credentials.

SECTION IV: SELECTION PROCEDURES

A. Evaluation Criteria

Bus companies interested in taking advantage of this opportunity will need to complete an application. There is no budget request for this particular opportunity. Criteria for selection are as follows:

Previous Experience with Purchasing, Installation and Maintenance

All respondents will be assessed on their ability to purchase, correctly install and maintain the number of desired seats by July 1, 2010 and to provide the desired transportation services to Head Start and Early Head Start programs as demonstrated by any previous experience with purchase, installation and maintenance of infant/toddler restraints and special need child restraint systems.

Previous Experience in Bus Evacuation Drills

All respondents will be asked to demonstrate their familiarity with executing bus evacuation drills in infants and toddlers.

Bus Driver Hiring Practices

All respondents will be asked to provide a description of the standard hiring practices and requirements for bus drivers hired by their company.

Geography

Additionally in order to provide easily accessible service throughout the City of Chicago, the location of the bus lots will be taken into account.

SECTION V: LEGAL AND SUBMITTAL REQUIREMENTS

A description of the following required forms has been included for your information. *Please note that most of these forms will be completed prior to grant agreement execution but are not necessary for the completion of this proposal.* A complete list of what forms will be required at the time of contracting is listed at the end of this section **and** at the end of the proposal.

1. City of Chicago Economic Disclosure Statement and Affidavit (EDS)

Respondents are required to execute the **Economic Disclosure Statement** annually. The City of Chicago is beginning to pilot on on-line EDS. Thus at this time, the EDS is not required as part of the application. Its completion will be required for those Respondents who are awarded contracts as part of the contracting process.

2. Disclosure of Litigation and Economic Issues

Legal Actions: Grantee must provide a listing and brief description of all material legal actions, together with any fines and penalties, for the past five (5) years in which (i) Grantee or any division, subsidiary or parent company of Grantee, or (ii) any officer, director, member, partner, etc., of Grantee if Grantee is a business entity other than a corporation, has been:

- a. A debtor in bankruptcy; or
- b. A defendant in a legal action for deficient performance under a contract or in violation of a statute or related to service reliability; or
- c. A Respondent in an administrative action for deficient performance on a project or in violation of a statute or related to service reliability; or
- d. A defendant in any criminal action; or
- e. A named insured of an insurance policy for which the insurer has paid a claim related to deficient performance under a contract or in violation of a statute or related to service reliability; or
- f. A principal of a bond for which a surety has provided contract performance or compensation to an obligee of the bond due to deficient performance under a contract or in violation of a statute or related to service reliability; or
- g. A defendant or Respondent in a governmental inquiry or action regarding accuracy of preparation of financial statements or disclosure documents.

Any grantee having any recent, current or potential litigation, bankruptcy or court action and/or any current or pending investigation, audit, receivership, financial insolvency, merger, acquisition, or any other fiscal or legal circumstance which may affect their ability, in PY'09-10 or in the future, to successfully operate the requested program, must attach a letter to their proposals outlining the circumstances of these issues. Grantee letters should be included in a sealed envelope, directed to Commissioner Mary Ellen Caron. Failure to disclose relevant information may result in a grantee being determined ineligible or, if after selection, in termination of a contract.

3. Grant Agreement Obligations

The City intends to award grants to selected respondents for an initial 12 month period with the right to extend the agreement for up to two one-year periods. Grant agreement extensions may be made by the City based on the availability of funds, the need to extend services, and the Respondent's performance. By entering into this grant agreement with the City, the grant recipient is obliged to accept and implement any recommended technical assistance. The grant agreement will describe the payment methodology. DFSS anticipates that payment will be conditioned on the grant recipient's performance in accordance with the terms of its grant agreement.

4. Funding Authority

This initiative is administered by the Department of Family and Support Services through Head Start funding received from the U.S. Department of Health and Human Services. Consequently, all guidelines and requirements of the Department of Family and Support Services, the City of Chicago and the U.S. Department of Health and Human Services must be met. Additionally all successful respondents must comply with the Single Audit Act if applicable.

5. Insurance Requirements

Successful grantees will provide and maintain, at their expense, the insurance coverage and requirements specified by the City of Chicago in the "Insurance Requirements and Insurance Certificate" (found as Attachment B). The Insurance Certificate of Coverage is only required for those grantees who are selected for a grant agreement award at which time more information will be given. This certificate does not have to be provided when responding to the RFP.

6. Indemnity

The successful grantee will be required to indemnify City of Chicago for any losses or damages arising from the delivery of services under the grant agreement that will be awarded. The City may require the successful grantee to provide assurances of performance, including, but not limited to, performance bonds or letters of credit on which the City may draw in the event of default or other loss incurred by the City by reason of the grantee's delivery or non-delivery of services under the grant agreement.

7. False Statements

(1) 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 falsifies any statement of material fact made in connection with an proposal, 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)

(2) 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)

(3) 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)

8. 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 the City of Chicago, 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 of Chicago.

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 of Chicago); 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 of Chicago); Office of the Inspector General Ordinance (Chapter 2-56 of the Municipal Code of Chicago); Child Support Arrearage Ordinance (Section 2-92-

380 of the Municipal Code of Chicago); and Landscape Ordinance (Chapters 32 and 194A of the Chicago Municipal Code).

6. If selected for grant award, Respondents are required to (a) execute and notarize 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. Pursuant to Mayoral Executive Order No. 05-1, from the date of public advertisement of this request for proposals through the date of award of an agreement pursuant to this request for proposals, the organization responding to this request for proposals (the "Respondent"), any person or entity who directly or indirectly has an ownership or beneficial interest in Respondent of more than 7.5 percent ("Owners"), spouses and domestic partners of such Owners, Respondent's proposed subcontractors, any person or entity who directly or indirectly has an ownership or beneficial interest in any subcontractor of more than 7.5 percent ("Sub-owners") and spouses and domestic partners of such Sub-owners (Respondent and all the other preceding classes of persons and entities are together, the "Identified Parties") must not: (a) make a contribution of any amount to the Mayor of the City of Chicago (the "Mayor") or to his political fundraising committee; (b) coerce, compel or intimidate its employees to make a contribution of any amount to the Mayor or to the Mayor's political fundraising committee; (c) reimburse its employees for a contribution of any amount made to the Mayor or to the Mayor's political fundraising committee; or (d) bundle or solicit others to bundle contributions to the Mayor or to his political fundraising committee.

If Respondent violates this provision or Mayoral Executive Order No. 05-1 prior to the award of an agreement resulting from this request for qualifications/proposals/ information, the Commissioner may reject Respondent's proposal.

For purposes of this provision:

"Bundle" means to collect contributions from more than one source which are then delivered by one person to the Mayor or to his political fundraising committee.

"Contribution" means a "political contribution" as defined in Chapter 2-156 of the Municipal Code of Chicago, as amended.

For purposes of this provision only, individuals are "Domestic Partners" if they satisfy the following criteria: (A) they are each other's sole domestic partner, responsible for each other's common welfare; and (B) neither party is married, as marriage is defined under Illinois law; and (C) the partners are not related by blood closer than would bar marriage in the State of Illinois; and (D) each partner is at least 18 years of age, and the partners are the same sex, and the partners reside at the same residence; and (E) two of the following four conditions exist for the partners: (1) the partners have been residing together for at least 12 months; (2) the partners have common or joint ownership of a residence; (3) the partners have at least two of the following arrangements: (a) joint ownership of a motor

vehicle, (b) a joint credit account, (c) a joint checking account, or (d) a lease for a residence identifying both domestic partners as tenants; and (4) each partner identifies the other partner as a primary beneficiary in a will.

"Political fundraising committee" means a "political fundraising committee" as defined in Chapter 2-156 of the Municipal code of Chicago, as amended.

Any agreement awarded pursuant to this solicitation will be subject to and contain provisions requiring continued compliance with Executive Order 2005-01.