

 <p>PUBLIC BUILDING COMMISSION OF CHICAGO www.pbcchicago.com</p>	<p>LETTERS OF INTEREST AND QUALIFICATIONS FOR ENGINEERING SERVICES FOR PUBLIC BUILDING COMMISSION PROJECTS</p> <p>ISSUED: JUNE 16, 2016</p>
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SUBMISSION DEADLINE: JULY 20, 2016 at 11:00AM CST

SUBMIT ONE (1) BOUND ORIGINAL, TWO (2) BOUND PAPER COPIES, AND TWO (2) ELECTRONIC COPIES (FLASH DRIVE ONLY)

FIRM NAME:	
CONTACT NAME:	
CONTACT TELEPHONE:	
CONTACT EMAIL:	
ADDRESS:	

Public Building Commission of Chicago
Richard J. Daley Center, Room 200
50 W. Washington St.
Chicago, IL 60602
www.pbcchicago.com

Mayor Rahm Emanuel
Chairman

Felicia S. Davis
Executive Director

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**SECTION I
KEY INFORMATION**

1. **LIQ CONTACT:** The LIQ Contact, identified below, is the sole point of contact regarding the LIQ from the date of issuance until submission.

Contract Officer
Raven A. DeVaughn
Public Building Commission of Chicago
50 West Washington, Room 200
Chicago, Illinois 60602
Fax (312) 744-9259
raven.devaughn@cityofchicago.org

2. **SUBMISSION DEADLINE:** The following dates are set forth for informational and planning purposes; however, the Public Building Commission reserves the right to change the dates. Notice of any changes will be provided via addendum.

Issue LIQ..... **June 16, 2016**
Informational GoTo Meeting..... **July 6, 2016 at 10AM**
Due Date and Time for Submissions..... July 20, 2016 at 11:00 AM Central Time

3. **INFORMATIONAL SESSION:** The PBC will host an Informational Session via GoTo Meetings for firms interested in submitting their qualifications to the PBC. The meeting will occur July 6, 2016 at 10:00am. The meeting is **not** mandatory. The PBC will review the LIQ submission requirements and answer any questions respondents may have regarding the LIQ.

Respondents will be required to RSVP for the Session using the following link: <http://goo.gl/forms/qrKUn8JK0YvvaVUG3> (viewed best in Google Chrome). Upon receipt of the RSVP, the meeting's link and call-in information will be issued via email.

4. **NUMBER OF COPIES:** Submit one (1) bound, signed original copy, two (2) bound paper copies, and two (2) electronic copies flash drive only (firm must ensure each electronic copy is labeled with firm name).

5. **SUBMIT QUALIFICATION TO:**
Raven A. DeVaughn
Public Building Commission
50 West Washington Street, Room 200
Chicago, Illinois 60602
RE: Engineering Services LIQ

6. **RIGHT TO CANCEL:** The PBC reserves the right to cancel this request process whenever the best interest of the PBC is served. The PBC shall not be liable for costs incurred by Consultants associated with this request process.

SECTION II

LETTERS OF INTEREST AND QUALIFICATIONS

The Public Building Commission of Chicago (PBC), located at 50 West Washington Street, Room 200, Chicago, Illinois 60602, is soliciting Letters of Interest and Qualifications (LIQ) from firms experienced in providing **Engineering Services** for future projects.

2.1: General Information

With many diverse projects currently in planning or development, the Public Building Commission has a robust program in place. From state-of-the-art municipal facilities to innovative schools to welcoming public libraries to tranquil parks and vibrant recreation facilities, the PBC's planning, design, construction, and project management abilities continue to touch the lives of many.

As stewards of the public fund, the PBC and the City of Chicago are committed to a high level of excellence when planning, designing, constructing and operating public facilities. This includes requiring a high standard of service from our engineers, inclusive of delivering inspiring and cost-effective solutions, employing durable construction practices, and maximizing sustainable development principals.

This request for Letters of Interest and Qualifications is for the foreseeable range of project types to be developed by the PBC in the near future. This LIQ process will offer Engineers the opportunity to introduce their firm, staff, and state their interest to provide engineering services to the PBC. Furthermore, this LIQ will allow the PBC to have the firm's portfolio on file for easy review. Firms are encouraged to demonstrate their experience with their core discipline(s) along with unique/challenging projects that accurately illustrate the firm's breadth, depth, and range. The PBC reserves the right to individually request letters of interest and qualifications at any time. The PBC encourages all capable firms (including minority and women-owned firms and those firms without recent PBC experience) to respond to this LIQ.

The Engineers will be responsible for providing a full range of engineering services. The potential scope of services may include one or several of the following:

- Civil
- Mechanical
- Electrical
- Plumbing
- Fire Protection
- Structural
- Commissioning
- Landscape Design
- Specialty Lighting Design
- Building Enclosure
- Acoustical
- Safety & Security
- Testing
- Investigative services
- Peer Review
- Other Services

These services may be required through all phases of a project: programming, conceptual design, schematic design, design development, construction documentation, permitting, bidding, construction of the work, final acceptance, and through project close-out.

SECTION III NATURE OF SERVICES

3.1: Intent

The Public Building Commission (PBC) at times solicits engineering services from firms with demonstrated experience in one or more of the following disciplines: structural, civil, mechanical, and electrical. The PBC is requesting Letters of Interest and Qualifications of firms (the Respondents) to perform on a Basic Services Contract basis for engineering services on potential projects developed by the PBC.

The engineer may be required to complete some or all of the following tasks:

- i. Complete peer review assessments
- ii. Collaborate with the PBC to procure sub-consultant services appropriate for the project.
- iii. Complete conceptual engineering design and/or complete the engineering design for the Project and solicit stakeholder approvals
- iv. Prepare and stamp the documents that will be issued by the PBC for regulatory approvals, bidding and construction
- v. Assist the PBC in the oversight of the construction of the Project. The engineer will typically be responsible for the following disciplines as a part of their basic services: structural engineering, civil engineering, landscape architecture, MEP/FP engineering, sustainability (LEED) consulting services, and minor architectural. In addition, reimbursable consultant requirements may include acoustical, theatrical, roofing, cost estimating, natatorium, food service, audio/visual, lighting and hardware consulting services. Sub-consultants and reimbursable consultants must not be included in Respondents Submissions and will not be enrolled as part of this LIQ.

The Engineer may be requested to provide all Services required to complete the coordinated engineering design of the assigned project or projects. The term of the Agreement will terminate when all Services required have been completed to the reasonable satisfaction of the PBC. Terms and conditions of the Engineering Professional Services Agreement will be executed on a project by project basis.

The Services may be separated into parts as follows:

Part 1: Preliminary Engineering Assessment / Concept and Scope Development. The Engineer may create a concept engineering design and narrative-based work product containing sufficient detail to allow the PBC to develop a cost estimate. Preliminary engineering may consist of the investigation of an existing condition at a facility(s), collection of data if required, development of various alternatives, preparation of cost estimates, preliminary duration of construction, and other related work compiled into a report with associated exhibits for review and approval by the PBC. Engineer may be responsible for the following items:

- I. Site visits
- II. Review of as-built drawings
- III. Building assessments including, but not limited to, architectural, landscape, structural, mechanical, electrical, plumbing, life safety and civil disciplines
- IV. Meeting with User Agency representatives
- V. Meetings with City Agencies, as necessary, including Bureau of Fire Prevention, MOPD, and others. The Deliverables (and any other work product) of each of the phases must be approved by the Authorized Commission Representative in writing before commencement of the subsequent or dependent phase.

Part 2: Contract Documents Development divided into (4) phases: Schematic Design Phase; Design Development Phase; Construction Documents Phase; and Bidding Phase. The Deliverables (and any other work product) of each of the phases must be approved by the Authorized Commission Representative in writing before commencement of the subsequent or dependent phase.

Part 3: Construction Administration and Project Close-Out divided into (2) phases 1. Construction Administration Phase and 2. Project Close Out Phase. The Deliverables (and any other work product) of each of the phases must be approved by the Authorized Commission Representative in writing before commencement of the subsequent or dependent phase. Construction observation services may include any or all of the following: performing periodic on-site inspection of the construction work being performed, review the layout of the work, review of any engineering design changes, provide geotechnical inspection and the testing of incorporated materials, observe any testing of any installed equipment being incorporated into the facility, maintain documentation, review partial and final pay estimates submitted by the contractor, prepare and recommend for approval any change orders, request for extension of time and other documents required.

Respondents must have AutoCAD and/or Revit/BIM capabilities. All engineering plans shall be submitted in both hard copy and electronic format following the current industry standards.

Part 4: Technical Services ranging from various building enclosure review, investigative services, to peer review services.

The PBC may have a need for a type of technical engineering services not specifically outlined in this document. Respondents should take notice to demonstrate diverse and broad project ranges so that if a need is not specifically outlined herein, the PBC can still review qualifications from this request to secure services.

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SECTION IV INSTRUCTIONS TO RESPONDENTS

4.1: Submission of Qualifications

Hard copies of the Request for Letters of Interest and Qualifications are available at the Richard J. Daley Center 50 West Washington Street, Room 200 Chicago, IL 60602, at the Reception Desk. Our office hours are from 9:00 AM to 5:00 PM, Monday through Friday or to download online go to: <http://www.pbcchicago.com>.

Responses will be received by the PBC at the address shown in the LIQ up to the date and time shown herein. It is the Respondent's sole responsibility to ensure the Submission is received as stipulated. The Submission must be complete and contain the number of copies shown in the LIQ document. Any false statement(s) made by the Respondent will void the response and eliminate the Respondent from further consideration. When responses are delivered by mail or messenger to the PBC, the Respondent is responsible for delivery receipt.

The Respondents must complete all the affidavits and forms provided in this LIQ and provide all of the information requested on each form. Incomplete forms may result in disqualification from the LIQ Process.

Submit one (1) bound original, two (2) bound paper copies, and two (2) electronic copies (flash drive only).

The outside of each envelope or package must be addressed and returned to:

Public Building Commission of Chicago
Letters of Interest and Qualifications for Engineering Services
Richard J. Daley Center, Room 200
50 W. Washington Street
Chicago, Illinois 60602
Attention: Raven A. DeVaughn–Contract Officer
RE: Engineering Services LIQ

4.2: Ownership of Submission

The PBC owns all submitted materials. Submissions will not be returned to Respondents. During the evaluation and selection period and after the Selected Respondent(s) sign the Agreement(s), all Submissions remain the property of the PBC. The PBC shall not be responsible for expenses incurred in preparing and submitting responses to this request. Such costs shall not be included in the response.

4.3: Improper Practices

The Respondent shall not offer any gratuities, favors, or anything of monetary value to any member of the Board of Commissioners of the PBC, to any official of the PBC, to any employee of the PBC, or to any Authorized Commission Representative of the PBC for the purpose of influencing consideration of the Submission. The Respondent shall not collude in any manner or engage in any practices with any other Respondent(s) or potential Respondent(s) that may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the Respondents' response to this LIQ to be rejected by the PBC. Notwithstanding the foregoing, this prohibition is not intended to preclude joint ventures, licenses or

subcontracts.

4.4: Minority and Women-Owned Business Enterprises

The PBC affirmative action requirements are set forth with particularity in Attachment B, "Special Conditions Regarding the Utilization of Minority and Women Owned Business Enterprises."

4.5: Compliance with Laws

Respondents must comply with all laws, statutes, ordinances and regulations of any governmental body, including the PBC and Federal, state, local and city governments. Respondents' attention is directed to the provisions of Article 33E of the Illinois Criminal Code, 720 ILCS 5/33E-1 et seq. (as amended), but Consultants must comply with any other provisions that apply to or in any manner affect any Services performed under the Agreement.

4.6: Insurance Requirements and Indemnification

Respondents will be required to provide written evidence of their current maximum insurance coverages.

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SECTION V SUBMISSION REQUIREMENTS

5.1: Submission Requirements

Submissions shall be bound and prepared on standard 8½" x 11" letter size paper. Separate each section by **labeled tabs** and organize in accordance with Submission requirements listed in Section 6.2. Expensive papers and bindings are discouraged since no materials will be returned. Electronic copies should be condensed into a single pdf, where possible.

5.2: Submission Content

The following documents and responses shall be included in the submission and tabbed as such in the order given below.

TAB 1: Letter of Interest

An individual authorized to legally bind the Respondent must sign the Cover Letter of Interest. The person who signs the transmittal letter will be considered the contact person for all matters pertaining to the Submission unless the Respondent designates another person in writing.

The Cover Letter of Interest must identify:

1. Respondent's Company Name, regional office's mailing address (if applicable), e-mail address, fax number, telephone number and web site address.
2. Respondent's interest to provide Engineering Services for future PBC projects.
3. The Respondent's MBE and WBE status (if applicable).
4. Respondent must acknowledge any addenda issued and posted to the following website link www.pbcchicago.com.

TAB 2: Table of Contents: The Respondent shall include a table of contents in its Submission. Submissions must be page numbered sequentially from front to back.

TAB 3: Executive Summary

The Executive Summary shall include:

1. A clear description of the firm philosophy, which may additionally include firm history, and achievements.
2. Organization brief and or chart clearly indicating:
 - a. The manner in which the entire firm is structured.
 - b. Firm name, subsidiaries, and/or satellite office locations, organization by market or services, and key executive, design and technical leadership must be indicated including their professional licensure, LEED and other accreditation and certifications.
 - c. Provide number of staff and licensed professionals (including type of licenses) in the Regional Office
3. Business and professional licenses that are required by law.
4. Accreditations or memberships in professional organizations and/or regulatory organizations, which are standard for the services to be provided.

TAB 4: Firm - Market / Project Experience.

The Respondents are requested to organize their response by discipline and technical services within the market categories noted below: firm experience should demonstrate the quality, breadth, and depth of practice and past performance in the requested market categories. When possible, Respondents are strongly encouraged to demonstrate experience that correlates with the experience of Regional Key Staff included in this LIQ. Any additional market and project experience of Regional Key Staff while employed elsewhere must be included in Tab 5.

Include citations of specific projects for which the Respondent has completed both design and or construction administration services that are relevant to the categories listed below. To demonstrate breadth of experience, Respondents are encouraged to demonstrate experience in new construction, additions, renovations and asset improvements whenever possible. All examples included must be no more than 15 years old. To demonstrate depth of experience, there is no limit to the citations for each market category. However, to save printing costs, respondents may self-limit printed citations and reference additional citations included in the electronic submission.

1. Education - Pre-K through Grade 12
2. Higher Education
3. Libraries
4. Park and Recreation Facilities
5. Municipal Facilities (Including but not limited to Police and Fire Stations)
6. Other (This section is optional and provides opportunity for Respondents to demonstrate other markets of experience.) Print Limit is four (4) projects.

Each project citation must be limited to two (2) pages and must include a photograph, project name, firm's specific role in project, location, construction cost, construction budget, ENGINEERING SERVICES fee, date completed, key staff name, client name and reference contact information. A brief narrative description of each project should also be included.

TAB 5: Regional Key Staff – Market / Project Experience

Exhibit 1 – Firm and Regional Key Staff Market / Project Experience Matrix (sample attached) must be completed and included at the front of the section indicating in graphic form all key team members and their relevant market and project experience.

Provide current resumes for regional key staff most likely to be assigned to PBC projects based on market and project experience. Provide five or more years of employment history for each of the proposed key staff positions. Resumes shall indicate the experience and quality of past performance of team members. For business and professional licenses and memberships, provide evidence that such licenses and memberships are current and in good standing.

For purposes of this LIQ, Regional Key Staff are defined as follows:

1. Corporate or Principal Executive(s)
2. Market Leader(s) or Executive(s)
3. Engineering Lead(s)
4. Project Manager(s)

5. Technical Manager(s)
 - a. Sustainability Lead(s)
 - b. Technical Lead(s)
 - c. Quality Control / Quality Assurance Lead(s)

Please note that key team members should be current employees of the Respondent team.

Key staff resumes must be limited to two (2) pages and include name, number of years with current employer, number of years of total professional experience, as well as relevant education, certifications and licensing.

TAB 6: Capacity and History in meeting MBE/WBE Goals and Respondent MBE/WBE Certification

Respondents wanting recognition on file as MBE/WBE certified must provide a current copy of its certification from either the City of Chicago or Cook County. No other certifying bodies shall be acknowledged for the purpose of MBE/WBE Certification.

Respondents are requested to provide commitment and/or demonstrate a history of delivering professional services in compliance or exceeding client MBE/WBE goals and delivering professional services with teams that reflect the community for which a project was completed. The PBC has established aspirational goals of 24%MBE and 4%WBE participation for professional service agreements. The PBC's professional service providers routinely exceed the aspirational goals.

TAB 7: Insurance Requirements

Respondents must provide a current Certificate of Insurance evidencing maximum coverages.

TAB 8: References

Respondents are asked to provide 6 (six) client references in the form of letters or, alternatively, by completing the attached reference forms. Please supplement existing letters on file with information required on the Reference forms.

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SECTION VI EVALUATION CRITERIA

6.1: Evaluation Process

- A. The Public Building Commission of Chicago (PBC) representatives will review letters of interest and qualifications for general compliance to the LIQ request. PBC representatives may also request additional documentation in order to seek clarification of the Submission, and/or request one or more meetings with respondents in order to clarify respondents' qualifications and capabilities for any upcoming Project.
- B. Respondent's having an interest in being considered for future PBC projects are encouraged to respond. Inclusion in the Engineering Services Database is not solely determined by the extent of experience requested in this document.
- C. After receipt of the LIQ, the PBC representatives will compile the information and enroll the Engineering Services Submission into the Engineering Services Database. The PBC will notify the Engineer in a letter when their LIQ is enrolled into the Engineering Services Database
- D. Enrollment in the Database is the Commission's recognition of receipt of your firm's interest in performing Engineering Services for the Commission. Enrollment in the Database does not indicate a determination of your firm's experience and/or qualifications and does not guarantee your firm will receive a project from the PBC.
- E. The PBC reserves the right to reject any and all response Submissions, and to waive any informality in the submitted qualification Submissions whenever it determines such rejection or waiver is in its best interest or in the interest of the public.
- F. The PBC reserves the right to cancel this request process whenever the best interest of the PBC or the public is served. The PBC shall not be liable for costs incurred by respondents associated with this request process, including but not limited to, any and all costs of preparing the Request for Letters of Interest and Qualifications and participation in any conferences, presentations or negotiations.

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SECTION VII BUSINESS REFERENCES
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Provide at least 6 business references. Include client references from public school districts, public parks and public housing agencies.

REFERENCE 1	
Client Name	
Contact Name	
Contact Phone	
Contact Address	
Contact Email	
Project Description	
REFERENCE 2	
Client Name	
Contact Name	
Contact Phone	
Contact Address	
Contact Email	
Project Description	
REFERENCE 3	
Client Name	
Contact Name	
Contact Phone	
Contact Address	
Contact Email	
Project Description	

REFERENCE 4	
Client Name	
Contact Name	
Contact Phone	
Contact Address	
Contact Email	
Project Description	
REFERENCE 5	
Client Name	
Contact Name	
Contact Phone	
Contact Address	
Contact Email	
Project Description	
REFERENCE 6	
Client Name	
Contact Name	
Contact Phone	
Contact Address	
Contact Email	
Project Description	

ATTACHMENT A LEGAL ACTIONS

If the answer to any of the questions below is **YES**, you must provide a type-written, brief description, and/or explanation on a separate sheet following this page. Each question must be answered.

QUESTION	YES	NO
Has the firm or venture been issued a notice of default on any contract awarded to it in the last 3 years?	<input type="checkbox"/>	<input type="checkbox"/>
Does the firm or venture have any legally filed judgments, claims (liquidated damages, or other), arbitration proceedings or suits pending or outstanding against the firm or venture or its officers?	<input type="checkbox"/>	<input type="checkbox"/>
If the answer to the preceding question is "Yes", provide the requisite explanation on a separate sheet and enter the dollar amount of claims or judgments and the contract value of the contract on which the claim was filed _____.	<input type="checkbox"/>	<input type="checkbox"/>
Within the past 3 years has the firm or venture been a party to any lawsuits or arbitration proceedings with regard to any contracts?	<input type="checkbox"/>	<input type="checkbox"/>
Within the last 3 years, has any officer or principal of the firm or venture ever been an officer or principal of another organization that failed to complete any contract as a result of termination, litigation, arbitration or similar matter?	<input type="checkbox"/>	<input type="checkbox"/>
Has any key person with the firm or venture or its predecessor ever been convicted of or charged with any state or federal crime (excluding traffic violations), including but not limited to, embezzlement, theft, forgery, bribery, falsification or destruction of records, receipt of stolen property, criminal anti-trust violations, bid-rigging or bid-rotating?	<input type="checkbox"/>	<input type="checkbox"/>
Has the firm or venture ever been temporarily or permanently debarred from contract award by any federal, state, or local agency?	<input type="checkbox"/>	<input type="checkbox"/>
Within the last 3 years, has the firm or venture been investigated or assessed penalties for any statutory or administrative violations (including but not limited to MBE, WBE, EEOC violations)?	<input type="checkbox"/>	<input type="checkbox"/>
Has the firm or venture ever failed to complete any work awarded to it?	<input type="checkbox"/>	<input type="checkbox"/>

ATTACHMENT B
SPECIAL CONDITIONS REGARDING THE UTILIZATION OF MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES FOR PROFESSIONAL SERVICES

1. Policy Statement

- a. It is the policy of the Public Building Commission of Chicago ("PBC") to ensure competitive business opportunities for MBE and WBE firms in the performance of Contracts, to prohibit discrimination in the award of or participation in Contracts, and to abolish arbitrary barriers to full participation in Contracts by all persons, regardless of race, sex or ethnicity. Therefore, during the performance of this Contract, the Professional Service Provider must agree that it will not discriminate against any person or business on the basis of race, color, religion, ancestry, age, marital status, physical or mental handicap, unfavorable discharge from military service, parental status, sexual orientation, national origin or sex, in the solicitation or the purchase of goods and services or the subcontracting of work in the performance in this Contract.
- b. The PBC requires the Professional Service Provider also agree to take affirmative action to ensure that MBE and WBE firms have the maximum opportunity to compete for and perform subcontracts with respect to this Contract.
- c. The PBC requires the Professional Service Provider to notify MBE and WBE firms, utilized on this contract, about opportunities on contracts without affirmative action goals.

2. Aspirational Goals

- a. Upon the effective date of these Special Conditions, the bi-annual aspirational goals are to award 25% of the annual dollar value of all PBC Construction Contracts to certified MBEs and 5% of the annual dollar value of all PBC Construction Contracts to qualified WBEs.
- b. Further, the Professional Service Provider must agree to use its best efforts to include MBE and WBE firms in any Contract modification work that increases the Contract value. Where the proposed contract modification involves work which can be performed by MBEs and WBEs already performing work on the contract such MBEs and WBEs will participate in such work specified in the contract modification..
- c. Failure to carry out the commitments and policies set forth in this Program constitute a material breach of contract and may result in termination of the Professional Service Provider or such other remedy, as the PBC deems appropriate.

3. Definitions

- a. For purposes of this Special Condition, the following definitions applies:

(1) "Certified Minority Business Enterprise" means a person or entity granted certification by the City of Chicago, County of Cook, Metropolitan Water Reclamation District, Chicago Minority Supplier Development Council, Central Management Service of the State of Illinois, and Women's Business Development Center.

(2) "Certified Women's Business Enterprise" means a person or entity granted certification by the City

of Chicago, County of Cook, Metropolitan Water Reclamation District, Chicago Minority Supplier Development Council, Central Management Service of the State of Illinois, and Women's Business Development Center.

(3) "Professional Service Contract" means a contract for professional services of any type.

(4) "Contract Specific Goals" means the subcontracting goals for MBE and WBE participation established for a particular contract based upon the availability of MBEs and WBEs to perform and anticipated scope of work of the contract and the PBC's progress towards meeting the aspirational goals.

(5) "Professional Service Provider" means any person or business entity that seeks to enter into a Professional Service Contract with the PBC and includes all partners, affiliates and joint ventures of such person or entity.

(6) "Executive Director" means the Executive Director of the PBC or his duly designated representative as appointed in writing.

(7) "Good faith efforts" means actions undertaken by a Professional Service Provider to achieve a Contract Specific Goal that by their scope, intensity and appropriateness to the objective can reasonably be expected to fulfill the Program's requirements.

(8) "Joint venture" means an association of two or more persons or entities or any combination of two or more business enterprises and persons numbering two or more, proposing to perform a single for-profit business enterprise, in which each joint venture partner contributes property, capital, efforts, skill and knowledge, and in which the MBE or WBE is responsible for a distinct, clearly-defined portion of the work of the contract and whose share in the capital contribution, control, management, risks and profits of the joint venture is equal to its ownership interest. Joint ventures must have an agreement in writing specifying the terms and conditions of the relationships between the parties and their relationship and responsibilities to the contract.

(9) "Minority" means:

- a. Any individual in the following racial or ethnic groups, members of which are rebuttably presumed to be socially disadvantaged:
 - i. African-Americans or Blacks, which includes persons having origins in any of the Black racial groups of Africa;
 - ii. Hispanics, which includes persons of Spanish culture with origins in Mexico, South or Central America or the Caribbean Islands, regardless of race; and
- b. Individual members of other groups, including but not limited to Asian-Americans, Arab-Americans and Native-Americans, found by the PBC to be socially disadvantaged by having suffered racial or ethnic prejudice or cultural bias within American society, without regard to individual qualities, resulting in decreased opportunities to compete in Chicago area markets or to do business with the PBC.

(10) "Minority-owned business enterprise" or "MBE" means a small local business enterprise which is at least 51% owned by one or more economically disadvantaged minority persons, or in the case of a publicly held corporation at least 51% of all classes of the stock of which is owned by one or more economically disadvantaged minority persons whose management, policies, major decisions and daily business operations are independently managed and controlled by one or more economically disadvantaged minority persons.

(11) "Program" means the minority- and women-owned business enterprise construction procurement program established in this special condition.

(12) "Women-owned business enterprise" or "WBE" means a small local business enterprise which is at least 51% owned by one or more economically disadvantaged women or in the case of a publicly owned business, at least 51% of all classes of the stock of which is owned by one or more economically disadvantaged women, whose management, policies, major decisions and daily business operations are independently managed and controlled by one or more economically disadvantaged women.

4. Determining MBE/WBE Utilization

The methodology for determining MBE and WBE utilization will be determined for purposes of analysis with respect to this contract as follows:

- a. The total dollar value of the contract awarded to the certified MBE or WBE firm will be credited to such participation. Only minority business participation may be counted toward MBE participation and only women business participation may be counted toward WBE participation.
- b. The total dollar value of a contract with a firm owned and controlled by minority women is counted toward either the MBE or WBE goal, but not both. The Professional Service Provider employing the firm may choose the goal to which the contract value is applied. Various work done by one and the same sub-consultant will be considered, for the purpose of this principle, as work effectively done under one subcontract only, which sub-consultant may be counted toward only one of the goals, not toward both.
- c. A Professional Service Provider may count toward its MBE or WBE goal the portion of the total dollar value of a contract with an eligible joint venture equal to the percentage of the ownership and control of the MBE or WBE partner in the joint venture. A joint venture seeking to be credited for MBE participation may be formed among certified MBE and WBE firms, or between certified MBE and WBE firms and a non-MBE/WBE firm. A joint venture satisfies the eligibility standards of this Program if the certified MBE or WBE participant of the joint venture:
 - (1) Shares in the ownership, control, management responsibilities, risks and profits of the joint venture; and
 - (2) Is responsible for a clearly defined portion of work to be performed in proportion to the MBE or WBE ownership percentage.
- d. A Professional Service Provider may count toward its MBE and WBE goals only expenditures to firms that perform a commercially useful function in the work of a contract. A firm is considered to perform a commercially-useful function when it is responsible for execution of a distinct element of the work of a contract and carries out its responsibilities by actually performing, managing, and supervising the work involved. To determine whether a firm is performing a commercially useful function, the PBC will evaluate the amount of work subcontracted, industry practices and other relevant factors.
- e. Consistent with normal industry practices, a MBE or WBE firm may enter into subcontracts. If a MBE or WBE Professional Service Provider subcontracts a significantly greater portion of the work of a contract than would be expected on the basis of normal industry practices, the MBE or WBE will be rebuttably presumed not to be performing a commercially-useful function.
- f. A Professional Service Provider may count toward its goals expenditures to MBE or WBE manufacturers (i.e., suppliers that produce goods from raw materials or substantially alters them before resale).
- g. A Professional Service Provider may count toward its goals expenditures to MBE or WBE suppliers provided that the supplier performs a commercially useful function in the supply process.

5. Non-Compliance

- a. The Executive Director has the authority to apply suitable sanctions to the Professional Service Provider if the Professional Service Provider is found to be in non-compliance with the MBE and WBE requirements. Failure to comply with the MBE or WBE terms of this contract or failure to use MBE or WBE firms as stated in the Professional Service Provider's assurances constitutes a material breach of the contract, and may lead to the suspension or termination of the contract in part or in whole. In some cases, monthly progress payments may be withheld until corrective action is taken.
- b. When the contract is completed, if the Executive Director has determined that the Professional Service Provider did not comply in the fulfillment of the required MBE and/or WBE goals, and a grant of relief of the requirements was not obtained, the PBC will be damaged in the failure to provide the benefit of participation to minority or women business to the degree set forth in this Special Condition. In that case, the PBC may disqualify the Professional Service Provider from entering into future contracts with the PBC.

6. Severability

If any section, subsection, paragraph, clause, provision or application of these Special Conditions is held invalid by any court, the invalidity of such section, paragraph, clause or provision will not affect any of the remaining provisions hereof.

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**ATTACHMENT C
DISCLOSURE AFFIDAVIT**

Any firm proposing to conduct any business transactions with the Public Building Commission of Chicago must complete this Disclosure Affidavit. Please note that in the event the Contractor is a joint venture, the joint venture and each of the joint venture partners must submit a completed Disclosure Affidavit.

The undersigned _____, as _____
Name Title

and on behalf of _____
("Bidder/Proposer/Respondent or Contractor") having been duly sworn under oath certifies the following:

1. Name of Firm: _____

2. Address: _____

3. Telephone: _____ Fax: _____

4. FEIN: _____ SSN: _____

5. Nature of transaction (check the appropriate box):

- Sale or purchase of land
- Construction Contract
- Professional Services Agreement
- Other _____

6. Disclosure of Ownership Interests
Pursuant to Resolution No. 5371 of the Board of Commissioners of the Public Building Commission of Chicago, all bidders/proposers shall provide the following information with their bid/proposal. If the question is not applicable, answer "NA". If the answer is none, please answer "none".

- | | |
|--|--|
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Limited Liability Company |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Partnership |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> Not-for-profit Corporation |
| <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Other: _____ |

CORPORATIONS AND LLC'S

1. State of Incorporation or organization: _____
2. Authorized to conduct business in the State of Illinois: Yes No
3. Identify the names of all officers and directors of the business entity (attach list if necessary).

Name	Title

4. Identify all shareholders whose ownership percentage exceeds 7.5% of the business entity (attach list if necessary).

Name	Address	Ownership Interest Percentage

5. LLC's ONLY, indicate management type and name:
 - Member-managed
 - Manager-managed
 Name: _____
6. Is the corporation or LLC owned partially or completely by one or more other corporations or legal entities?
 - Yes
 - No

If "yes" provide the above information, as applicable, for each such corporation or entity such that any person with a beneficial ownership interest of 7.5% or more in the corporation contracting in the PBC is disclosed. For example, if Corporation B owns 15% of Corporation A, and Corporation A is contracting with the PBC, then Corporation B must complete a Disclosure Affidavit. If Corporation B is owned by Corporations C and D, each of which owns 50% of Corporation B, then both Corporations C and D must complete Disclosure Affidavits.

PARTNERSHIPS

1. If the bidder/proposer or Contractor is a partnership, indicate the name of each partner and the percentage of interest of each therein. Also indicate, if applicable, whether general partner (GP) or limited partner (LP)

Name	Ownership Interest Percentage

SOLE PROPRIETORSHIP

1. The bidder/proposer or Contractor is a sole proprietorship and is not acting in any representative capacity on behalf of any beneficiary: Yes No

If the answer to the previous question is no, complete items 2 and 3 of this section.

2. If the sole proprietorship is held by an agent(s) or a nominee(s), indicate the principal(s) for whom the agent or nominee holds such interest.

Name(s) of Principal(s)

3. If the interest of a spouse or any other party is constructively controlled by another person or legal entity, state the name and address of such person or entity possessing such control and the relationship under which such control is being or may exercised

Name	Address

CONTRACTOR CERTIFICATION

A. CONTRACTORS

1. The Contractor, or any affiliated entities of the Contractor, or any responsible official thereof, or any other official, agent or employee of the Contractor, any such affiliated entity, acting pursuant to the direction or authorization of a responsible official thereof has not, during a period of three years prior to the date of execution of this certification:
 - a. Bribed or attempted to bribe, or been convicted of bribery or attempting to bribe a public officer or employee of the City of Chicago, the State of Illinois, any agency of the federal government or any state or local government in the United States (if an officer or employee, in that officer's or employee's official capacity); or
 - b. Agreed or colluded, or been convicted of agreement or collusion among bidders or prospective bidders in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
 - c. Made an admission of such conduct described in 1(a) or (b) above which is a matter of record but has not been prosecuted for such conduct.
2. The Contractor or agent, partner, employee or officer of the Contractor is not barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging² in violation of Section 3 of Article 33E of the Illinois Criminal Code of 1961, as amended (720 ILCS 5/33E-3), or any similar offense of any state or the United States which contains the same elements as the offense of bid-rigging during a period of five years prior to the date of Submission of this bid, proposal or response.
3. The Contractor or any agent, partner, employee, or officer of the Contractor is not barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rotating⁴ in violation of Section 4 of Article 33E of the Illinois Criminal Code of 1961, as amended (720 ILCS 5/33E-4), or any similar offense of any state or the United States which contains the same elements as the offense of bid-rotating.
4. The Contractor understands and will abide by all provisions of Chapter 2-56 of the Municipal Code entitled "Office of the Inspector General" and all provisions of the Public Building Commission Code of Ethics Resolution No.5339, as amended by Resolution No. 5371.
5. The Contractor certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal, state or local department or agency.
 - b. Have not within a three-year period preceding this bid or proposal been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;

- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (5)(b) above; and
- d. Have not within a three-year period preceding this bid or proposal had one or more public transactions (federal, state or local) terminated for cause or default.

B. SUBCONTRACTORS

1. The Contractor has obtained from all subcontractors being used in the performance of this contract or agreement, known by the Contractor at this time, disclosures substantially in the form of Section 1, and certifications substantially in the form of Section 2, of this Disclosure Affidavit. Based on such disclosures and certification(s), and any other information known or obtained by the Contractor, is not aware of any such subcontractor or subcontractor's affiliated entity or any agent, partner, employee or officer of such subcontractor or subcontractor's affiliated entity having engaged in or been convicted of (a) any of the conduct described as prohibited in this document; (b) bid-rigging, bid-rotating, or any similar offense of any state or the United States which contains the same elements as bid-rigging or bid-rotating, or having made an admission of guilt of the conduct described in Section 2 which is matter of record but has/have not been prosecuted for such conduct.
2. The Contractor will, prior to using them as subcontractors, obtain from all subcontractors to be used in the performance of this contract or agreement, but not yet known by the Contractor at this time, certifications substantially in the form of this certification. The Contractor shall not, without the prior written permission of the Commission, use any of such subcontractors in the performance of this contract if the Contractor, based on such certifications or any other information known or obtained by Contractor, became aware of such subcontractor, subcontractor's affiliated entity or any agent, employee or officer of such subcontractor or subcontractor's affiliated entity having engaged in or been convicted of (a) any of the conduct described as prohibited in this document of or (b) bid-rigging, bid-rotating or any similar offenses of any state or the United States which contains the same elements as bid-rigging or bid-rotating or having made an admission of guilt of the conduct described as prohibited in this document which is a matter of record but has/have not been prosecuted for such conduct. The Contractor shall cause such subcontractors to certify as to all necessary items. In the event any subcontractor is unable to certify to a particular item, such subcontractor shall attach an explanation to the certification.
3. For all subcontractors to be used in the performance of this contract or agreement, the Contractor shall maintain for the duration of the contract all subcontractors' certifications required by this document and Contractor shall make such certifications promptly available to the Public Building Commission of Chicago upon request.
4. The Contractor will not, without the prior written consent of the Public Building Commission of Chicago, use as subcontractors any individual, firm, partnership, corporation, joint venture or other entity from whom the Contractor is unable to obtain a certification substantially in the form of this certification.
5. The Contractor hereby agrees, if the Public Building Commission of Chicago so demands, to terminate its subcontractor with any subcontract if such subcontractor was ineligible at the time that the subcontract was entered into for award of such subcontract. The Contractor shall insert adequate provisions in all subcontracts to allow it to terminate such subcontract as required by this certification.

C. STATE TAX DELINQUENCIES

1. The Contractor is not delinquent in the payment of any tax administered by the Illinois Department of Revenue or, if delinquent, the Contractor is contesting, in accordance with the procedures established by the appropriate Revenue Act, its liability for the tax or amount of the tax.
2. Alternatively, the Contractor has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.
3. If the Contractor is unable to certify to any of the above statements, the Contractor shall explain below. Attach additional pages if necessary.

If the letters "NA", the word "None" or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

4. If any subcontractors are to be used in the performance of this contract or agreement, the Contractor shall cause such subcontractors to certify as to paragraph (C)(1) or (C)(2) of this certification. In the event that any subcontractor is unable to certify to any of the statements in this certification, such subcontractor shall attach an explanation to this certification.

D. OTHER TAXES/FEES

1. The Contractor is not delinquent in paying any fine, fee, tax or other charge owed to the City of Chicago.
2. If Contractor is unable to certify to the above statement, Contractor shall explain below and (attach additional pages if necessary).

If the letters "NA", the word "None" or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

E. PUNISHMENT

1. A Contractor who makes a false statement material to Section II(A)(2) of this certification commits a Class 3 felony. 720 ILCS 5/33E-11(b).

F. JUDICIAL OR ADMINISTRATIVE PROCEEDINGS

1. The Contractor is not a party to any pending lawsuits against the City of Chicago or the Public Building Commission of Chicago nor has Contractor been sued by the City of Chicago or the Public Building Commission of Chicago in any judicial or administrative proceeding.

2. If the Contractor cannot certify to the above, provide the (1) case name; (2) docket number; (3) court in which the action is or was pending; and (4) a brief description of each such judicial or administrative proceeding. Attach additional sheets if necessary.

If the letters "NA", the word "None" or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

CERTIFICATION OF ENVIRONMENTAL COMPLIANCE

- A. Neither the Contractor nor any affiliated entity of the Contractor has, during a period of five years prior to the date of execution of this Affidavit: (1) violated or engaged in any conduct which violated federal, state or local Environmental Restriction^s; (2) received notice of any claim, demand or action, including but not limited to citations and warrants, from any federal, state or local agency exercising executive, legislative, judicial, regulatory or administrative functions relating to a violation or alleged violation of any federal, state or local statute, regulation or other Environmental Restriction; or (3) been subject to any fine or penalty of any nature for failure to comply with any federal, state or local statute, regulation or other Environmental Restriction.

If the Contractor cannot make the certification contained in the above paragraph, identify any exceptions (attach additional pages if necessary):

If the letters "NA", the word "None" or no response appears on the lines above, it will be conclusively presumed that the Undersigned certified to the above statements.

- B. Without the prior written consent of the Public Building Commission of Chicago, Contractor will not employ any subcontractor in connection with the contract or proposal to which this Affidavit pertains without obtaining from such subcontractor a certification similar in form and substance to the certification contained in Paragraph A of this Section III prior to such subcontractor's performance of any work or services or furnishing any goods, supplies or materials of any kind under the proposal or the contract to which this Affidavit pertains.
- C. Until completion of the Contractor's performance under the proposal or contract to which this Affidavit pertains, the Contractor will not violate any federal, state or local statute, regulation or other Environmental Restriction, whether in the performance of such contract or otherwise.

INCORPORATION INTO CONTRACT AND COMPLIANCE

The above certification shall become part of any contract awarded to the Contractor set forth on page 1 of this Disclosure Affidavit and are a material inducement to the Public Building Commission of Chicago's execution of the contract, contract modification or contract amendment with respect to which this Disclosure Affidavit is being executed and delivered on behalf of the Contractor. Furthermore, Contractor shall comply with these certifications during the term and/or performance of the contract.

VERIFICATION

Under penalty of perjury, I certify that I am authorized to execute this Disclosure Affidavit on behalf of the Contractor set forth on page 1, that I have personal knowledge of all the certifications made herein and that the same are true.

The Contractor must report any change in any of the facts stated in this Affidavit to the Public Building Commission of Chicago within 14 days of the effective date of such change by completing and submitting a new Disclosure Affidavit. Failure to comply with this requirement is grounds for your firm to be deemed non-qualified to do business with the PBCC. Deliver any such new Disclosure Affidavit to: Public Building Commission of Chicago, Director of Compliance, 50 W. Washington, Room 200, Chicago, IL 60602.

Signature of Authorized Officer

Name of Authorized Officer (Print or Type)

Title

Telephone Number

State of _____

County of _____

Signed and sworn to before me on this _____ day of _____, 20____ by

_____ (Name) as _____ (Title) of

_____ (Bidder/Proposer/Respondent or Contractor)

Notary Public Signature and Seal

Market Category	Project Name	Client Name	Construction Cost	Square Footage	Date Completed	Engineering Discipline (enter number)								Technical Service (enter number)								Regional Key Staff Involved (enter x)								
						Civil	Mechanical	Electrical	Plumbing	Fire Protection	Structural	Commissioning	Landscape Design	Specialty Lighting Design	Building Enclosure	Acoustical	Safety & Security	Testing							Corporate/Principal Executive	Market Leaders or Executives	Engineering Lead(s)	Project Manager(s)	Sustainability Lead(s)	Technical Lead(s)
Pre K-12	TOTAL Pre K-12					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Higher Ed	TOTAL Higher Ed					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Libraries	TOTAL Libraries					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Parks & Recreation	TOTAL Parks & Recreation					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Municipal	TOTAL Municipal					0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
TOTAL ALL PROJECTS						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										