

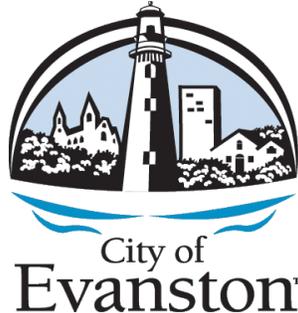
**CITY OF EVANSTON
REQUEST FOR PROPOSAL**

NUMBER: 19-29

for

Long-Term Lease of Harley Clarke Mansion and Coach House

May 16, 2019



PROPOSAL DEADLINE: 2:00 P.M., February 28, 2020,
Lorraine H. Morton Civic Center,
2100 Ridge Avenue, Room 2404
Evanston, Illinois 60201

**NON-MANDATORY VIEWING
OF PROPERTY DATES:** June 3, 4, 5; July 1, 2; Aug. 1, 2; Sept. 3, 4, 5; and Oct. 1, 2, 3
(Additional dates to be decided at the discretion of the City)
7:00 A.M. – 3:00 P.M.
2603 Sheridan Road
Evanston, IL 60201

PRE-PROPOSAL MEETING: Non-mandatory
10:00 A.M., July 24, 2019
2100 Ridge Avenue, Room 2402
Evanston, IL 60201

COMMUNITY MEETINGS: 6:00 P.M., August 6 and November 5, 2019
2100 Ridge Avenue, Parasol Room
Evanston, Illinois 60201

SEALED PROPOSALS TO BE RETURNED TO:

CITY OF EVANSTON
PURCHASING DIVISION, 2100 RIDGE AVENUE, ROOM 4200
LORRAINE H. MORTON CIVIC CENTER
EVANSTON, ILLINOIS 60201
PHONE (847)866-2935 * FAX (847)448-8128

TABLE OF CONTENTS

Notice to Proposers.....	3
1.0 Introduction.....	4
2.0 Scope of Services.....	5
3.0 Insurance.....	5
4.0 Submittal Requirements.....	6
5.0 Additional Submittal Requirements.....	7
6.0 M/W/EBE Goals.....	8
7.0 Evaluation Criteria.....	8
8.0 Selection Process.....	8
9.0 Proposed Schedule.....	9
10.0 Questions Regarding RFP.....	9
11.0 General Terms and Conditions.....	10
Exhibit A – Disclosure of Ownership Interests.....	15
Exhibit B – Additional Information Sheet.....	18
Exhibit C – Conflict of Interest Form.....	19
Exhibit D – Acknowledgement of Understanding.....	20
Exhibit E – Anti-Collusion Affidavit and Proposer’s Certification.....	21
Exhibit F – City of Evanston M/W/EBE Policy.....	22
Exhibit G – M/W/EBE Participation Compliance Form.....	23
Exhibit H – M/W/EBE Participation Waiver Request.....	24
Exhibit I – Proposal Submittal Label.....	25
Additional Information.....	26

**CITY OF EVANSTON
NOTICE TO PROPOSERS**

Sealed proposals will be received by the Purchasing Office in Room 4200, Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston, Illinois 60201, until 2:00 P.M. local time on February 28, 2020. Proposals shall cover the following:

Long- Term Lease of Harley Clarke Mansion and Coach House
RFP Number: 19-29

The City of Evanston is seeking to enter into a long-term lease of the Harley Clarke Mansion and Coach House to a party that will invest in and renovate the property. The property is located at 2603 Sheridan Road, Evanston, IL 60201. The party will be required to incorporate a public component as a meaningful component of its proposal using the entire space or a subset of the space (e.g. café, museum, classes, meeting space).

There will be a Non-mandatory pre-proposal meeting July 24, 2019 at 10:00 a.m. in Room 2402 of the Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston, Illinois 60201. All firms intending to submit a proposal for this project are encouraged to attend to discuss the proposed work and receive answers to questions related to the project. The City will hold two Non-mandatory Community Meetings for interested parties to present their proposal to the general public on August 6, 2019 and November 5, 2019 at 6:00 p.m. at the Evanston Civic Center, 2100 Ridge Ave., Parasol Room, Evanston, IL 60201.

Additionally, the City will have tours of the buildings for proposers from 7:00 a.m. to 3:00 p.m. on the following dates: June 3, 4 and 5; July 1 and 2; August 1 and 2; September 3, 4, and 5; and October 1, 2 and 3. Additional tours will be scheduled at the discretion of the City. All parties who attend a tour must retain a professional manner and are not allowed to question or discuss proposals with other visitors.

Sealed proposals shall conform to the RFP on file in the Purchasing Office. The document, including all necessary plans and specifications, will be available in the Purchasing Office on May 16, 2019. Parties interested in submitting a bid should contact the Purchasing Office to receive a copy of the bid or see the City's website at: www.cityofevanston.org/business/bids-proposals/ or Demandstar at: www.demandstar.com.

The City of Evanston (the City) in accordance with the laws of the State of Illinois, hereby notifies all organizations that it will ensure that the contract(s) entered into pursuant to this notice will be awarded to the successful organization without discrimination on the grounds of race, color, religion, sex, age, sexual orientation marital status, disability, familial status or national origin. The City of Evanston reserves the right to reject any or all submittals or to accept the submittal(s) deemed most advantageous to the City.

Each Proposer shall be required to submit with his/her proposal a Disclosure of Ownership Interest Statement Form in accordance with Section 1-18-1 *et seq.* of the City Code. Failure to submit such information may result in the disqualification of such proposal.

Jillian Ostman,
Purchasing Specialist

CITY OF EVANSTON
Request for Proposal

1.0 INTRODUCTION

The City of Evanston is seeking proposals for the purpose of entering into a long-term lease of the buildings, commonly known as the Harley Clarke Mansion and Coach House, located at 2603 Sheridan Road, Evanston, Illinois. The site is designated as an Evanston Landmark and contains an approximately 20,275 square foot (including conservatory) 3 story brick structure plus a basement with a 4,383 square foot coach house (including greenhouse) with two apartments and a 3 car garage. The property includes a Jens Jensen Garden and is zoned OS – Open Space. Permitted and special uses of the OS District are contained in the Evanston Zoning Ordinance. Proposals should include plans to protect and maintain the Jens Jensen Garden.

The intent of this Request for Proposal (RFP) is to identify a qualified organization or individual to renovate and use the existing structures. The selected applicant must have the necessary financial capabilities to complete this project in a timely manner.

Respondents are required to:

- Submit information about the individual or organization interested in the property;
- Clearly state intention for the property, i.e., specific use; and
- State the monetary monthly payment the entity is willing to pay to lease the space along with the anticipated term of lease agreement.

If an interested party is selected to lease the building(s), it is the expectation of the City that the lessee would enter into a long-term lease and would be required to invest in a substantial renovation of the property as part of the lease agreement.

Contact with City personnel (including appointed or elected officials) in connection with this RFP shall not be made other than as specified in this RFP. Unauthorized contact with any City personnel (including appointed or elected officials) may be cause for rejection of a proposal.

Prior to the submittal of a proposal, Proposers are advised to carefully examine

- the contract documents
- project scope and work tasks to be accomplished
- specifications
- submittal requirements
- insurance requirements and required documentation

Proposers are advised to become thoroughly familiar with all conditions, instructions and specifications governing this RFP. Proposals shall be made in accordance with these instructions. Proposals shall be submitted on the forms provided by the City

The City will not be liable in any way for any costs incurred by respondents in replying to this Request for Proposal.

2.0 SCOPE OF SERVICES

The City of Evanston is seeking proposals to enter into a long-term lease of the building(s) at the property located at 2603 Sheridan Road, Evanston, Illinois. The lessee would be required to invest in a substantial renovation of the property as part of the lease agreement.

The lessee would be asked to:

- Retain and protect the historic character of the buildings;
- Address any potential parking issues; and
- Include a public component (in the entire space or a subset of the space) such as a café, museum, classes, or meeting rooms. The public component is at the imagination of the proposer and the City has no specifications for what this could entail, but asks that it be a meaningful part of the proposal. The public component should provide a place for the public to relax, play, eat, shop, enjoy art/music/history/nature, meet or have a cultural experience, etc.
- Accommodate existing public space and recreation area to ensure that the community retains access to recreation opportunities and is consistent with OS zoning.

The Evanston City Council approved the issuance of this RFP on April 15, 2019 with the condition that the entirety of the land under the mansion continues to be owned by the City of Evanston.

As stated, only the buildings set forth in this RFP (together with the adjacent Jens Jensen Gardens) are for consideration for lease and no other land, buildings or surrounding area will be considered including the fog houses or lighthouse landing complex. Proposals should include a plan to protect and maintain the Jens Jensen Gardens. Proposers may partner with another organization to maintain the Gardens. Proposers may submit proposals for the mansion, the coach house, or both properties. Parties may also submit proposals that partner with another proposal for the use of the two separate buildings.

Various engineering, structural, environmental and other assessment reports have been compiled in the past on this property. These and other additional information, including the legislative history of the property are available on the City's website at www.cityofevanston.org/HarleyClarke, and www.cityofevanston.org/2603Sheridan.

3.0 INSURANCE

The successful bidder shall carry and maintain at its own cost with such companies as are reasonably acceptable to City all necessary liability insurance (which shall include as a minimum the requirements set forth below) during the term of the lease Agreement for damages caused or contributed to by the organization, and insuring

the organization against claims which may arise out of or result from the organization's performance or failure to perform the Services hereunder.

As part of the lease agreement, the successful bidder must provide an insurance certificate naming the City of Evanston as an additional insured and will provide a variety of insurances including minimum coverage for the following categories of policies:

- Comprehensive general liability - \$3,000,000 combined single limit for each occurrence for bodily injury and property damage – designating the City as Additional Insured
- Workers Compensation - Statutory Limits
- Automobile Liability - \$1,000,000 per occurrence for all claims arising out of bodily injuries or death and property damages.
- Errors and omissions or professional liability insurance - \$1,000,000

The surety and the insurance company must have not less than an A+ rating from the Alfred M. Best Co., Inc. and be approved by the City of Evanston.

The successful bidder's certificate of insurance shall contain a provision that the coverage afforded under the policy(s) will not be canceled or reduced without thirty (30) days prior written notice (hand delivered or registered mail) to City.

4.0 SUBMITTAL REQUIREMENTS

Responses to this Request shall be in one volume. Any organization brochures and/or information pertaining to the qualifications of the organization and/or team may be submitted, but must be included in a single volume. Applicant organizations must submit their responses in one of two ways:

1. Paper copies-- six (6) hardcopies, one (1) unbound original and an electronic copy on a flash/USB drive; or
2. Electronic response only—submitted in a sealed envelope on a flash/USB drive (with any paper bid bonds as required)

Cut out and tape label included in this proposal package as Exhibit K (BID/Proposal Submittal Label). All submittals are to be placed in a sealed opaque envelope addressed to: The City of Evanston Purchasing Office, Room 4200, Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston, Illinois 60201; clearly marked on the OUTSIDE with the following:

- RFP name and number
- Name and address of Organization
- Date and time of RFP deadline

ANY PROPOSALS RECEIVED AFTER THE SUBMITTAL DEADLINE, WILL BE RETURNED TO THE PROPOSER UNOPENED. It is the sole responsibility of the proposer to insure that his or her proposal is delivered by the stated time. Mailed proposals which are delivered after the specified time will not be accepted regardless

of post marked time on the envelope. THE CITY IS NOT RESPONSIBLE FOR MISDIRECTED PACKAGES.

A. Cover Letter

The cover letter will include the following:

- introduction of individual or organization signed by its authorized Principal
- name of organization (if applicable)
- address of organization
- phone number of the submitter the proposal
- include the name and signature of an authorized binding official who is authorized to answer questions regarding the proposal

B. Qualifications and Experience of Individual, Organization and/or Team

- Respondents shall describe other projects performed or undertaken that are similar in scope to the required services described herein.
- Respondents shall provide references, including name, address and telephone number of a contact person for each project identified and described.
- Indicate commencement dates, duration and type of operation.
- Provide such other information as deemed appropriate to demonstrate the qualifications and ability of the individual or organization to successfully carry out its proposal.

C. Proposal Management

Clearly identify the person(s) who would be assigned to negotiate and oversee this proposal. The proposal should indicate the abilities, qualifications and experience of these individuals.

D. Lease

Upon award of this RFP the City may negotiate a lease of the property with the awarded organization. The terms and conditions of any lease are subject to final approval by the City of Evanston and the Evanston City Council.

5.0 ADDITIONAL SUBMISSION REQUIREMENTS

Respondents must consider the need to render the building compliant with all building codes (including ADA) and requirements before occupancy. The proposal must address the intended course of action regarding the remediation or removal of non-compliant conditions, including various structural elements of the buildings. As an Evanston Landmark, please note that any rehabilitation/renovations that result in exterior changes are subject to certification of appropriateness and will be reviewed by staff and/or the Preservation Committee.

The plans and specifications for all design and work to be accomplished on the site must be prepared by a design professional and approved by the City under the City's normal permit process.

6.0 M/W/EBE GOALS

Please be aware that the City has a goal of 25% of the contract amount for the participation and utilization of Minority-Owned, Women-Owned, and Evanston-based businesses (M/W/EBEs) in completing a portion of the services required by the City. All respondents must submit a statement of how they will satisfy, or not satisfy, the commitment to involving M/W/EBEs in completing a portion of the required services. Any questions regarding M/W/EBE compliance should be submitted in writing to Sharon A. Johnson, Business Workforce Compliance Coordinator at shjohnson@cityofevanston.org or Tammi Nunez Purchasing Manager at tnunez@cityofevanston.org. (See City of Evanston M/W/EBE Policy on page 23.)

7.0 EVALUATION CRITERIA

The City will select the successful organization through an evaluation process based on the proposer meeting the specifications which are outlined in this RFP. A review committee will review and verify in detail all proposals that are received. During the evaluation process, the City may require a Proposer's representative to answer questions with regard to the proposal and/or make a formal presentation to the review committee. The review committee will forward the results of its review of all proposals to the City Council for final selection.

The evaluation criteria listed below will be used in the selection of the successful Proposer.

- A.** Qualifications and Expertise
- B.** Financial Capability to Execute Proposal
- C.** Benefit of the proposed use of the property
- D.** Benefit of the public use component for the Evanston community
- E.** Organization and Completeness of Proposal
- F.** Commitment to meeting the City's M/W/EBE participation goal.

8.0 SELECTION PROCESS

The City will select a proposer on the basis of the responsiveness of the proposal to the RFP submittal requirements and the evaluation criteria stated above. The City reserves the right to reject any or all proposals, and to request written clarification of proposals and supporting materials from the Proposer.

While it is the intent of the City to select a single organization, the City reserves the right to make the award in part or in whole and to select multiple organizations, depending on whichever decision is deemed to be most advantageous to the City.

Responses may be rejected if the organization fails to perform any of the following:

- A. Adhere to one or more of the provisions established in this Request for Proposal.
- B. Demonstrate competence, experience, and the ability to provide the services described in this Request for Proposal.
- C. Demonstrate financial capacity.
- D. Demonstrate understanding of capital investment necessary;
- E. Address issues arising out of proposed use (e.g., parking).
- F. Submit a response on or before the deadline and complete all required forms.
- G. To fulfill a request for an oral presentation.
- H. To respond to a written request for additional information.

Discussions and/or interviews may be conducted with responsible organizations that have submitted proposals in order to clarify certain elements. All proposals shall be afforded fair and equal treatment with respect to any opportunity for clarification. In conducting discussion, there shall be no disclosure of information derived from proposals submitted by competing organizations.

If the City is unable to reach any sort of agreement with the selected organization, the City will discontinue negotiations with the selected organization and begin negotiations with the organization ranked second and so on until agreement is reached.

The City Council will select the proposal that is determined to be the most advantageous to the City and all other evaluation factors which are set forth in this Request for Proposal. No other factors or criteria not listed in this RFP shall be used in the evaluation.

9.0 PROPOSED SCHEDULE

The tentative schedule for this RFP and project process is as follows:

1. RFP issued.....	May 16, 2019
2. Viewing of property.....	June – October 2019 (2-3x month)
3. Non-Mandatory Pre-Proposal Conference...	July 24, 2019
4. Community Meetings.....	August 6 & Nov. 5, 2019
5. Last Day to submit questions.....	February 14, 2020
6. Final Addendum	February 21, 2020
7. RFP Submission Due Date.....	February 28, 2020
8. City Council Consideration of Proposals.....	March 23, 2020
9. City Council Award of Lease.....	May 1, 2020

10.0 QUESTIONS REGARDING RFP

All questions related to this RFP should be submitted in writing to Jillian Ostman, Purchasing Specialist at jostman@cityofevanston.org with a copy to Erika Storlie at estorlie@cityofevanston.org.

11.0 GENERAL TERMS AND CONDITIONS

A. Confidentiality

In connection with this Agreement, City may provide Proposer with information to enable Proposer to render the Services hereunder, or Proposer may develop confidential information for City. Proposer agrees (i) to treat, and to obligate Proposer's employees to treat, as secret and confidential all such information whether or not identified by City as confidential, (ii) not to disclose any such information or make available any reports, recommendations and /or conclusions which Proposer may make for City to any person, organization or corporation or use the same in any manner whatsoever without first obtaining City's written approval, and (iii) not to disclose to City any information obtained by Proposer on a confidential basis from any third party unless Proposer shall have first received written permission from such third party to disclose such information.

Pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/7(2), records in the possession of others whom the City has contracted with to perform a governmental function are covered by the Act and subject to disclosure within limited statutory timeframes (five (5) working days with a possible five (5) working day extension). Upon notification from the City that it has received a Freedom of Information Act request that calls for records within the Proposer's control, the Proposer shall promptly provide all requested records to the City so that the City may comply with the request within the required timeframe. The City and the Proposer shall cooperate to determine what records are subject to such a request and whether or not any exemptions to the disclosure of such records, or part thereof, is applicable.

The Purchasing Specialist will endeavor to advise the organization of any request for the disclosure of the material so marked with "TRADE SECRET", "CONFIDENTIAL", or "PROPRIETARY", and give the organization or other submitting party the opportunity to seek a court order to protect such materials from disclosure. If the requested material was submitted by a party other than the organization, then the organization shall be solely responsible for notifying the submitting party of the request. The City's sole responsibility is to notify the organization of the request for disclosure, and the City shall not be liable for any damages resulting out of such disclosure, whether such disclosure is deemed required by law, by an order of court or administrative agency, or occurs through inadvertence, mistake, negligence on the part of the City or its officers, or employees.

B. Withdrawal of Proposal

Proposals may be withdrawn prior to the submittal deadline. Withdrawal may be attained by written request; however, no offer can be withdrawn within the ninety (90) day period which occurs after the time is set for closing. Proposers who withdraw their proposals prior to the designated date and time may still submit another proposal if done in accordance with the proper time frame.

C. Exceptions to Specifications

Exceptions to these specifications shall be listed and explained on a separate page titled "Exceptions to Specifications", which shall be prepared by the Proposer. This page shall then be attached to these documents and submitted at the same time as the proposal. Each exception must refer to the page number and paragraph to which it is relevant. The nature and reasoning of each exception shall be explained in its entirety. Any exceptions to these specifications may be cause for rejection of the proposal.

D. Hold Harmless

The Proposer agrees to hold harmless the City of Evanston and all of its agents, servants, and employees against any and all lawsuits, claims, demands, liabilities, losses, and/or expenses; including court costs and attorneys' fees on account of injury to any person, or any death resulting from such injury, or any damage to property which may have arisen from work specifically related to the contract and/or project.

E. Addenda

Any and all changes to these documents are valid only if they are included via written addendum to all respondents. Each respondent should acknowledge receipt of any addenda by indicating same in their proposal submission. Each respondent acknowledging receipt of any addenda is responsible for the contents of the addenda and any changes to the proposal therein. Failure to acknowledge any addenda may cause the proposal to be rejected. Addenda information is available over the internet at [City of Evanston Notices & Documents](#) or www.demandstar.com, or by contacting the Purchasing Office, 847-866-2935.

F. Term

The term of the lease may be negotiated, but must be considered a long-term lease agreement.

G. Property of the City

The buildings and land under the property will remain, in its entirety, fully owned by the City of Evanston.

H. Disclosures and Potential Conflicts of Interest

The City of Evanston's Code of Ethics prohibits public officials or employees from performing or participating in an official act or action with regard to a transaction in which he has or knows he will thereafter acquire an interest for profit, without full public disclosure of such interest. This disclosure requirement extends to the spouse, children and grandchildren, and their spouses, parents and the parents of a spouse, and brothers and sisters and their spouses.

To ensure full and fair consideration of all proposals, the City of Evanston requires all Proposers including owners or employees to investigate whether a potential or actual conflict of interest exists between the Proposer and the City of Evanston, its officials, and/or employees. If the Proposer discovers a potential or actual conflict of interest, the Proposer must disclose the conflict of

interest in its proposal, identifying the name of the City of Evanston official or employee with whom the conflict may exist, the nature of the conflict of interest, and any other relevant information. The existence of a potential or actual conflict of interest does NOT, on its own, disqualify the disclosing Proposer from consideration. Information provided by Proposers in this regard will allow the City of Evanston to take appropriate measures to ensure the fairness of the proposal process.

The City requires all Proposers to submit a certification, enclosed with this RFP, that the Proposer has conducted the appropriate investigation and disclosed all potential or actual conflicts of interest.

I. Protests

Any actual or prospective Proposer, who is aggrieved in connection with the solicitation or award of a contract, may protest to the Purchasing Office. The protest shall be submitted in writing within ten (10) calendar days after such aggrieved person knows or should have known of the facts giving rise thereto.

- The Proposer shall submit any protests or claims regarding this solicitation to the Purchasing Office.
- A pre-bid protest must be filed five (5) days before the bid opening or proposal submittal.
- A pre-award protest must be filed no later than ten (10) days after the bid opening date or proposal deadline.
- A post-award protest must be filed no later than ten (10) days after the award of the Contract.

All claims by a Proposer against the City relating to a contract shall be submitted in writing to the Purchasing Specialist. The City will only consider protests that are properly and timely submitted.

All protests or claims must set forth the name and address of the protester, the contract number, the grounds for the protest or claim, and the course of action that the protesting party desires the Purchasing Specialist to take. Statements shall be sworn and submitted under penalty of perjury.

J. Authority To Resolve Protests And Contract Claims

Protests: The Purchasing Specialist shall have the authority to consider and resolve a protest of an aggrieved Proposer, actual or prospective, concerning the solicitation or award of a contract. The City shall issue a written decision and that decision is final.

Contract Claims: The Purchasing Specialist, after consulting with Corporation Counsel, shall have the authority to resolve contract claims, subject to the approval of the City Manager or City Council, as applicable, regarding any settlement that will result in a change order or contract modification.

Each Proposer, by submitting a response to this RFP, expressly recognizes the limitations on its rights to protest provided in this Section and expressly waives all other rights and remedies and agrees that the decision on the protest is final

and conclusive. If a Proposer disregards, disputes or does not follow the exclusive protest remedies provided in this Section, it shall indemnify and hold the City and its officers, employees, agents and consultants harmless from and against all liabilities, fees and costs, including legal and consultant fees and costs, and damages incurred or suffered as a result of such Proposer's actions. Each Proposer, by submitting a response to this RFP, shall be deemed to have irrevocably and unconditionally agreed to this indemnity obligation.

K. Litigation

For purposes of this Section, the following terms are defined as follows:

"issue" means any prior or pending litigation or investigation, either civil or criminal, or any governmental agency action or proceeding (the "issue"), which may affect the performance of the services to be rendered herein. For purposes of this Section, an "issue" shall also include any criminal, civil, or administrative penalty or finding imposed against any covered individual. An issue occurring within seven (7) years of the date preceding the date of the Proposer's response shall be disclosed by the Proposer.

"covered individual" means any principal, president, managing partner, or vice-president, affiliated in anyway with the Organization, and the Organization's employees or subcontractors.

All proposers shall identify and describe with particularity any issue. The City, and not Proposer, has the sole discretion to determine whether an issue may affect the performance of the services. Failure of any Proposer to comply with this mandatory obligation shall, at the City's sole discretion, result in the Proposer's response being deemed non-responsive and not responsible. Failure of any Proposer to comply with the obligation specified herein may result in the voiding any subsequent contract award to Proposer if the City discovers upon the exercise of its customary due diligence that Proposer failed to comply with the mandatory obligation in this Section. The City reserves all rights to take any other actions in the case of a Proposer's non-compliance with this Section.

L. Subcontractors

If any organization submitting a proposal intends on subleasing out all or any portion of the engagement, that fact, and the name of the proposed subcontracting organization(s) must be clearly disclosed in the proposal. Following the award of the contract, no additional subleasing will be allowed without the prior written consent of the City of Evanston.

M. Contact with City Personnel

All Proposers are prohibited from making any contact with the City Manager, City Council, or any other elected or appointed official or employee of the City with regard to the Project, other than in the manner and to the person(s) designated herein. The Purchasing Specialist reserves the right to disqualify any Proposer found to have contacted City Personnel in any manner with regard to the Project. Additionally, if it is determined that the contact with City

Personnel was in violation of any provision of 720 ILCS 5/33EE, the matter may be referred to the Cook County State's Attorney for review and prosecution.

N. Costs Incurred

The City of Evanston assumes no responsibility or liability for costs incurred by the Proposer prior to the execution of a contract. This includes costs incurred by the Proposer as a result of preparing a response to this RFP.

Exhibit A

DISCLOSURE OF OWNERSHIP INTERESTS

The City of Evanston Code Section 1-18-1 *et seq.* requires all persons (APPLICANT) seeking to do business with the City to provide the following information with their proposal. Every question must be answered. If the question is not applicable, answer with "NA".

APPLICANT NAME: _____

APPLICANT ADDRESS: _____

TELEPHONE NUMBER: _____

FAX NUMBER: _____

APPLICANT is (**Check One**)

- Corporation
- Partnership
- Sole Owner
- Association

Other () _____

Please answer the following questions on a separate attached sheet if necessary.

SECTION I CORPORATION

1a. Names and addresses of all Officers and Directors of Corporation.

1b. **(Answer only if corporation has 33 or more shareholders.)**

Names and addresses of all those shareholders owning shares equal to or in excess of 3% of the proportionate ownership interest and the percentage of shareholder interest. (Note: Corporations which submit S.E.C. form 10K may substitute that statement for the material required herein.)

- 1c. **(Answer only if corporation has fewer than 33 shareholders.)**
Names and addresses of all shareholders and percentage of interest of each herein.
(Note: Corporations which submit S.E.C. form 10K may substitute that statement for the material requested herein.)

SECTION 2 PARTNERSHIP/ASSOCIATION/JOINT VENTURE

- 2a. The name, address, and percentage of interest of each partner whose interests therein, whether limited or general, is equal to or in excess of 3%.

- 2b. Associations: The name and address of all officers, directors, and other members with 3% or greater interest.

SECTION 3 - TRUSTS

- 3a. Trust number and institution.

- 3b. Name and address of trustee or estate administrator.

- 3c. Trust or estate beneficiaries: Name, address, and percentage of interest in total entity.

SECTION 4 ALL APPLICANTS - ADDITIONAL DISCLOSURE

4a. Specify which, if any, interests disclosed in Section 1, 2, or 3 are being held by an agent or nominee, and give the name and address of principal.

4b. If any interest named in Section 1,2, or 3 is being held by a "holding" corporation or other "holding" entity not an individual, state the names and addresses of all parties holding more than a 3% interest in that "holding" corporation or entity as required in 1(a), 1(b), 1(c), 2(a), and 2(b).

4c. If "constructive control" of any interest named in Sections 1,2, 3, or 4 is held by another party, give name and address of party with constructive control. ("Constructive control" refers to control established through voting trusts, proxies, or special terms of venture or partnership agreements.)

I have not withheld disclosure of any interest known to me. Information provided is accurate and current.

Date

Signature of Person Preparing Statement

Title

ATTEST: _____
Notary Public

(Notary Seal)

Commission Expires: _____

EXHIBIT B

ADDITIONAL INFORMATION SHEET

Proposal Name: _____

Proposal Number #: _____

Company Name: _____

Contact Name: _____

Address: _____

City, State, Zip: _____

Telephone/FAX: # _____

E-mail: _____

Comments: _____

Exhibit C

CONFLICT OF INTEREST FORM

_____, hereby certifies that it has conducted an investigation into whether an actual or potential conflict of interest exists between the bidder, its owners and employees and any official or employee of the City of Evanston.

Proposer further certifies that it has disclosed any such actual or potential conflict of interest and acknowledges if bidder/Proposer has not disclosed any actual or potential conflict of interest, the City of Evanston may disqualify the bid/proposal.

(Name of Bidder/Proposer if the Bidder/Proposer is an Individual)
(Name of Partner if the Bidder/Proposer is a Partnership)
(Name of Officer if the Bidder/Proposer is a Corporation)

The above statements must be subscribed and sworn to before a notary public. Subscribed and Sworn to this _____ day of _____, 2019.

Notary Public

Failure to complete and return this form may be considered sufficient reason for rejection of the bid / proposal.

Exhibit D

ACKNOWLEDGEMENT OF UNDERSTANDING

THE SECTION BELOW MUST BE COMPLETED IN FULL AND SIGNED

The undersigned hereby certifies that they have read and understand the contents of this solicitation and attached service agreements, and agree to furnish at the prices shown any or all of the items above, subject to all instructions, conditions, specifications and attachments hereto. Failure to have read all the provisions of this solicitation shall not be cause to alter any resulting contract or to accept any request for additional compensation. By signing this document, the Proposer hereby certifies that they are not barred from bidding on this contract as a result of bid rigging or bid rotating or any similar offense (720 ILCS S/33E-3, 33E-4).

Authorized Signature:	_____	Company Name:	_____
Typed/Printed Name:	_____	Date :	_____
Title:	_____	Telephone Number:	_____
Emai:	_____	Fax Number:	_____

Exhibit E

ANTI-COLLUSION AFFIDAVIT AND PROPOSER'S CERTIFICATION

_____, being first duly sworn, deposes and says that he is _____ (Partner, Officer, Owner, Etc.) of _____ (Proposer).

The party making the foregoing proposal or bid, that such bid is genuine and not collusive, or sham; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference with any person; to fix the bid price element of said bid, or of that of any other bidder, or to secure any advantage against any other bidder or any person interested in the proposed contract.

The undersigned certifies that he is not barred from bidding on this contract as a result of a conviction for the violation of State laws prohibiting bid-rigging or bid-rotating.

(Name of Bidder if the Bidder is an Individual)
(Name of Partner if the Bidder is a Partnership)
(Name of Officer if the Bidder is a Corporation)

The above statements must be subscribed a sworn to before a notary public.

Subscribed and Sworn to this _____ day of _____, 2019

Notary Public

Commission Expires: _____

Failure to complete and return this form may be considered sufficient reason for rejection of the bid/proposal.

EXHIBIT F

CITY OF EVANSTON M/W/EBE POLICY

A City of Evanston goal is to provide contracting and subcontracting opportunities to Minority Business Enterprises, Women Business Enterprises, and Evanston Business Enterprises. The goal of the Minority, Women and Evanston Business Enterprise Program (M/W/EBE) is to assist such businesses with opportunities to grow. To assist such growth, the City's goal is to have general contractors utilize M/W/EBEs to perform no less than 25% of the awarded contract.

Firms bidding on projects with the City must work to meet the 25% goal or request a waiver from participation. It is advised that bidders place advertisements requesting subcontractors and that they email or contact individual firms that would be appropriate to partner in response to the project. For samples of possible advertisements, see the City of Evanston's Business Diversity Section <http://www.cityofevanston.org/business/business-diversity/> ([Sample Advertisement](#)). If you request a paper copy of the additional documents, it will be available free of charge from the Purchasing Office, 2100 Ridge Road Suite 4200, Evanston, IL 60201.

If a bidder is unable to meet the required M/W/EBE goal, the Bidder must seek a waiver or modification of the goal on the attached forms. Bidder must include:

1. A narrative describing the Bidder's efforts to secure M/W/EBE participation prior to the bid opening.
2. Documentation of each of the assist agencies that were contacted, the date and individual who was contacted, and the result of the conversation (see form)
3. A letter attesting to instances where the bidder has not received inquiries/proposals from qualified M/W/EBEs
4. Names of owners, addresses, telephone numbers, date and time and method of contact of qualified M/W/EBE who submitted a proposal but were not found acceptable.
5. Names of owners, addresses, telephone numbers, date and time of contact of at least 15 qualified M/W/EBEs the bidder solicited for proposals for work directly related to the Bid prior to the bid opening (copies must be attached).

If a bidder is selected with a Subcontractor listed to meet the M/W/EBE goal, a "monthly utilization report" will be due to the City prior to each payment being issued to the Contractor. This report will include documentation of the name of the firm hired, the type of work that firm performed, etc. Should the M/W/EBE not be paid according to the schedule proposed in this document, the City reserves the right to cancel the contract. Examples of this monthly form can be found on the City's website: <http://www.cityofevanston.org/business/business-diversity/> ([MWEBE Monthly Utilization Report](#)).

Exhibit G

M/W/EBE PARTICIPATION COMPLIANCE FORM

I do hereby certify that

_____ (Name of firm) intends to participate as a Subcontractor or General Contractor on the project referenced above.

This firm is a (check only one):

_____ Minority Business Enterprise (MBE), a firm that is at least 51% managed and controlled by a minority, certified by a certifying agency within Illinois.

_____ Women's Business Enterprise (WBE), a firm that is at least 51% managed and controlled by a woman, certified by a certifying agency within Illinois.

_____ Evanston Based Enterprise (EBE), a firm located in Evanston for a minimum of one year and which performs a "commercially useful function".

Total proposed price of response \$ _____

Amount to be performed by a M/W/EBE \$ _____

Percentage of work to be performed by a M/W/EBE _____ %

Information on the M/W/EBE Utilized:

Name _____

Address _____

Phone Number _____

Signature of firm attesting to participation _____

Title and Date _____

Please attach

1. Proper certification documentation if applying as a M/WBE and check the appropriate box below. This M/WBE will be applying with documentation from:

- | | |
|--|--|
| <input type="checkbox"/> Cook County | <input type="checkbox"/> State Certification |
| <input type="checkbox"/> Federal Certification | <input type="checkbox"/> Women's Business Enterprise National Council |
| <input type="checkbox"/> City of Chicago | <input type="checkbox"/> Chicago Minority Supplier Development Council |

2. Attach business license if applying as an EBE

Exhibit H

M/W/EBE PARTICIPATION WAIVER REQUEST

I am _____ of _____, and I have authority to
(Title) (Name of Organization)

execute this certification on behalf of the organization. I _____ do
(Name)

hereby certify that this organization seeks to waive all or part of this M/W/EBE participation goal

for the following reason(s):

(CHECK ALL THAT APPLY. SPECIFIC SUPPORTING DOCUMENTATION MUST BE ATTACHED.)

_____ 1. No M/W/EBEs responded to our invitation to bid.

_____ 2. An insufficient number of organizations responded to our invitation to bid.

For #1 & 2, please provide a narrative describing the outreach efforts from your organization and proof of contacting at least 15 qualified M/W/EBEs prior to the bid opening. Also, please attach the accompanying form with notes regarding contacting the Assist Agencies.

_____ 3. No subcontracting opportunities exist.

Please provide a written explanation of why subcontracting is not feasible.

_____ 4. M/W/EBE participation is impracticable.

Please provide a written explanation of why M/W/EBE participation is impracticable.

Therefore, we request to waive _____ of the 25% utilization goal for a revised goal of _____%.

Signature: _____
(Signature)

Date: _____

EXHIBIT I

PROPOSAL SUBMITTAL LABEL

CUT AND ATTACH LABEL ON OUTSIDE OF SEALED BID/PROPOSAL SUBMITTAL



ADDRESS SUBMITTALS: **CITY OF EVANSTON - PURCHASING OFFICE, ROOM 4200**
 LORRAINE H. MORTON CIVIC CENTER
 2100 RIDGE AVENUE - EVANSTON, ILLINOIS 60201

SUBMITTAL NUMBER: _____

SUBMITTAL NAME: _____

SUBMITTAL DUE DATE/TIME: _____

COMPANY NAME: _____

COMPANY ADDRESS: _____

COMPANY TELEPHONE #: _____



ADDITIONAL INFORMATION

Various engineering, structural, environmental and other assessment reports and information were compiled by other persons or entities that are not City employees or agents. None of these reports or information constitutes explicit or implicit assurances or presumptions by the City regarding known and unknown conditions on the property. The City does not guarantee the accuracy of the reports or information.

This information about the property is available on the City's website at www.cityofevanston.org/harleyclarke and at www.cityofevanston.org/2603Sheridan.