

REQUEST FOR PROPOSALS (RFP)

For Youth Overnight Seasonal Shelter

Issued by:
CITY OF CHICAGO
(The Department of Family and Support Services)
On
December 15, 2011

ONE (1) ORIGINAL and TWO (2) COPIES OF THE PROPOSAL TO BE SUBMITTED

All proposals shall be submitted in sealed envelopes or packages addressed and forwarded to:

Tami Cole
Director of Homeless Services
Department of Family and Support Services
1615 West Chicago Avenue, 3rd Floor
Chicago, Illinois 60622

The outside of the envelope or package must clearly indicate the title of this RFP "Youth Overnight Seasonal Shelter", the name and address of the Respondent and the date and time the proposal is submitted.

Additionally, please e-mail an exact and complete scanned copy of your proposal, budget and ALL attachments to: susanoneill@cityofchicago.org by December 30, 2011, 4:30 p.m. Both the paper original and e-mailed copies are required for the submission to be considered complete

**PROPOSALS MUST BE RECEIVED NO LATER THAN
4:30 P.M. CENTRAL TIME ON FRIDAY, December 30, 2011**



Evelyn Diaz
Commissioner
Department of Family and Support Services

Rahm Emanuel
Mayor
City of Chicago

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SECTION I. Invitation

A. Purpose of the RFP

The Department of Family and Support Services (DFSS) of the City of Chicago is issuing this RFP to provide Youth Overnight Seasonal Shelter Services to homeless single young adults ages 18 - 24 in Chicago. Services (as defined in this RFP) should be located on the city's south side as defined as Madison to the southern city boundary, east to Lake Michigan and west to the city limits. Respondents must apply to provide homeless services with a minimum of 20 overnight shelter beds.

B. Background

The Department of Family and Support Services

In 2009, the Department of Family and Support Services was created out of several former city departments and offices, including the Departments of Children and Youth Services, Human Services, and Senior Services, the Mayor's Office of Domestic Violence and parts of the Mayor's Office of Workforce Development, and the Plan to End Homelessness in order to provide more coordinated services for the city's most vulnerable citizens. The mission of DFSS is as follows:

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

This project is managed by DFSS' Homeless Services Division. The Homeless Services Division works in partnership with government and community organizations in an effort to collectively address the needs of those in crisis, targeting persons experiencing homelessness or those at risk of homelessness. Areas of focus include strategic planning, support for shelter and social service providers, grant making activities, Shelter Plus Care and other supportive housing programs, homeless outreach and engagement, service events, and special projects.

For further information about these and the other opportunities offered through the Department of Family and Support Services, please visit the DFSS website:

www.cityofchicago.org/fss

C. Chicago's Plan to End Homelessness

The primary goal of Chicago's Plan to End Homelessness is to move homeless households quickly back into appropriate permanent housing while linking them to needed support services in order to prevent a recurrence of homelessness. DFSS is seeking to fund programs that are programmatically sound, fiscally responsible, have a strong past performance record, and achieve specific outcomes.

The Plan has called for a transition of the city's homeless system from shelter-based to housing-based, with a focus on long-term solutions. To achieve this, DFSS has shifted its local, state and federal homeless funding to support program models that are

consistent with The Plan. This has resulted in an increase in the number of Interim Housing and Permanent Housing units as the number of temporary shelter beds has decreased, all while maintaining sufficient capacity within the shelter system.

To date, the transition has been guided by a strong public-private partnership between the City of Chicago and the Chicago Alliance to End Homelessness, its private sector partner in implementing the Plan. The Plan's housing-based strategy has three primary components:

- Prevention—prevention efforts to forestall homelessness for those at imminent risk;
- Housing First Approach—rapid re-housing of those who are homeless; and
- Wraparound Services—the provision of wraparound services and supports to promote housing stability and self-sufficiency.

Critical to these goals, “Getting Housed, Staying Housed” is a collaborative effort among an inclusive network of over 200 public and private organizations and individuals concerned with homelessness in Chicago.

D. The HEARTH Act

While the contracts resulting from this RFP will not be federally funded, in order to maintain programmatic consistency DFSS will require that all awarded Respondents adhere to the programmatic and reporting requirements outlined below including some of those associated with the HEARTH Act as outlined below.

Part of the Helping Families Save Their Homes Act of 2009, the Homeless Emergency and Rapid Transition to Housing Act (HEARTH) re-authorized the McKinney-Vento Homeless Assistance Program and created a new Emergency Solutions Grant (ESG). The HEARTH Act has significant implications for how homeless services, including permanent supportive housing, are managed, funded, structured, and evaluated. ESG is also transformed to increase funding for homelessness prevention activities.

HEARTH emphasizes the funding of high performing communities based on the following performance standards:

- Overall reduction in homelessness
- Rapid re-housing and prevention activities
- Reduction in shelter recidivism/repeat homelessness
- Length of time families spend homeless
- Family preservation (shelters must preserve families and shelters that serve families will not be allowed to exclude children or other family members based on age or gender)
- Coordination with public schools
- Implementation of best practices
- Expansion of the use of the Homeless Management Information Systems (HMIS)

Final standards and requirements for programming are dependent on the HEARTH guidelines, which have yet to be released.

E. Anticipated Term of Contract and Funding Source(s)

This initiative is administered by the Department of Family and Support Services through funding received from the City of Chicago. All guidelines and requirements of the Department of Family and Support Services and the City of Chicago, must be met. Local corporate funds will be used to support this program during the contract term contemplated under this RFP. Selected Respondent will be required to comply with all laws, regulations, policies and procedures imposed by funding sources. Additionally all delegate agencies must comply with the Single Audit Act if applicable.

This contract is for seasonal services, not year round services, therefore the term of the contract executed under this RFP will run from January 1, 2012 through December 31, 2012 but two budgets are mandated. The first budget will be for January 1, 2012 through March 31, 2012 and the second budget will be for October 1, 2012 through December 31, 2012.

Based on need, availability of funds, federal program regulation and design, and delegate agency performance, DFSS may extend the term of this agreement for up to two additional periods, each period not to exceed one year.

Funding is subject to the availability of funds. Delegate Agencies should be aware that payment for services by the City will be made on a reimbursement basis. Delegate agencies should not plan to receive their first payment until up to 60 days after the execution of the delegate agreement. **Respondent must be able to proceed with program operations upon award notification.**

This extension option is contingent upon successful performance of the program and services provided, and upon availability of funds. Should the initial Respondent's contract be terminated or relinquished for any reason, DFSS reserves the right to return to the pool of Respondents generated from this RFP to select another qualified Respondent.

F. Eligible Respondents

This is a competitive process open to all entities: non-profit, for-profit, faith-based, private and public.

Respondents proposed facility must meet minimum health and safety standards, and all applicable federal regulations. This means that the proposed facility must:

- a) Provide adequate sleeping space and beds, and clean and functioning shower/toilet facilities (for residential programs);
- b) Be compliant with building codes and federal regulations on lead paint for family shelters housing children aged 6 and under;
- c) Have appropriate areas for confidential client counseling and children's activities (family shelters only); and
- d) Be accessible to persons with disabilities (A.D.A. compliant). If the facility is not accessible to persons with disabilities, then the Respondent must state the extent to which the agency has a reasonable plan for accommodation.

Respondents must also leverage a 25% cash match to support operation of the

proposed program, as DFSS intends to fund a portion of the program and not the full cost.

Respondents whose existing contracts with the City of Chicago that are not in good standing will not be considered for a contract. Agencies not eligible include those that have had a City contract terminated for default; are currently debarred and/or have been issued a final determination by a City, State or Federal agency for performance of a criminal act, abridgement of human rights or illegal/fraudulent practices.

SECTION II: RFP and Submission Information

A. Proposal Deadline and Submittal Procedures

**Please send one original and two (2) copies by 4:30 p.m. on
December 30, 2011 to:**

Tami Cole
Director of Homeless Services
Department of Family and Support Services
1615 W. Chicago Ave., 3rd Fl.
Chicago, Illinois 60622

Additionally, please e-mail an exact and complete scanned copy of your proposal, budget and ALL attachments to: susanoneill@cityofchicago.org by December 30, 2011, 4:30 p.m. Both the paper original and e-mailed copies are required for the submission to be considered complete.

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

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

B. Pre-Proposal Conference

A Pre-Proposal conference will be held on December 20, 2011, 10:00a.m. –11:00a.m. at the Department of Family and Support Services, 1615 W. Chicago Ave., in the 1st Fl. Conference Room . Attendance at this conference is not mandatory but is highly advised.

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

C. Format of the Proposal

All Proposals must be prepared on 8 ½" x 11" letter size paper, typed, with page numbers, 1" margins, minimum 11 pt. font. It is the City's policy to encourage the use of

reusable, recycled, recyclable and chlorine-free paper in the submission of all RFP documents. Proposals must be securely bound to ensure that the entire contents remain complete and intact. Submit one (1) complete original signature set (clearly marked) "originals" of all RFP documents and two (2) copies.

In addition to the requested information stated in accompanying application and budget files (constituting the narrative and budget portions of the proposal), Respondents must supply the following additional information in their response to this RFP identified in the list below in items 4-7). The proposal should consist of the following items, in this order:

1. A proposal cover sheet signed by an authorized representative of the Respondent's organization (found in the accompanying application packet).
2. Written responses and supporting documentation to questions (found in the accompanying application packet).
3. An itemized budget request developed using the guidelines and budget forms (found in the accompanying application packet/files).
4. IRS Statement of tax exempt status, if applicable. (For non-profits only.)
5. Copy of Official Articles of Incorporation.
6. A copy of the Respondent's most recent fiscal audit report.
7. Certificate of Insurance
8. A Certificate of Economic Disclosure will be required for all awarded contracts but is **not** required at the time of submission.

D. E-Mail Submissions

Often large files cannot be quickly or successfully electronically submitted to us. If your application packet consists of these files, we highly recommend the use of a file compression software such as Win Zip (which can be downloaded for a free trial period at <http://www.winzip.com/downwz.htm>) or any other similar software in order to keep your e-mail submissions to a single e-mail.

E. Contact Person Information

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

Susan O'Neill: susanoneill@cityofchicago.org

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

F. Timeline

Proposal Release Date:	December 15, 2011
Bidders Conference:	December 20, 2011
Proposal Due:	December 30, 2011
Anticipated Contract Start Date:	January 1, 2012

Section III. Scope of Services

This RFP is for Youth Overnight Seasonal Shelter Services for youth ages 18-24 on the South side of Chicago.

A. Program Design Description

Youth Overnight Seasonal Shelter programs provide shelter to single males and females youths ages 18 to 24, on a nightly basis for up to 12 consecutive hours. This program operates on a seasonal basis, meaning this program is opened from January through March and again in October through December. Youth Overnight Seasonal Shelter programs must have a staff to client ratio of at least one staff person on-site at all times for every 50 clients services (1:50). Youth Overnight Seasonal Shelter programs are expected to engage clients in accessing support services and to assess clients for rapid-re-housing options (either through direct service or through referral to another program that conducts this screening).

Key Elements

Successful respondents will demonstrate their ability to:

- Be responsive during extreme weather emergencies.
- Have formal written linkage agreements with support services providers or Daytime Supportive Services Centers that have available and accessible services for shelter clients. Services include employment, detoxification referrals, and case management within the specific geographic region.
- Track and document clients' departure from the program.
- Not limit to the amount of days a client can seek shelter. However, program is expected to engage clients in rapid re-housing efforts.
- Ensure that Housing Option Screening Tool is performed on 100% of households upon program entry (within one week of program entry) – either through direct services or referral to a program that conducts this screening.

Outcome Performance Measures

All blank measures will be determined by the Respondent as part of their proposal.

100% of Households will attain their basic needs for shelter, food and safety

50% of Households will be referred to supportive services

X% of Households will be referred to Interim Housing programs (***Applicant must provide percentage***)

100% of Households will be screened for housing options (Housing Options Screening Tool) either through direct services or referral.

B. Program Definitions

Chronically Homeless

A chronically homeless individual is an individual with a disabling condition that has experienced either four episodes of homelessness within the past three years or has been continually homeless for the past 12 months.

Appropriate Documentation for Current and Chronic Homelessness includes:

- a) Information obtained during the intake process, such as a short written statement about the client's current homeless status indicating that they are living unsheltered (cars, abandoned buildings, places not meant for human habitation) or in an emergency shelter, transitional shelter or interim housing program; and,
- b) Written, dated verification from street outreach, emergency shelter, transitional shelter, and/or interim housing programs stating the time periods the client received services, bounded by dates; or,
- c) Documentation of a HUD-defined disability including: HIV/AIDS, substance use, mental illness, or physical disability.

Additionally, for persons who are "chronically homeless," documentation must show that: 1) the individual has experienced either four episodes of homelessness within the past three years or has been homeless for the past 12 months consecutively, and that 2) the person has a disability such as mental illness, a substance use disorder, or HIV/AIDS.

HEARTH recognizes other federal definitions of homelessness such as doubled-up families and unaccompanied youth, but places restrictions on the type and amount of funding that can be used to support these populations. As the definition of homelessness changes under HEARTH and as eligibility requirements for programs expand or change, DFSS will communicate to agencies these changes and implications for program implementation and file documentation.

C. Requirements Reporting

To be considered for funding, agencies must meet the following reporting requirements.

- Participation in the HMIS system.
- Youth Overnight Seasonal Shelter Services must participate in the DFSS Shelter Bed Clearinghouse. Respondents agree to adhere to all associated activities and reporting requirements. This includes providing notification to DFSS of available bed capacity twice daily at times specified by DFSS.

Operational and Collaboration

DFSS requires funded agencies to comply with the following:

- Agency must accept DFSS referrals as a result of DFSS' direct outreach to the homeless.
- Agency must partner with DFSS in efforts to meet emergency conditions caused by weather, fires and other unforeseen events that may cause an increase in the need for homeless services.
- Agency must participate in meetings, technical assistance, and service activities held by DFSS.
- Agency must establish formal written linkage agreements with other service providers to assist clients in accessing mainstream resources.

- All funded agencies will be encouraged to participate in the Chicago Alliance to End Homelessness engaging in planning and policy activities and discussions as appropriate and desired.

Section IV. Evaluation and Selection Procedures

A. Evaluation Process

An evaluation committee selected by DFSS will evaluate and rate all proposals based on the evaluation criteria outlined below. Each proposal will be evaluated on the strengths of the proposal and the responsiveness to the selection criteria outlined below. DFSS reserves the right to consult with other city departments or public or private funders during the evaluation process. Selected Respondent **must be ready to proceed** with proposed program at the time of contracting.

Failure to submit a complete proposal and/or to respond fully to all requirements may cause the proposal to be deemed unresponsive and, therefore, subject to rejection.

B. General Selection Criteria

The Proposals will be evaluated on the Respondent's ability to provide Overnight Season Youth Shelter Services as defined in this RFP. The following criteria will be used in evaluating all proposals:

1. Previous Programmatic Experience

Respondent should demonstrate knowledge of the populations to be served or similar populations and in the way in which these populations should be served as evidenced by previous or current operation of a successful program of a similar nature.

2. Administrative/Fiscal Capacity and Experience

Respondent should demonstrate the resources and expertise to assume and meet all administrative and fiscal requirements. This includes the Respondent's fiscal (including financial management systems), technological, management, administrative and staff capabilities

3. Program Design and Administration

Respondent should demonstrate program and administrative design specifically tailored to the goals of the program.

Proposals will be rated within each program model based on the criteria and considerations listed above. System level considerations (such as geographic location, need to target underserved populations, etc.) may be taken into account in final ratings and funding decisions. The selection process will also consider how all programs fit together to achieve a comprehensive, citywide system of care that supports The Plan to End Homelessness and aligns with anticipated HEARTH standards.

The Commissioner, upon review of recommended agencies, may approve or reject these recommendations. Selections will not be final until the City and the Respondent have fully negotiated and executed a contract. The City assumes no liability for costs

incurred in responding to this RFP or for costs incurred by the Respondent in anticipation of a fully executed contract.

C. Additional Evaluation Criteria

In addition to general selection criteria, proposals will be evaluated on the following criteria:

- Respondent's program experience and capacity, including experience operating the program model or a program of similar nature, and experience serving the target population.
- Respondent's cost per client served. Proposals will be evaluated based on their proposed budget request and the number of clients to be served.
- Respondent's demonstrated fiscal and administrative capacity. DFSS will consider all DFSS program and fiscal monitoring reports, as well as expenditure reports indicating Respondent's ability to expend funds in a timely manner.
- Respondent's program implementation, scope, and outcomes. The Respondent's program design must be consistent with the program models described in this Application. Proposals will be evaluated on the expertise and ability of the Respondent to address the required key elements of the proposed program model and fulfill the required program outcomes. The Respondent must demonstrate an evaluation strategy that is feasible and can reasonably measure program impact. Proposals will be evaluated based on the Respondent's prior performance for the program model being implemented. Prior performance be evaluated based on the Respondents' narrative response to this RFP as well as review of programs' prior performance (based on DFSS quarterly reports).
- Respondent's proposed staffing. Proposals will be evaluated on the extent to which the Respondent demonstrates staffing patterns necessary to operate the program in accordance with the program model's design and outcomes.
- Service coordination and integration. Respondents must demonstrate their capacity to locate and leverage new neighborhood partners on an on-going basis. Proposals will be evaluated on the extent to which the Respondent has linkage agreements and partnerships with providers of the following services: Case Management; Employment Training, Placement, and Retention; Health Care; Housing Placement; Substance Abuse Detox and Recovery Treatment; Mental Health Assessment and Treatment (for adults and children); Child Care and After-school Programs (for family programs); Legal Assistance; Credit Counseling; Life Skills Training. Proposals will be evaluated on the extent to which clients will have the ability to access these services either on-site or at a nearby location.
- Homeless Management Information System (HMIS). For Respondents with prior experience working with the HMIS system, DFSS staff will produce and consider reports indicating prior HMIS performance. Participation in HMIS will be

evaluated based on agency's entry and exit of clients, and entry of universal data elements into the HMIS system.

The following priorities may be taken into consideration when making final funding decisions. Priority may be given to programs that:

- Enable DFSS to maintain the system's overall bed capacity.
- Align with the goals of The Plan and anticipated HEARTH standards by focusing on rapid re-housing and supportive services needed to keep individuals and families housed.
- Target underserved populations and exhibit flexible admissions criteria, to assure that there are sufficient programs available to respond to system needs.
- Best represent outcome-based programming. This is programming that can be measured by meaningful outcomes, rather than solely by the reporting of activities.
- Substantially leverage other non-DFSS public and private funding sources. The intent of this Application is to fund a portion of a program's total annual budget, and not to be a program's sole funding source.
- Provide a match level of 25% or more.

For Respondents with prior contracts with DFSS, the following will be considered:

- DFSS program and fiscal monitoring reports for the Respondent agency.
- Prior performance, as indicated in quarterly reports submitted to DFSS.
- Complaints, both resolved and unresolved, pertaining to the service provider.

DFSS reserves the right to seek clarification of information submitted in response to this Application and/or to request additional information during the evaluation process and make site visits and/or require Respondents to make an oral presentation or be interviewed by the review subcommittee, if necessary.

Section V. Legal and Submittal Requirements

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

A. City of Chicago Economic Disclosure Statement (EDS)

Respondents are required to execute the **Economic Disclosure Statement** annually

through its on-line EDS system. Its completion will be required for those Respondents who are awarded contracts as part of the contracting process. More information about the on-line EDS system can be found at:

<https://webapps.cityofchicago.org/EDSWeb/appmanager/OnlineEDS/desktop>

B. Disclosure of Litigation and Economic Issues

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

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

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

C. Grant Agreement Obligations

The City intends to award grants to selected Respondents for the period beginning January 1, 2012 and ending December 31, 2012 with the right to extend the agreement for up to two (2) additional periods, each not to extend one year. Grant agreement extensions may be made by the City based on the availability of funds, the need to extend services, and the Respondent's performance. By entering into this grant agreement with the City, the Respondent is obliged to accept and implement any recommended technical assistance. The grant agreement will describe the payment methodology. DFSS anticipates that payment will be conditioned on the Respondent's performance in accordance with the terms of its grant agreement.

D. Funding Authority

This initiative is funded by City of Chicago funds. All guidelines and requirements of the Department of Family and Support Services, the City of Chicago must be met. Additionally all successful Respondents must comply with the Single Audit Act if applicable.

E. Insurance Requirements

Funded Respondents will provide and maintain, at their expense, the insurance coverage and requirements specified by the City of Chicago in the "Insurance Requirements and Insurance Certificate" (see attachment A). The Insurance Certificate of Coverage is only required for those Respondents who are selected for a grant agreement award at which time more information will be given. However, a preliminary version of this certificate **must** be provided when responding to the RFP as the City of Chicago cannot enter into contracts with Respondents without the insurance. Please refer to Attachment A for more information.

F. Indemnity

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

G. False Statements

1. 1-21-010 False Statements

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

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

2. 1-21-020 Aiding and Abetting.

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

3. 1-21-030 Enforcement.

In addition to any other means authorized by law, the corporation counsel may enforce this chapter by instituting an action with the department of administrative

hearings. (Added Coun. J. 12-15-04, p. 39915, § 1)

H. Compliance with Laws, Statutes, Ordinances and Executive Orders

Grant awards will not be final until the City and the Respondent have fully negotiated and executed a grant agreement. All payments under grant agreements are subject to annual appropriation and availability of funds. The City assumes no liability for costs incurred in responding to this RFP or for costs incurred by the Respondent in anticipation of a grant agreement. As a condition of a grant award, Respondents must comply with the following and with each provision of the grant agreement:

1. **Conflict of Interest Clause:** No member of the governing body of the City of Chicago or other unit of government and no other officer, employee, or agent of the City of Chicago or other government unit who exercises any functions or responsibilities in connection with the carrying out of the project shall have any personal interest, direct or indirect, in the grant agreement.

The Respondent covenants that he/she presently has no interest, and shall not acquire any interest, direct, or indirect, in the project to which the grant agreement pertains which would conflict in any manner or degree with the performance of his/her work hereunder. The Respondent further covenants that in the performance of the grant agreement no person having any such interest shall be employed.

2. **Governmental Ethics Ordinance, Chapter 2-156:** All Respondents agree to comply with the Governmental Ethics Ordinance, Chapter 2-156 which includes the following provisions: a) a representation by the Respondent that he/she has not procured the grant agreement in violation of this order; and b) a provision that any grant agreement which the Respondent has negotiated, entered into, or performed in violation of any of the provisions of this Ordinance shall be voidable by the City.
3. **Selected Respondents shall establish procedures and policies to promote a Drug-free Workplace.** The selected Respondent shall notify employees of its policy for maintaining a drug-free workplace, and the penalties that may be imposed for drug abuse violations occurring in the workplace. The selected Respondent shall notify the City if any of its employees are convicted of a criminal offense in the workplace no later than ten days after such conviction.
4. **Business Relationships with Elected Officials - Pursuant to Section 2-156-030(b) of the Municipal code of the City of Chicago, it is illegal for any elected official of the City, or any person acting at the direction of such official, to contact, either orally or in writing, any other City official or employee with respect to any matter involving any person with whom the elected official has a business relationship, or to participate in any discussion in any City Council committee hearing or in any City Council meeting or to vote on any matter involving the person with whom an elected official has a business relationship. **Violation of Section 2-156-030(b) by any elected official with respect to the grant agreement shall be grounds for termination of the grant agreement.**** The term business relationship is defined as set forth in Section 2-156-080 of the Municipal Code of Chicago.

Section 2-156-080 defines a “business relationship” as any contractual or other private business dealing of an official, or his or her spouse or domestic partner, or of any entity in which an official or his or her spouse or domestic partner has a financial interest, with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a financial interest shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the share of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended; (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; or (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A “contractual or other private business dealing” shall not include any employment relationship of an official’s spouse or domestic partner with an entity when such spouse or domestic partner has no discretion concerning or input relating to the relationship between that entity and the City.

5. Compliance with Federal, State of Illinois and City of Chicago regulations, ordinances, policies, procedures, rules, executive orders and requirements, including Disclosure of Ownership Interests Ordinance (Chapter 2-154 of the Municipal Code of Chicago); the State of Illinois - Certification Affidavit Statute (Illinois Criminal Code); State Tax Delinquencies (65ILCS 5/11-42.1-1); Governmental Ethics Ordinance (Chapter 2-156 of the Municipal Code of Chicago); Office of the Inspector General Ordinance (Chapter 2-56 of the Municipal Code of Chicago); Child Support Arrearage Ordinance (Section 2-92-380 of the Municipal Code of Chicago); and Landscape Ordinance (Chapters 32 and 194A of the Chicago Municipal Code).
6. If selected for grant award, Respondents are required to (a) execute an Economic Disclosure Statement and Affidavit, and (b) indemnify the City as described in the grant agreement between the City and the successful Respondents.
7. Pursuant to Mayoral Executive Order No. 2011-4, from the date of public advertisement of this request for proposals through the date of award of an agreement pursuant to this request for proposals, the organization responding to this request for proposals (the “Respondent”), any person or entity who directly or indirectly has an ownership or beneficial interest in Respondent of more than 7.5 percent (“Owners”), spouses and domestic partners of such Owners, Respondent’s proposed subcontractors, any person or entity who directly or indirectly has an ownership or beneficial interest in any subcontractor of more than 7.5 percent (“Sub-owners”) and spouses and domestic partners of such Sub-owners (Respondent and all the other preceding classes of persons and entities are together, the “Identified Parties”) must not: (a) make a contribution of any amount to the Mayor of the City of Chicago (the “Mayor”) or to his political fundraising committee; (b) coerce, compel or intimidate its employees to make a contribution of any amount to the Mayor or to the Mayor’s political fundraising committee; (c) reimburse its employees for a

contribution of any amount made to the Mayor or to the Mayor's political fundraising committee; or (d) bundle or solicit others to bundle contributions to the Mayor or to his political fundraising committee.

If Respondent violates this provision or Mayoral Executive Order No. 2011-4 prior to the award of an agreement resulting from this request for qualifications/proposals/information, the Commissioner may reject Respondent's proposal.

For purposes of this provision:

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

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

For purposes of this provision only, individuals are "Domestic Partners" if they satisfy the following criteria: (A) they are each other's sole domestic partner, responsible for each other's common welfare; and (B) neither party is married, as marriage is defined under Illinois law; and (C) the partners are not related by blood closer than would bar marriage in the State of Illinois; and (D) each partner is at least 18 years of age, and the partners are the same sex, and the partners reside at the same residence; and (E) two of the following four conditions exist for the partners: (1) the partners have been residing together for at least 12 months; (2) the partners have common or joint ownership of a residence; (3) the partners have at least two of the following arrangements: (a) joint ownership of a motor vehicle, (b) a joint credit account, (c) a joint checking account, or (d) a lease for a residence identifying both domestic partners as tenants; and (4) each partner identifies the other partner as a primary beneficiary in a will.

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

Any agreement awarded pursuant to this solicitation will be subject to and contain provisions requiring continued compliance with Executive Order 2011-4.