



PUBLIC BUILDING COMMISSION OF CHICAGO

REQUEST FOR QUALIFICATIONS (RFQ) FOR 2016 PREQUALIFICATION OF GENERAL CONTRACTORS FOR VARIOUS PROJECTS

ISSUED: MARCH 8, 2016

Responses must be submitted in sealed envelope(s) or package(s). The outside of each must clearly indicate the name of your firm and the name of the Submission.

Submit 1 signed original bound copy; and
Submit 2 signed bound copies; and
Submit 5 electronic copies in PDF form on USB Flash Drive (preferred); or submit 5 bound copies

TO

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

SUBMISSION DEADLINE:
WEDNESDAY, APRIL 13, 2016 BY 4:00PM CENTRAL TIME

Mayor Rahm Emanuel
Chairman

Felicia S. Davis
Executive Director

FIRM INFORMATION	
FIRM NAME:	
CONTACT NAME:	
CONTACT TELEPHONE:	
CONTACT EMAIL:	
ADDRESS:	
(This page must be included with your submission)	

TABLE OF CONTENTS

SECTION I. INTRODUCTION 3

SECTION II. KEY INFORMATION REGARDING PREQUALIFICATION..... 4

SECTION III. PROJECT SUMMARY 9

SECTION IV. EVALUATION CRITERIA 10

SECTION V. SUBMISSION REQUIREMENTS..... 12

FORM A. TECHNICAL COMPETENCE AND PAST PERFORMANCE 16

FORM B. KEY PERSONNEL 19

FORM C. FINANCIAL CAPACITY 22

FORM D. LICENSING AND GENERAL INFORMATION 24

FORM E. DISCLOSURE AFFIDAVIT 26

FORM F. LEGAL ACTIONS..... 33

FORM G. MBE/WBE, EEO, AND COMMUNITY HIRING PARTICIPATION 38

EXHIBIT A. INSURANCE REQUIREMENTS..... 40

SECTION I – INTRODUCTION

A. INTRODUCTION

The Public Building Commission of Chicago (“Commission” or “PBC”) has enhanced education, safety, and recreation across the region by building or renovating hundreds of schools, city colleges, libraries, parks, fire houses, police stations and other public facilities. PBC User Agencies include the City of Chicago, Cook County, Chicago Public Library, Chicago Public Schools, Chicago Park District, City Colleges of Chicago and other municipalities. Beginning with land acquisition, the PBC’s professional staff may manage each project through planning, financing, site preparation and remediation, design, construction and furnishing, functioning as a single point of responsibility for “turn-key” development.

The Commission, through this Request for Qualifications (“RFQ”), solicits the qualifications of General Contractors (including firms proposing to have a controlling interest in Joint Ventures) to perform construction work. Upon prequalification, the PBC intends to facilitate a competitive bid process whereby the pre-qualified firms can competitively bid for work.

The term “General Contractor” means any person who, as an investment or for compensation or with the intent to sell or to lease, (i) arranges or submits a bid or offers to undertake or purports to have the capacity to undertake or undertakes, through himself or through others, to erect, construct, alter, repair, move, install, replace, convert, remodel, rehabilitate, modernize, improve or make additions to any building or to any appurtenance thereto attached to real estate and located on the same lot as the building, including, but not limited to, driveways, swimming pools, porches, decks, garages, fences, fallout shelters and other accessory objects or uses; and (ii) retains for himself control over the means, method and manner of accomplishing the desired result; and (iii) whose business operations, in whole or in part, require the hiring or supervision of one or more persons from any building trade or craft, including, but not limited to, plumbing, masonry, electrical, heating, air-conditioning or carpentry.

The PBC further defines “General Contractor” as meaning the partnership, firm, corporation, joint venture or entity entering into the Contract with the Commission to perform the Work required by the Contract Documents.

The Commission may solicit bids for various construction-related projects undertaken by the Commission on behalf of various User Agencies. Projects may consist of the construction and/or renovation of buildings and facilities to be used by various agencies in the furnishing of governmental, health, safety and welfare services. The range of projects that may be solicited include anywhere from major capital improvements to the remodel of a single existing bathroom, the addition of a fence on a property or general site work.

SECTION II – KEY INFORMATION REGARDING PREQUALIFICATION

A. PREQUALIFICATION

Firms seeking to be prequalified (“Respondent”) to competitively bid on Commission projects are required to submit evidence of relevant experience and financial capability on projects and otherwise meet all qualification requirements as outlined herein.

In order to facilitate the competitive bid process, the Commission will review the submissions of General Contractors in response to this RFQ. The submissions will be evaluated by the Commission based upon the criteria described herein. Following the evaluation process, the Commission will prequalify those firms that are determined to be responsible to perform the construction-related work on Commission projects.

B. SELECTION PROCESS

The Commission will prequalify General Contractors based on the categories listed below.

Please indicate which classification type you are requesting prequalification for by marking ‘X’ in the box provided. Firms must check only one classification.

- Class A General Contractor*
Class A Contractor shall be subject to no limitation as to the value of any single contract project.
- Class B General Contractor:*
Class B Contractor shall not engage in construction activity of any single contract project of a value in excess of \$10,000,000.00.
- Class C General Contractor:*
Class C Contractor shall not engage in construction activity of any single contract project of a value in excess of \$5,000,000.00.
- Class D General Contractor:*
Class D Contractors shall not engage in construction activity of any single contract project of a value in excess of \$2,000,000.00.
- Class E General Contractor:*
Class E Contractors shall not engage in construction activity of any single contract project of a value in excess of \$500,000.00.

Should a firm's City of Chicago business license change during the pre-qualification process, Respondent must submit proof of change to the Commission. Upon review of proof of change and any additional information requested, the Commission may issue a revised pre-qualification letter to firm.

C. TERM

This prequalification will be valid through November 30, 2020. The PBC may require pre-qualified firms to provide annual financial capacity updates for prequalification to remain valid.

D. RESERVATIONS

The Commission's approval of a firm pursuant to this RFQ does not mean that the Commission approves the firm as qualified to perform a specific project. This prequalification will be utilized on a project by project basis. At the full discretion of the Commission, the Commission holds the following reservations.

The right to:

- request any additional, relevant information determined to be necessary for the proper evaluation of a submission,
- review a firm's qualifications to perform a specific project at the time of the bid opening,
- reject a firm's bid proposal if the Commission determines that the firm is not qualified to perform the project,
- require project-specific prequalification based on the needs of each class,
- bid projects to the entire pool, a specific category, or a subset of each category; and,
- extend the prequalification beyond November 30, 2020, at the mutual agreement of the firm and PBC.

SECTION II – KEY INFORMATION REGARDING PREQUALIFICATION

E. KEY INFORMATION

- 1) **RESPONDENT CONTACT WITH THE PBC:** The PBC has selected the Contract Officer, Patricia Montenegro, as the *sole point of contact* regarding this prequalification. From the date of issuance through pre-qualification status, Respondent's communication with the PBC concerning this prequalification must be exclusively with:

Patricia Montenegro, Contract Officer
Public Building Commission of Chicago
50 West Washington, Room 200
Chicago, Illinois 60602
Fax (312) 744-3572
patricia.montenegro@cityofchicago.org

- 2) **SUBMISSION DEADLINE AND PROCUREMENT TIMETABLE:** The following dates are set forth for informational and planning purposes; however, the PBC reserves the right to change the dates.

- Issue RFQ Tuesday, March 8, 2016
- Pre-Submission Conference/Contractor Workshop Wednesday, March 30, 2016
- Questions Deadline Friday, April 1, 2016 at 4:30PM Central Time
- Submission Deadline Wednesday, April 13, 2016 by 4:00 PM Central Time

- 3) **PRE-SUBMISSION CONFERENCE/CONTRACTOR WORKSHOPS:** The PBC will be hosting a **MANDATORY Pre-submission Conference** and Contractor Workshops to provide detailed information regarding this prequalification and its submission requirements. Failure to attend mandatory Pre-submission Conference may deem firm ineligible to be prequalified under this solicitation.

Event Date: Wednesday, March 30, 2016
Registration Time: 9:30AM
Pre-Submission Conference: 10:00AM
Contractor Workshops: Immediately following Pre-Submission Conference
Event Location: The Renaissance Collaborative (TRC)
3757 South Wabash
Chicago, Illinois 60615

- 4) **NUMBER OF COPIES:**

1. Submit 1 signed, bound original copy; and,
2. Submit 2 signed, bound copies; and,
3. Submit 5 electronic copies in PDF form on USB Flash Drive (preferred); or submit 5 signed, bound copies

- 5) **SUBMIT QUALIFICATIONS TO THE ATTENTION OF:**

Patricia Montenegro, Contract Officer
Public Building Commission of Chicago
50 West Washington Street, Room 200
Chicago, Illinois 60602

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

- 7) **ADDENDA:** Any interpretations, corrections, or changes to this RFQ will be made by addenda issued by the Commission. Addenda are posted on the Commission's website at: www.pbccchicago.com. It is the responsibility of the Respondent(s) to inquire as to the issuance of any addenda. Respondent(s) shall acknowledge receipt of all addenda in the cover letter of the response.

- 8) **FALSE STATEMENTS:** Any false statement(s) made by the Respondent(s) will void the response and eliminate the Respondent(s) from further consideration.

SECTION II – KEY INFORMATION REGARDING PREQUALIFICATION

- 9) **DEBARMENT:** Any firm debarred by City of Chicago, Sister Agencies, local, state or federal agencies shall have any prequalification issued under this request, revoked.
- 10) **CONFIDENTIALITY:** Respondent may designate those portions of the Submission, which contain proprietary data and that must remain confidential, as such. If a Respondent includes data that is not to be disclosed to the public for any purpose or used by the PBC except for evaluation purposes, the Respondent must:

- a. Mark the title page as follows: "This RFQ includes proprietary data ("data") that may not be disclosed outside the PBC and may not be duplicated, used or disclosed in whole or in part for any purpose other than to evaluate this Proposal. The data subject to this restriction are contained in sheets (insert page numbers or other identification)." The PBC, for purposes of this provision, will include any consultants assisting in the evaluation of Proposals. If, however, a contract is awarded to this Respondent as a result of or in connection with the submission of this data, the PBC has the right to duplicate, use, or disclose the data to the extent provided in the resulting contract.

This restriction does not limit the PBC's right to use information contained in the data if it is obtained from another source without restriction. All submissions are subject to the Freedom of Information Act.

- b. Mark each sheet or data to be restricted with the following legend: "Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this Proposal."

F. ANTICIPATED CONTRACTUAL OBLIGATIONS

Respondents should take into consideration key PBC contractual obligations (or requirements) to determine whether or not your firm would be capable of performing work for the PBC.

The information identified below is not intended to discourage potential Respondents in any way but only to inform of some of the preliminary contract requirements. The PBC is fully dedicated to working with General Contractors to ensure their compliance with meeting PBC contract requirements and ensuring successful completion of PBC projects.

Unless otherwise noted, all Respondents should adhere to the submission requirements following each item listed below. A Submission Checklist is provided further in this document to assist your firm in determining which form is applicable to your firm and required with your submission.

- 1) **MINORITY BUSINESS ENTERPRISE (MBE) / WOMEN BUSINESS ENTERPRISE (WBE) PARTICIPATION:** It is the PBC's policy to provide for maximum contracting opportunities for MBE/WBEs on all PBC projects. MBE/WBEs are encouraged to pre-qualify to bid as General Contractors. All PBC construction projects have aspirational goals of at least 24% MBE Participation and at least 4% WBE Participation, unless otherwise changed through the bid solicitation. The PBC accepts MBE/WBE certifications from City of Chicago and Cook County only.

For purposes of this RFQ, all Respondents shall complete FORM G – MBE/WBE, EEO, AND COMMUNITY HIRING Section II. MBE/WBE PARTICIPATION of which demonstrates commitment to meeting PBC's MBE/WBE Participation Goals.

- 2) **JOINT VENTURE PARTICIPATION: ONLY APPLICABLE TO FIRMS INTERESTED IN JOINT VENTURE PARTNERSHIPS:** The PBC accepts Joint Venture Partnerships. Joint Ventures of General Contractors with appropriate qualifications, financial capacity and combined construction experience and capacity are eligible to be considered for this prequalification.

A completed Disclosure Affidavit (FORM D) must be submitted for the joint venture entity; and Respondent must submit a copy of the entity's joint venture agreement which clearly identifies the resources, capabilities and capacity of each joint venture firm available to be allocated to the performance of the Contract.

The PBC also strongly encourages the participation of MBEs and WBEs as joint venture partners. Therefore, the PBC allows General Contractors who are prequalified through this process to bid as joint ventures with MBE/WBE contractors. The joint venture can be established after the prequalification process is concluded (but before the bid is due). The MBE/WBE joint venture partner does not need to be prequalified; however the firm with controlling interest in the joint venture must be prequalified.

SECTION II – KEY INFORMATION REGARDING PREQUALIFICATION

Joint ventures of MBE/WBE contractors and non-MBE/WBE contractors are also invited to apply directly for prequalification.

For purposes of this RFQ, all Respondents must include with their submission, a copy of the entity's joint venture agreement as described above. Each Joint Venture partner will also be required to submit all applicable forms requested in this RFQ.

- 3) **EQUAL EMPLOYMENT OPPORTUNITY (EEO) REQUIREMENTS:** General Contractors will be required to comply with all laws with respect to the employment of labor and payment of local prevailing wage rates.

It is an unlawful employment practice for a General Contractor to fail to hire, to refuse to hire, to discharge, or to discriminate against any individual with respect to compensation or the terms, conditions, or privileges of employment because of such individual's race, color, religion, sex, age, handicap, or national origin; or to limit, segregate, or classify employees or applicants for employment or otherwise; or to adversely affect such individual's status as an employee because of such individual's race, color, religion, sex, age, handicap, or national origin.

For purposes of this RFQ, all Respondents shall complete FORM G – MBE/WBE, EEO, AND COMMUNITY HIRING Section III. EEO REQUIREMENTS of which demonstrates commitment to meeting PBC's EEO requirements.

- 4) **PROJECT LABOR AGREEMENT:** General Contractors may be required to comply with all applicable multi-project labor agreement enacted by the User Agency for which the PBC may deliver a project. The PBC may require the General Contractor to submit evidence of signatory relationships with Labor Unions. Evidence may include letter(s) of good standing or similar union benefits status documentation.

For purposes of this RFQ, all Respondents shall complete FORM D – LICENSING AND GENERAL INFORMATION Section III. PROJECT LABOR AGREEMENT REQUIREMENTS of which demonstrates commitment to meeting PBC's Project Labor Agreement requirements.

- 5) **LOCAL BUSINESS SUBCONTRACTING PARTICIPATION, CITY RESIDENCY AND COMMUNITY HIRING:** In order to ensure that local businesses that provide subcontracting work to General Contractors on Commission projects and residents of the project communities are provided with the opportunity to benefit from Commission contracts, the Commission requires the following:

a. Local Subcontracting Requirement

- i. General Contractors that are Local Businesses (as defined below) are required to award 25% of the Work under their contract with the Commission to subcontractors that are Local Businesses.
- ii. General Contractors that are not Local Businesses are required to award 35% of the Work under their contract with the Commission to subcontractors that are Local Businesses.
- iii. A Local Business is one that: 1) owns or leases a functioning business office and/or operations facilities within the City of Chicago (for City-funded projects) or the County of Cook (for Non-City-funded projects); 2) is registered and licensed to do business in the City of Chicago (for City-funded projects) or the County of Cook (for Non-City-funded projects); 3) employs City of Chicago residents (for City-funded projects) or Cook County residents (for Non-City-funded projects); and 4) is subject to City of Chicago taxes (for City-funded projects) or Cook County taxes (for Non-City-funded projects). In the event that the Commission performs a project for a unit of local government that operates in multiple municipalities, such as the Metropolitan Water Reclamation District, "Local Business" shall be defined in the bid documents for that project.

- b. Community Hiring Requirement.* At least 7.5% of the project labor must be performed by "Project Community Residents" and included on a "Project Community Area Map" that will be referenced on the solicitation. The aggregate hours of Work to be performed by the Contractor and Subcontractors under this Contract may be complied through residents who are trade or non-trade workers. These positions may include but are not limited to trade workers, field engineer, superintendent, project manager, security, data entry clerks, schedulers, traffic monitoring personnel, and site administrative support staff.

- c. City of Chicago Residency Requirements.* The Contractor agrees to ensure that the aggregated hours of Work to be performed under this Contract will be performed such that at least 50% of the aggregated hours of Work is performed by City of Chicago Residents.

SECTION II – KEY INFORMATION REGARDING PREQUALIFICATION

*These minimal percentage levels of City of Chicago Residents and Project Community Residents as laborers and skilled trade Workers are not to be understood as limiting or determining the fuller utilization of City of Chicago Residents and Project Community Residents beyond these numerical levels, but are intended instead as minimum requirements unless the Commission grants a waiver based upon demonstration by the Contractor of impracticability or excessive cost of complying with the specified percentages. A waiver or reduction will be considered if the Contractor has unsuccessfully solicited a sufficient number of City of Chicago Residents and Project Community Residents to perform the Work and has documented such effort to the satisfaction of the Commission. In addition, a Contractor seeking a waiver or reduction will provide timely notice of the need for qualified City of Chicago Residents and Project Community Residents to an appropriate source of referrals, in which the source is entitled to comment on any waiver or reduction application.

For purposes of this RFQ, all Respondents shall complete FORM G – MBE/WBE, EEO, AND COMMUNITY HIRING Section IV. LOCAL BUSINESS SUBCONTRACTING PARTICIPATION, CITY RESIDENCY AND COMMUNITY HIRING REQUIREMENTS of which demonstrates commitment to meeting PBC’s Subcontracting, City Residency, and Community Hiring requirements.

- 6) **PAYMENT AND PERFORMANCE BOND:** On a project by project basis, the Commission may require a full payment and performance bond for bid submission. General Contractors may be required to furnish proof of its ability to provide the bonds required by the Contract with its bid. A letter from the Bidder’s surety affirming the surety’s willingness to provide the Bidder’s bonds will be sufficient.

For purposes of this RFQ, all Respondents must submit a letter from Respondent’s Surety identifying the Respondent’s current Bonding Capacity and complete FORM D – LICENSING AND OTHER INFORMATION Section IV SURETY BONDING.

- 7) **INSURANCE:** General Contractors must provide and maintain at Contractor’s own expense, the minimum insurance coverage and requirements specified in the bid opportunity, insuring all operations related to the Contract. The insurance must remain in effect from the date of the Notice to Proceed until Substantial Completion of a project, during completion of Punch List, as well as any time the General Contractors or its Subcontractors return to perform additional work regarding warranties or for any other purpose, unless otherwise noted in the requirements.

For purposes of this RFQ, all Respondents must submit a sample Certificate of Insurance showcasing their current coverage limits. (Refer to EXHIBIT A – INSURANCE REQUIREMENTS)

- 8) **SAFETY PROGRAM MANUAL:** Respondents should be able to demonstrate the quality of their overall safety program as evidenced by their history of citations, OSHA incident rate and Experience Modification Rate (EMR).

For purposes of this RFQ, General Contractor Class A, B, and C classifications must complete FORM H – SAFETY and submit a copy of the Table of Contents of the Safety Program Manual. General Contractor Class D and E must provide a statement, not to exceed two full pages (8 ½ X 11), demonstrating its precautionary Safety Measures.

- 9) **QUALITY ASSURANCE AND QUALITY CONTROL PLAN (QA/QC):** Respondents should be able to demonstrate their experience with implementation of QA/QC processes.

For purposes of this RFQ, General Contractor Class A, B, and C classifications must submit a copy of their Quality Assurance and Quality Control Plan.

- 10) **PROJECT SCHEDULING:** The PBC may require General Contractors to submit schedules electronically or utilize scheduling software for project management purposes.

For purposes of this RFQ, all Respondents must submit a sample of a project schedule.

SECTION III – PROJECT SUMMARY

A. DESCRIPTION OF GENERAL CONSTRUCTION WORK

General Contractors awarded contracts for PBC projects will be responsible for providing all required labor and materials, equipment, supervision and administration necessary to complete the scope of work (“Work”) described in each bid solicitation. The Work will be supervised and administered on behalf of PBC by the PBC’S authorized representative and such staff personnel as shall be determined by PBC in accordance with procedures established by the Commission.

Specific work for assigned projects may include, but shall not be limited to, the following:

1. Documenting project scopes, as required
2. Procuring all materials, equipment, labor and vendor services
3. Providing general conditions work
4. Completing the punch list corrective work and turnover requirements
5. Submitting samples, shop drawings and reports
6. Procuring all permits, licenses and approvals
7. Providing warranties, testing and operations manuals
8. Testing and removing environmental contaminants
9. Providing insurance and performance and payment bond
10. Complying with all directives and policies of the Commission
11. Participating in periodic project coordination meetings
12. Meeting with the representatives of the Commission and the User, as required
13. Preparing and submitting timely reports concerning the progress of work
14. Complying with MBE/WBE, City Residency, EEO, Community Hiring and other requirements
15. Maximizing hiring opportunities for community members

Work will be performed in compliance with all applicable rules, codes and regulations; will consist of the specific obligations described in the bid solicitation for each project; and shall be performed in accordance with commonly known CSI Divisions identified below.

DIVISION 01 00 00	GENERAL REQUIREMENTS	DIVISION 15 00 00	MECHANICAL
DIVISION 02 00 00	EXISTING CONDITIONS	DIVISION 16 00 00	ELECTRICAL
DIVISION 03 00 00	CONCRETE	DIVISION 21 00 00	FIRE SUPPRESSION
DIVISION 04 00 00	MASONRY	DIVISION 22 00 00	PLUMBING
DIVISION 05 00 00	METALS	DIVISION 23 00 00	HEATING, VENTILATING, AND AIR- CONDITIONING (HVAC)
DIVISION 06 00 00	WOOD, PLASTICS AND COMPOSITES	DIVISION 25 00 00	INTEGRATED AUTOMATION
DIVISION 07 00 00	THERMAL AND MOISTURE PROTECTION	DIVISION 26 00 00	ELECTRICAL
DIVISION 08 00 00	OPENINGS	DIVISION 27 00 00	COMMUNICATIONS
DIVISION 09 00 00	FINISHES	DIVISION 28 00 00	ELECTRONIC SAFETY AND SECURITY
DIVISION 10 00 00	SPECIALTIES	DIVISION 31 00 00	EARTHWORK
DIVISION 11 00 00	EQUIPMENT	DIVISION 32 00 00	EXTERIOR IMPROVEMENTS
DIVISION 12 00 00	FURNISHINGS	DIVISION 33 00 00	UTILITIES
DIVISION 13 00 00	SPECIAL CONSTRUCTION	DIVISION 40 00 00	PROCESS INTEGRATION
DIVISION 14 00 00	CONVEYING EQUIPMENT		

Care and diligence has been used in the preparation of this information and it is believed to be substantially correct. Respondents must fully examine the scope of services of each individual bid opportunity. The Commission and its representatives will not be responsible for any errors or omissions in this RFQ, nor for the failure on the part of the Respondent(s) to familiarize themselves with the requirements of the solicitation.

SECTION IV – EVALUATION CRITERIA

A. EVALUATION PROCESS

An Evaluation Committee (EC) will review the Respondent's qualifications in accordance with submission requirements and evaluation criteria set forth in this document. The EC will render a recommendation for final determination and request approval from PBC Board of Commissioners to select the pool of pre-qualified General Contractors.

The PBC reserves the right to seek clarification of information submitted in response to this RFQ and/or request additional information during the evaluation process. The PBC reserves the right to accept or reject any or all qualifications and selections when it is determined, at the sole discretion of the PBC.

B. EVALUATION CRITERIA

The PBC shall review and evaluate the submissions of each Respondent in accordance with the following criteria. The PBC will rely upon the General Contractor to verify that prospective vendor(s) and subcontractor(s) are appropriately licensed, insured and bonded and meet all other requirements specified by the construction contract pursuant to procedures and policies of the Commission. The Commission reserves the right to add, delete or modify any requirements at its discretion.

1) Technical Competence and Past Performance – WEIGHT 50%

Respondents should possess verifiable experience and demonstrate past performance in the construction and/or renovation of public or private construction projects comparable to those previously performed by PBC (refer to Section I. Introduction).

Respondents shall identify a minimum of five projects performed within the last three years. Projects must be those performed within your licensing capacity, performed locally, and demonstrate your firm's experience with the City of Chicago's permitting and inspection process.

Please include a description that fully showcases the breadth and depth of experience of different-sized projects with varying levels of complexity. Provide examples of logistically challenging renovations to existing schools, offices, libraries, or mechanical, electrical, plumbing, or fire protection (M/E/P/FP) tie-ins, asbestos abatement, conversion of existing spaces into other uses, or any other trade-specific or specialty-specific projects (such as fencing).

Examples of Past Performance should demonstrate work performed during compressed schedules or summer critical work and renovation of selected areas within an occupied building and site work improvements. In addition, scope may include coordination of multiple phases with other contractors on site. Demonstrate experience with phased construction.

For purposes of this RFQ, all Respondents must identify at least five comparable projects within the last three years and complete FORM A – TECHNICAL COMPETENCE AND PAST PERFORMANCE.

2) Qualifications and Relevant Experience of Key Personnel – WEIGHT 40%

Respondents should demonstrate they employ or have the capacity to employ adequately qualified and experienced Key Personnel (Project Manager, Superintendents, Scheduler, MEP/FP Coordinator, Quality Control Manager, Safety Manager and Sustainability Coordinator), as needed, to provide the Work. The level of Key Personnel required on a project may vary by General Contractor classification.

Attach resumes. The PBC will review resumes of the individuals identified as Key Personnel Roles in the evaluation process.

For purposes of this RFQ, all Respondents shall complete FORM B – KEY PERSONNEL as applicable to your classification and submit resumes for each individual.

SECTION IV – EVALUATION CRITERIA

3) Financial Capacity – WEIGHT 10%

Respondents should demonstrate they have the financial resources necessary to successfully deliver projects and pay sub-contractors as necessary.

Respondents shall furnish an audited financial statement including notes, such as, but not limited to, balance sheets and/or profit and loss statements, for the last three (3) years demonstrating that the Respondent has the financial viability and ability to perform the Services. If a joint venture, submit financial statements for the joint venture name and each joint venture partner. Independent accountant may provide a copy of a complete financial statement. All notes and schedules must be provided. The Respondent shall also submit annual reports and a written disclosure advising of any pending litigation against the Respondent that may have a material effect in Respondent's ability to provide the Services.

In the event Respondent does not have an audited financial statement, Respondent may submit a review or compilation prepared by an outside accountant with the notes. The PBC will consider other financial document (ie Tax Returns) in lieu of financial statements and/or review/compilation.

The Commission, reserves the right to request additional information from all General Contractor classifications.

For purposes of this RFQ, all Respondents must complete FORM C – FINANCIAL CAPACITY as applicable to your classification.

C. OTHER CRITERIA

1) General Information

The following items are prerequisites the Commission requires of General Contractors in the performance of any work requested by the Commission. They are not weighted in the Evaluation Criterion; however, submission of these documents is required and will be considered when determining prequalification.

a. Licensing

General Contractors should possess the licenses listed below and meet all license requirements in order to perform the type of work solicited by the PBC.

- a. State business license(s)
- b. City of Chicago business license
- c. General Contractor license, specific to your capacity

For purposes of the RFQ, all Respondents must include copies of all applicable licenses and complete FORM D – LICENSING AND GENERAL INFORMATION.

b. Affidavits, Certifications, and Other

General Contractors should include the following information with their submission.

i. Disclosure Affidavit

For purposes of this RFQ, all Respondents shall complete FORM E – DISCLOSURE AFFIDAVIT detailing history and ownership of the responding firm.

ii. Legal Actions

Eligible contractors must demonstrate a performance history without an indication of recurring defaults or terminations on projects, failures to complete projects on schedule, litigation history, including judgments and outstanding lawsuits, and violation of laws relevant to the evaluation of this criterion.

For purposes of this RFQ, all Respondents shall complete FORM F – LEGAL ACTIONS demonstrating responding firm's performance history without recurring defaults or terminations on projects.

SECTION V – SUBMISSION REQUIREMENTS

A. SUBMISSION REQUIREMENTS

These instructions describe the format and content of the submission. These directions are designed to facilitate a fair and uniform review process. Failure to adhere to this format will affect evaluation and may result in disqualification of your submission. The PBC expressly reserves the right to reject or accept submissions at the discretion of the Commission.

1) Number of Submissions

- Submit 1 signed, bound original copy; and,
- Submit 2 signed, bound copies; and,
- Submit 5 electronic copies in PDF form on USB Flash Drive (preferred); or submit 5 signed, bound copies

NOTE: The front page of each submission must be marked 'ORIGINAL', if original; and 'COPY', if copy.

2) Format

- a. Submissions should be bound on the long side and prepared on standard 8½" x 11" letter size paper. Expensive papers and bindings are discouraged as no materials will be returned to Respondent. PBC staff may have to unbind bound copies in order to duplicate sections of your submission; therefore, submissions with spiral or permanent binding will not be accepted.
- b. All copies (bound and electronic) should be organized, tabbed, and labeled in accordance with the Submission Checklist described in this solicitation.
- c. If submitting USB Flash Drives/Compact Discs, please ensure they are clearly labeled with your firm's name. Electronic PDF file copy must be a single document and must be labeled as follows: *SU_PBC_Your Firms' Name_General Contractor RFQ_Date of Submission*.
- d. Enclose USB Flash Drives/Compact Discs in a sealed envelope or container with your firm's name on the outside.
- e. Submissions must include the return of this entire solicitation.
- f. Please stamp, legibly handwrite, or type your firm's name and letter of the classification you are seeking prequalification for on the lines provided in the bottom of each page of your submission.
- g. Attachments must be referenced in the Submission. When including Narrative Statements, please ensure that, at a minimum, the following information is noted on the attachment.

(Sample)

ABC Contractor
Narrative Statement to FORM A – MBE/WBE, EEO, AND COMMUNITY HIRING PARTICIPATION
Page ___ of ___

3) Mailing Instructions

- a. The outside of each envelope or package must be labeled:

REQUEST FOR QUALIFICATIONS FOR PREQUALIFICATION
OF GENERAL CONTRACTORS FOR VARIOUS PROJECTS

(Name of Respondent)

(Date of Submission Deadline)

Package ___ of ___

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

Public Building Commission of Chicago
Richard J. Daley Center, Room 200
50 W. Washington Street Chicago, Illinois 60602
Attention: Patricia Montenegro, Contract Officer

SECTION V – SUBMISSION REQUIREMENTS

B. SUBMISSION CHECKLIST

1) Cover Letter and Table of Contents (TAB 1)

Cover Letter

The Cover Letter must include a brief description of your firm's company history, experience, and number of years in business. The letter must include the Respondent's mailing address, e-mail address, fax number and telephone number. Respondent must also acknowledge any addenda issued and posted to the PBC website www.pbcchicago.com in the Cover Letter.

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

Any requests for confidential treatment of information must be included and the specific statutory basis supporting the request, an explanation of why disclosure of the information is not in the best interest of the public, and the specific basis under Section 7 of the Illinois Freedom of Information Act (5 ILCS 140/7) for the exemption from disclosure of such information. The request must also contain the name, address, and telephone number of the individual authorized to respond to the Commission about the confidential nature of the information. For further instructions, please refer to Section II. III. G.

Table of Contents

The Respondent must include a table of contents in its Submission. Submissions must be page-numbered sequentially from front to back.

2) Evaluation Criteria: Technical Competence and Past Performance (TAB 2)

Identify at least five comparable projects within the last three years and complete FORM – A TECHNICAL COMPETENCE AND PAST PERFORMANCE.

3) Evaluation Criteria: Key Personnel (TAB 3)

Identify Key Personnel and complete FORM B – KEY PERSONNEL as applicable to Respondent's classification.

4) Evaluation Criteria: Financial Capacity (TAB 4)

Provide all financial capacity support documentation as applicable and complete FORM C – FINANCIAL CAPACITY as applicable to Respondent's classification.

5) Other Criteria: Licensing and General Information (TAB 5)

Provide a copy of all applicable licenses. Provide a letter from Respondent's Surety and complete FORM D – LICENSING AND GENERAL INFORMATION.

6) Other Criteria: Affidavits (TAB 6)

Complete FORM E – DISCLOSURE AFFIDAVIT.

7) Other Criteria: Legal Actions (TAB 7)

Complete FORM F – LEGAL ACTIONS.

8) MBE/WBE Participation (TAB 8)

Complete FORM G – MBE/WBE, EEO, AND COMMUNITY HIRING PARTICIPATION.

9) Project Scheduling (TAB 9)

Provide a sample of your firm's project schedule.

10) Insurance Certificate (TAB 10)

Provide a copy of Respondent's existing Certificate of Insurance.

SECTION V – SUBMISSION REQUIREMENTS

11) Safety (TAB 11)

Applicable to General Contractor Class A, B, and C classifications only. Complete FORM H – SAFETY and submit a copy of the Table of Content of your firm's Safety Manual.

12) Quality Assurance/Quality Control (TAB 12)

Applicable to General Contractor Class A, B, and C classifications only. Submit a copy of your firm's QA/QC Plan.

13) Joint Venture Participation (TAB 13)

Applicable to General Contractors intending on pre-qualifying as Joint Venture Partners. Submit a copy of the entity's joint venture agreement.

NOTE: As described in Section II. Key Information Regarding Prequalification, F. Anticipated Contractual Obligations, 2) Joint Venture Partnerships, each Joint Venture Partner will also be required to submit all applicable forms requested in this solicitation.

C. REJECTION OF SUBMISSIONS

Submissions that do not comply with the submission requirements of the RFQ or that contain omissions, erasures, alterations that are irregular in any way, may be rejected as informal and insufficient. The PBC, however, reserves the right to waive any or all informalities when it considers a waiver to be in its and the public's best interest.

D. 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 Submittals remain the property of the PBC. The PBC shall not be responsible for expenses incurred in preparing and submitting the submission. Such costs must not be included in the submission.

E. IMPROPER PRACTICES

The Respondent must not offer any gratuities, favors, or anything of monetary value to any member of the Board of Commissioners of the PBC, official, or employee of the PBC for the purpose of influencing consideration of the Submittal. The Respondent must 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 RFQ to be rejected by the PBC. Notwithstanding the foregoing, this prohibition is not intended to preclude joint ventures, licenses or subcontracts.

F. COMPLIANCE WITH LAWS

The Selected Respondent(s) must comply with all laws, statutes, ordinances and regulations of any and all 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.

SECTION V – SUBMISSION REQUIREMENTS

SUBMISSION CHECKLIST REFERENCE TABLE

As described in *Section II. Key Information Regarding Prequalification*, the PBC will be pre-qualifying General Contractors by classification type. The table below has been created to help facilitate the submission process. The (✓) denotes what information must be submitted by each classification type.

SUBMISSION REQUIREMENTS	CLASS A	CLASS B	CLASS C	CLASS D	CLASS E
TAB 1					
Cover Letter	✓	✓	✓	✓	✓
Table of Contents	✓	✓	✓		
RFQ Pages 1 - 15	✓	✓	✓	✓	✓
TAB 2					
Evaluation Criteria: Technical Competence and Past Performance (Form A)	✓*	✓*	✓*	✓*	✓*
TAB 3					
Evaluation Criteria: Key Personnel (Form B)	✓*	✓*	✓*	✓*	✓*
TAB 4					
Evaluation Criteria: Financial Capacity (Form C)	✓*	✓*	✓*	✓*	✓*
TAB 5					
Other Criteria: Licenses and General Information (Form D)	✓	✓	✓	✓	✓
TAB 6					
Other Criteria: Disclosure Affidavit (Form E)	✓	✓	✓	✓	✓
TAB 7					
Other Criteria: Legal Actions (Form F)	✓	✓	✓	✓	✓
TAB 8					
MBE/WBE, EEO, Community Participation (Form G)	✓*	✓*	✓*	✓*	✓*
TAB 9					
Project Scheduling	✓	✓	✓	✓	✓
TAB 10					
Insurance Certificate	✓	✓	✓	✓	✓
TAB 11					
Safety (Form H)	✓	✓	✓		
TAB 12					
QA/QC Plan	✓	✓	✓		
TAB 13					
Joint Venture Agreement (Applicable only to firms interested in pre-qualifying as a Joint Venture)	As applicable	As applicable	As applicable	As applicable	As applicable

NOTE: (✓*) indicates submission requirements vary by General Contractor Classification.

FORM A – TECHNICAL COMPETENCE AND PAST PERFORMANCE

INSTRUCTIONS: This form shall be completed by all General Contractor Classification Types.
Please complete one form for each of the five projects requested.

I. EVALUATION CRITERIA FOR TECHNICAL COMPETENCE AND PAST PERFORMANCE

Respondents should possess verifiable experience and demonstrate past performance in the construction and/or renovation of public or private construction projects comparable to those previously performed by PBC (refer to Section I. Introduction).

Respondents shall identify a minimum of five projects performed within the last three years. Projects must be those performed within your licensing capacity, performed locally, and demonstrate your firm's experience with the City of Chicago's permitting and inspection process.

Please include a description that fully showcases the breadth and depth of experience of different-sized projects with varying levels of complexity. Provide examples of logistically challenging renovations to existing schools, offices, libraries, or mechanical, electrical, plumbing, or fire protection (M/E/P/FP) tie-ins, asbestos abatement, conversion of existing spaces into other uses, or any other trade-specific or specialty-specific projects (such as fencing).

Examples of Past Performance should demonstrate work performed during compressed schedules or summer critical work and renovation of selected areas within an occupied building and site work improvements. In addition, scope may include coordination of multiple phases with other contractors on site. Demonstrate experience with phased construction.

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FORM A – TECHNICAL COMPETENCE AND PAST PERFORMANCE

When including Narrative Statements, please ensure that, at a minimum, the following information is noted on the attachment.

(Sample)

ABC Contractor

Narrative Statement to FORM A – TECHNICAL COMPETENCE AND PAST PERFORMANCE

Page ___ of ___.

PROJECT NO. _____ (continued)
PROJECT NARRATIVE

FORM B – KEY PERSONNEL

INSTRUCTIONS: All General Contractor Classifications must provide the following information.

This form shall be completed by all General Contractor Classification Types as follows:

- Class A-C General Contractors - Please complete this form for all key personnel roles identified below.
- Class D&E General Contractors – Please complete this form for the following key personnel: Project Lead. If your firm has personnel in any of the various capacities listed below, you may submit a form for each applicable personnel.

I. EVALUATION CRITERIA FOR KEY PERSONNEL

Respondents should demonstrate they employ or have the capacity to employ adequately qualified and experienced Key Personnel (Project Manager, Superintendents, Scheduler, MEP Coordinator, Quality Control Manager, Safety Manager and Sustainability Coordinator), as needed, to provide the Work. The level of Key Personnel required may vary by General Contractor classification. Attach resumes.

Description of Key Personnel Roles

Project Manager (or Project Lead for Class D&E General Contractors)

The Project Manager will have full responsibility for the prosecution of the Work with full authority to act in all matters as necessary for the proper coordination, direction, commitment of resources, and technical administration of the Work. The Project Manager will attend meetings at such places and times as will be decided by the Commission or Architect in order to render reports on the progress of the Work. The General Contractor will not change Project Manager without the consent of the Commission, unless such staff member proves to be unsatisfactory to the Contractor and ceases to be in its employ.

For Class D&E General Contractors – Project Lead may be the Owner, Project Liaison, Point of Contact, or other authorized, firm representative who would serve in the capacity of 'Project Manager' as defined above.

Scheduler

To assist in the preparation and maintenance of the Schedule, the General Contractor may engage, at its own expense, a consultant who is skilled in the application of network techniques for construction projects and the use of PBC's scheduling software (Primavera). If the General Contractor has qualified personnel on staff, the General Contractor may perform the required scheduling with its own organization.

Superintendent

The General Contractor must keep, throughout the duration of a Project, a competent, experienced and qualified Superintendent and any necessary assistants, all of whom must be satisfactory to the Commission. This Superintendent's résumé will be submitted to the Commission Representative for approval at the time the Performance and Payment Bond and certificate(s) of insurance are submitted, or sooner if so requested by the Commission. The Superintendent will be present at the Site when Contractor's personnel and/or Subcontractors are present.

The Superintendent will not be changed without the consent of the Commission, unless the Superintendent proves to be unsatisfactory to the Contractor or becomes unavailable due to reasons beyond the control of Contractor. In order to change the Superintendent, the Contractor will give the Commission Representative written notice and submit for approval the qualifications of the proposed replacement Superintendent at least 15 Days prior to the intended change.

The Superintendent will represent the General Contractor in the absence of the Project Manager and all directions given to the Superintendent will be as binding as if given to the Project Manager.

MEP Coordinator

The General Contractor must provide a staff member or members, as necessary, which is experienced in coordination of mechanical and electrical work on projects of similar type and scale, including administration and supervision of mechanical and electrical work and meet the requirements as described in the Contract Documents.

FORM B – KEY PERSONNEL

Safety Manager

The General Contractor must provide a safety manager who is a qualified and competent employee responsible for the preparation, execution and continuous improvement of the safety management system (SMS) within an organization. This individual is the prime mover of all safety related issues in the organization.

Quality Assurance/Quality Control Manager

The General Contractor must provide a Quality Assurance/Quality Control (QA/QC) Manager who will be responsible for the set of processes used to measure and guarantee the quality of the Work to ensure it meets industry-wide standards.

Sustainability Coordinator

The General Contractor must have a designated Sustainability Coordinator to assist the Contractor in fulfilling all LEED and/or Sustainability required tasks. The Sustainability Coordinator is subject to the approval of the Commission, and shall be a LEED Accredited Professional (LEED AP) with experience performing LEED tasks on projects of similar size and complexity in order to be approved by the Commission.

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FORM B – KEY PERSONNEL

Please complete a form for each Key Personnel as applicable to your General Contractor classification.

KEY PERSONNEL			
Role:	<input type="checkbox"/> Project Manager (or Project Lead for Class D&E General Contractors) <input type="checkbox"/> Scheduler <input type="checkbox"/> Superintendent <input type="checkbox"/> MEP Coordinator <input type="checkbox"/> Safety Manager <input type="checkbox"/> Quality Control Manager <input type="checkbox"/> Sustainability Coordinator		
Name:			
Title:			
		Number of years with the firm:	
		Number of years with experience in this capacity:	
Project Type: <i>(Please check all experience that applies to the individual who will be dedicated to this project.)</i>			
<input type="checkbox"/> DIVISION 01 00 00 GENERAL REQUIREMENTS <input type="checkbox"/> DIVISION 02 00 00 EXISTING CONDITIONS <input type="checkbox"/> DIVISION 03 00 00 CONCRETE <input type="checkbox"/> DIVISION 04 00 00 MASONRY <input type="checkbox"/> DIVISION 05 00 00 METALS <input type="checkbox"/> DIVISION 06 00 00 WOOD, PLASTICS AND COMPOSITES <input type="checkbox"/> DIVISION 07 00 00 THERMAL AND MOISTURE PROTECTION <input type="checkbox"/> DIVISION 08 00 00 OPENINGS <input type="checkbox"/> DIVISION 09 00 00 FINISHES <input type="checkbox"/> DIVISION 10 00 00 SPECIALTIES <input type="checkbox"/> DIVISION 11 00 00 EQUIPMENT <input type="checkbox"/> DIVISION 12 00 00 FURNISHINGS <input type="checkbox"/> DIVISION 13 00 00 SPECIAL CONSTRUCTION <input type="checkbox"/> DIVISION 14 00 00 CONVEYING EQUIPMENT	<input type="checkbox"/> DIVISION 15 00 00 MECHANICAL <input type="checkbox"/> DIVISION 16 00 00 ELECTRICAL <input type="checkbox"/> DIVISION 21 00 00 FIRE SUPPRESSION <input type="checkbox"/> DIVISION 22 00 00 PLUMBING <input type="checkbox"/> DIVISION 23 00 00 HEATING, VENTILATING, AND AIR-CONDITIONING (HVAC) <input type="checkbox"/> DIVISION 25 00 00 INTEGRATED AUTOMATION <input type="checkbox"/> DIVISION 26 00 00 ELECTRICAL <input type="checkbox"/> DIVISION 27 00 00 COMMUNICATIONS <input type="checkbox"/> DIVISION 28 00 00 ELECTRONIC SAFETY AND SECURITY <input type="checkbox"/> DIVISION 31 00 00 EARTHWORK <input type="checkbox"/> DIVISION 32 00 00 EXTERIOR IMPROVEMENTS <input type="checkbox"/> DIVISION 33 00 00 UTILITIES <input type="checkbox"/> DIVISION 40 00 00 PROCESS INTEGRATION		
REFERENCES			
REFERENCE #1			
Project:			
Agency/Firm Name:		Title:	
Phone:		Email Address:	
REFERENCE #2			
Project:			
Agency/Firm Name:		Title:	
Phone:		Email Address:	
PLEASE ATTACH RESUME			

FORM C – FINANCIAL CAPACITY

INSTRUCTIONS: All General Contractor Classifications must provide the following information.

This form shall be completed by all General Contractor Classification Types as follows:

- Class A-C General Contractors – Please complete this form and submit support documentation as requested in Section I.A. below.
- Class D&E General Contractors – Please complete this form and submit support documentation as requested in Section I.B. below.

I. EVALUATION CRITERIA FOR FINANCIAL CAPACITY

Respondents should demonstrate they have the financial resources necessary to successfully complete the Work.

A. Class A-C General Contractors

Respondents shall furnish an audited financial statement including notes, such as, but not limited to, balance sheets and/or profit and loss statements, for the last three (3) years demonstrating that the Respondent has the financial viability and ability to perform the Services. If a joint venture, submit financial statements for the joint venture name and each joint venture partner. Independent accountant may provide a copy of a complete financial statement. All notes and schedules must be provided. The Respondent shall also submit annual reports and a written disclosure advising of any pending litigation against the Respondent that may have a material effect in Respondent's ability to provide the Services.

B. Class D&E General Contractors

In the event Respondent does not have an audited financial statement, Respondent may submit a review or compilation prepared by an outside accountant with the notes. The PBC will also consider other financial documents (ie Tax Returns) in lieu of financial statements and/or a review/compilation.

The Commission, reserves the right to request additional information from all General Contractor classifications.

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FORM C – FINANCIAL CAPACITY

II. FINANCIAL STATEMENTS

If submitting financial statements, please provide the following information.

INDEPENDENT ACCOUNTANT INFORMATION			
Contact Name:			
Telephone:			
Year-Ending Financial Statement Date:			
Select One:	<input type="checkbox"/> Audit	<input type="checkbox"/> Review	<input type="checkbox"/> Compile
Is this a Consolidated Financial Statement?			<input type="checkbox"/> Yes <input type="checkbox"/> No

III. BANKING

Please provide the following information about the firm's or ventures primary commercial bank.

BANKING INFORMATION			
Bank Name:			
Address:			
City/State/Zip:			
Contact Officer:		Direct #:	
Bank Telephone:		Facsimile:	
Email:			
In what year was the banking relationship established?			
Does your firm or venture have access to a line of credit?			<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please indicate upper limit.			
How much is currently available?			
Other sources of capital:			

IV. GROSS REVENUES

Please indicate below the amount of revenues earned by the firm or venture from construction-related activities for the last three (3) years.

GROSS REVENUES					
Year	Amount	Year	Amount	Year	Amount
20____	\$	20____	\$	20____	\$

FORM D – LICENSING AND GENERAL INFORMATION

INSTRUCTIONS: This form shall be completed by all General Contractor Classification Types.

I. LICENSING

Please list all categories for which the responding firm or venture is licensed to do business and indicate registration or license numbers, if applicable. Please indicate which government entity issued the license.

Please attach a copy of each license listed.

LICENSING INFORMATION			
Category	Registered License (Or License Number)	Issuing Government Entity	Expiration Date
<i>Example:</i>			
<i>Business License</i>	<i>123-456-789</i>	<i>State of Illinois</i>	<i>1/2/2016</i>
<i>General Contractor License</i>	<i>AB45-4879</i>	<i>City of Chicago</i>	<i>4/5/2017</i>
<i>Electrical License</i>	<i>1-2-456789</i>	<i>Joliet</i>	<i>3/7/2016</i>

II. MBE/WBE CERTIFICATIONS

MBE/WBE CERTIFICATIONS	
Is your organization currently certified as an MBE or WBE with the City of Chicago or Cook County?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>Note: The PBC accepts City of Chicago and County of Cook certifications only.</i> <i>Please check which organization and attach copy of a current Letter of Certification.</i>	
<input type="checkbox"/> City of Chicago	<input type="checkbox"/> Cook County

III. PROJECT LABOR AGREEMENT

PROJECT LABOR AGREEMENT	
Is your firm signatory to any union affiliations?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>(If yes, please identify which labor organization(s) below.)</i>	

FORM D – LICENSING AND GENERAL INFORMATION

IV. SURETY BONDING

SURETY BONDING	
Provide the current level of performance bonding (in dollar amount) authorized by the Surety as of the date of this qualification submittal (or as of the date last bonded, including said date):	
Please provide a letter from you Surety Broker per Section II. VI. F.	
Single Limit:	
Maximum Limit:	
A.M. Best Rating:	
Total Bonding Capacity:	
As of:	
During the past five years, have any demands been placed on a bid bond, payment bond, or performance bond of the applicant? <i>(If yes, please describe below or attach a statement listing and describing the date, location, project, and dollar amount of each demand, and explaining the circumstances.)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No

FORM E – DISCLOSURE AFFIDAVIT

I. HISTORY AND OWNERSHIP OF RESPONDENT FIRM

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:

RESPONDENT			
Name of Firm:			
Address:			
City/State/Zip:			
Telephone:		Facsimile:	
FEIN:		SSN:	
Email:			
Nature of Transaction:			
<input type="checkbox"/> Sale or purchase of land <input type="checkbox"/> Construction Contract <input type="checkbox"/> Professional Services Agreement <input type="checkbox"/> Other _____			

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

FORM E – DISCLOSURE AFFIDAVIT

A. CORPORATIONS AND LLC'S

State of Incorporation or Organization:		
If outside of Illinois, is your firm authorized to conduct business in the State Of Illinois:		<input type="checkbox"/> Yes <input type="checkbox"/> No
City/State/ZIP:		
Telephone:		
Identify the names of all officers and directors of the business entity. <i>(Please attach list if necessary.)</i>		
Name	Title	
Identify all shareholders whose ownership percentage exceeds 7.5% of the business entity. <i>(Please attach list if necessary.)</i>		
Name	Address	Ownership Interest Percentage
		%
		%
		%
LLC's only, indicate Management Type and Name:		
<input type="checkbox"/> Member-managed	<input type="checkbox"/> Manager-managed	Name: _____
Is the corporation or LLC owned partially or completely by one or more other corporations or legal entities?		<input type="checkbox"/> Yes <input type="checkbox"/> No
<i>If yes, please 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.</i>		

FORM E – DISCLOSURE AFFIDAVIT

B. PARTNERSHIPS

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	Type	Ownership Interest Percentage
		%
		%
		%
		%
		%

C. SOLE PROPRIETORSHIP

The bidder/proposer or contractor is a sole proprietorship and is not acting in any representative capacity on behalf of any beneficiary:	
<i>If the answer is no, please complete the following two sections.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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 of Principal(s)	
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 be exercised.	
Name	Address

FORM E – DISCLOSURE AFFIDAVIT

III. 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. Bribe 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.

FORM E – DISCLOSURE AFFIDAVIT

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.

FORM E – DISCLOSURE AFFIDAVIT

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.

G. 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, (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.

FORM E – DISCLOSURE AFFIDAVIT

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 Contract'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.

H. 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.

I. 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

FORM F – LEGAL ACTIONS

INSTRUCTIONS: This form shall be completed by all General Contractor Classification Types.

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FORM F – LEGAL ACTIONS

I. 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 _____.		
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"/>

FORM G – MBE/WBE, EEO, AND COMMUNITY HIRING PARTICIPATION

INSTRUCTIONS: All General Contractor Classifications must provide the following information.

- This form shall be completed by all General Contractor Classification Types as follows:
- Class A-C General Contractors - Please complete Sections II-III below.
 - Class D&E General Contractors – If data is available, please complete Sections I-III below. If no data is available, please proceed to Section IV.

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FORM G – MBE/WBE, EEO, AND COMMUNITY HIRING PARTICIPATION

Please identify and report compliance history for the three (3) most recent projects completed over the last three (3) years for which work was performed by your firm at any of the agencies identified below.

Please complete a form for each project identified. A total of three is required.

LOCAL, PUBLIC AGENCIES

- | | |
|-------------------------------|--|
| 1. City of Chicago | 6. County of Cook |
| 2. Public Building Commission | 7. Metropolitan Water Reclamation District |
| 3. Chicago Public Schools | 8. Forest Preserve District of Cook County |
| 4. Chicago Transit Authority | 9. Chicago Park District |
| 5. Chicago Housing Authority | 10. City Colleges of Chicago |

PROJECT # ____	
Local, Public Agency Name:	
Agency Contact:	
Agency Contact Telephone:	
Project Name:	
Project Total:	
Year Completed:	

I. MBE/WBE PARTICIPATION

Respondent must provide evidence of past experience achieving commitments to utilize minority and women owned business enterprises.

MBE Goal	WBE Goal	Attained MBE Goal	Attained WBE Goal
%	%	%	%

II. EEO PARTICIPATION

Respondent must provide evidence of past experience achieving commitments to employ and minority and women journey workers, apprentices and laborers on public projects where Respondent performed as a General Contractor.

Minority	Commitment	Achieved
Journey workers	%	%
Apprentice	%	%
Laborers	%	%
Female	Commitment	Achieved
Journey workers	%	%
Apprentice	%	%
Laborers	%	%

FORM G – MBE/WBE, EEO, AND COMMUNITY HIRING PARTICIPATION

III. COMMUNITY HIRING AND CITY RESIDENCY PARTICIPATION

Respondent must provide evidence of past experience achieving commitments to employ local/community residents on public projects where Respondent performed as a General Contractor.

Community Participation	Commitment	Achieved
Community Residents	%	%
Local City of Chicago Residents Participation	Commitment	Achieved
Local City of Chicago Residents	%	%

IV. DEMONSTRATE COMMITMENT (APPLICABLE TO CLASS D&E GENERAL CONTRACTOR ONLY)

Respondent must demonstrate how they intend on meeting MBE/WBE, EEO, AND COMMUNITY HIRING AND CITY RESIDENCY commitments to utilize minority- and women-owned business enterprises, to employ minority and women journey workers, apprentices and laborers, and to employ local/community residents on public projects where Respondent performed as a General Contractor.

(If using your own document, please follow labeling instructions in Section V. Submission Requirements.)

MBE/WBE PARTICIPATION
EEO PARTICIPATION
COMMUNITY HIRING AND CITY RESIDENCY PARTICIPATION

FORM H – SAFETY

INSTRUCTIONS: This form shall be completed by all General Contractor Classification Types. Please attach a copy of the Table of Contents from your firm's Safety/Loss Control Manual.

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FORM H – SAFETY

I. SAFETY

Respondents should be able to demonstrate the quality of their overall safety program as evidenced by their history of citations, OSHA incident rate and Experience Modification Rate (EMR).

SAFETY INFORMATION			
Does your organization have a safety program?			<input type="checkbox"/> Yes <input type="checkbox"/> No
Month and year first implemented:			
Method of review of program.			
Please indicate whether regular work site safety meetings are held and how frequently.			
PLEASE PROVIDE A COPY OF THE TABLE OF CONTENTS FROM YOUR FIRM'S SAFETY/LOSS CONTROL MANUAL			
Have any citations been issued to your organization during the period of the last three years for workplace safety law violation? <i>If yes, please provide detailed information for each occurrence regarding:</i>			<input type="checkbox"/> Yes <input type="checkbox"/> No
1. The nature of the violation for which your organization was cited.			
2. Summary of your position of the matter			
3. Official resolution of violation			
Please provide your organization's OSHA reportable incident rate: <i>(If this is greater than 3.0, please attach your OSHA Form 300A Summaries for the last three years and a written explanation to the qualification questionnaire. Please attach Narrative Statement, if necessary.)</i>			
Please provide a copy of your organization's NCCI current experience modification rate factors ("EMRF") rating worksheet. <i>(If this is greater than 3.0, please attach your OSHA Form 300A Summaries for the last three years and a written explanation to the qualification questionnaire. Please attach Narrative Statement, if necessary.)</i>			
PLEASE PROVIDE NCCI RATING FOR THE PAST FOUR YEARS			
Year	NCCI Rating	Year	NCCI Rating

EXHIBIT A – INSURANCE REQUIREMENTS

INSTRUCTIONS: Please provide a copy of your Certificate of Insurance demonstrating your existing coverage. The Insurance Requirements identified below apply to all General Contractor Classification Types.

The insurance requirements listed below are the minimum requirements that will be required for work issued on contracts resulting from this RFQ. The actual requirements for each project will likely be higher and will be determined based on the scope and the requirements of the User Agency. Per Section II. VI. G. of this RFQ, Respondent is to submit a certificate of insurance evidencing their current insurance program.

The Contractor must provide and maintain at Contractor's own expense, the minimum insurance coverage and requirements specified below, insuring all operations related to the Contract. The insurance must remain in effect from the date of the Notice to Proceed until Substantial Completion of the project, during completion of Punch List, as well as any time Contractor returns to perform additional work regarding warranties or for any other purpose, unless otherwise noted below or agreed by the Public Building Commission's Director of Risk Management.

INSURANCE TO BE PROVIDED

1) **Workers' Compensation and Employers Liability (Primary and Umbrella)**

Workers' Compensation Insurance as prescribed by applicable law covering all employees who are to provide a service under this Contract and Employers Liability coverage with limits of not less than \$1,000,000 each accident, illness or disease. Coverage will include a waiver of subrogation as required below.

2) **Commercial General Liability (Primary and Umbrella)**

Commercial General Liability Insurance or equivalent with limits of not less than \$2,000,000 per occurrence for bodily injury, personal injury, and property damage liability. Coverage must include the following: All premises and operations, products/completed operations to be maintained for minimum of two (2) years following project completion, explosion, collapse, underground hazards, defense and contractual liability. Contractor and all subcontractors of every tier will specifically name the Public Building Commission of Chicago, the City of Chicago, the User Agency and others as may be required by the Public Building Commission of Chicago, as Additional Insured using the latest version of the ISO CG2010 and CG2037. Additional Insured status will be on a primary, non-contributory basis for any liability arising directly or indirectly from the work, including the two year completed operations periods. Coverage will include a waiver of subrogation as required below.

Subcontractors performing work for Contractor must maintain limits of not less than \$1,000,000 per occurrence with the same terms herein.

3) **Automobile Liability (Primary and Umbrella)**

When any motor vehicles (owned, non-owned and hired) are used in connection with work to be performed, the Contractor must provide Automobile Liability Insurance, with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage. The Public Building Commission of Chicago, the City of Chicago, the User Agency and others as may be required by the Public Building Commission of Chicago, are to be named as Additional Insured on a primary, non-contributory basis.

Subcontractors performing work for Contractor must maintain limits of not less than \$1,000,000 per occurrence with the same terms herein.

4) **Contractors Pollution Liability**

Contractors Pollution coverage is required with limits of not less than \$1,000,000 per occurrence for any portion of the services, which may entail, exposure to any pollutants, whether in the course of sampling, remedial work or any other activity under this contract. The contractor pollution liability policy will provide coverage for sums that the insured become legally obligated to pay as loss as a result of claims for bodily injury, property damage and/or clean-up costs caused by any pollution incident arising out of the Work including remediation operations, transportation of pollutants, owned and non-owned disposal sites and any and all other activities of Contractor and its subcontractors. Pollution incidents will include, but not be limited to, the discharge, dispersal, release or escape of any solid, liquid, gaseous or thermal irritant or contaminant, including but not limited smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals,

EXHIBIT A – INSURANCE REQUIREMENTS

medical waste, waste materials, lead, asbestos, silica, hydrocarbons and microbial matter, including fungi, bacterial or viral matter which reproduces through release of spores or the splitting of cells or other means, including but not limited to, mold, mildew and viruses, whether or not such microbial matter is living.

The policy will be maintained for a period of three years after final completion and include completed operations coverage. The policy will include the Public Building Commission of Chicago, the City of Chicago and the User Agency, and others as may be required by the Public Building Commission of Chicago, as Additional Insured. These entities must be specifically named and endorsed on the policy. Additional Insured coverage must be on a primary and non-contributory basis for ongoing and completed operations. Coverage will include a waiver of subrogation as required below.

Subcontractors performing work for Contractor must maintain limits of not less than \$1,000,000 per occurrence with the same terms herein.

5) Professional Liability

When Contractor performs professional work in connection with the Agreement, Professional Liability Insurance must be maintained with limits of not less than \$1,000,000 covering acts, errors, or omissions. The policy will include coverage for wrongful acts, including but not limited to errors, acts or omissions, in the rendering or failure to render professional services resulting in a pollution incident. When policies are renewed or replaced, the policy retroactive date must coincide with, or precede the, start of work on the Agreement. Coverage must be maintained for two years after substantial completion. A claims-made policy, which is not renewed or replaced, must have an extended reporting period of two (2) years.

Subcontractors performing professional work for Contractor must maintain limits of not less than \$1,000,000 per occurrence with the same terms herein.

6) Builders Risk

Contractor must provide All Risk Builders Risk or Installation Floater Insurance on a replacement cost basis including but not limited to all labor, materials, supplies, equipment, machinery and fixtures that are or will be permanent part of the facility, inclusive of prior site work. Coverage must be on an All Risk or Cause of Loss, Special Form basis including, but not limited to, the following: right to partial or complete occupancy, collapse; water damage including overflow, leakage, sewer backup, or seepage; resulting damage from faulty or defective workmanship or materials; resulting damage from error or omission in design, plans or specifications; debris removal; Ordinance and Law and include damage to, false work, fences, temporary structures and equipment stored off site or in transit. The policy will allow for partial or complete occupancy and include damage to existing property at the site with a sublimit of \$1,000,000.

The Public Building Commission of Chicago and the Board of Education of the City of Chicago will be Named Insureds on the policy. Coverage must be for the full completed value of the work and must remain in place until at least Substantial Completion and may only be cancelled with the written permission of the Public Building Commission Risk Management Department, even if the Project has been put to its intended use.

The Contractor is responsible for all loss or damage to personal property including but not limited to materials, equipment, tools, scaffolding and supplies owned, rented, or used by Contractor.

7) Railroad Protective Liability

When any work is to be done adjacent to or on railroad or transit property, Contractor must provide, with respect to the operations that the General Contractor or subcontractors perform, Railroad Protective Liability insurance in the name of railroad or transit entity. The policy must have limits of not less than the requirement of the operating railroad/transit entity, and in no event less than \$2,000,000 per occurrence and \$6,000,000 aggregate, for losses arising out of injuries to or death of all persons, and for damage to or destruction of property, including the loss of use thereof. If no Railroad

EXHIBIT A – INSURANCE REQUIREMENTS

Protective Liability insurance is required by the nearby railroads, Contractor shall submit written confirmation from each railroad.

Contractors and subcontractors are required to endorse their liability policies with form CG 24 17 to eliminate the exclusion for work within fifty (50) feet of the rail right-of-way. Contractors and subcontractors must provide copies of this endorsement with the certificate of insurance required below.

B. ADDITIONAL REQUIREMENTS

Contractor must furnish the Public Building Commission Procurement Department, Richard J. Daley Center, Room 200, Chicago, IL 60602, original Certificates of Insurance, or such similar evidence, to be in force on the date of this Contract, and Renewal Certificates of Insurance, or such similar evidence, if any insurance policy has an expiration or renewal date occurring during the term of this Contract. The Contractor must submit evidence of insurance to the Public Building Commission prior to Contract award. The receipt of any certificate does not constitute agreement by the Commission that the insurance requirements in the Contract have been fully met or that the insurance policies indicated on the certificate are in compliance with all Contract requirements. The failure of the Commission to obtain certificates or other insurance evidence from Contractor is not a waiver by the Commission of any requirements for the Contractor to obtain and maintain the specified insurance. The Contractor will advise all insurers of the Contract provisions regarding insurance. Non-conforming insurance does not relieve Contractor of the obligation to provide insurance as specified in this contract. Non-fulfillment of the insurance conditions may constitute a breach of the Contract, and the Commission retains the right to stop work until proper evidence of insurance is provided, or the Contract may be terminated.

The insurance must provide for 30 days prior written notice to be given to the Commission in the event coverage is substantially changed, canceled, or non-renewed.

The Public Building Commission of Chicago reserves the right to obtain copies of insurance policies and records

Any deductibles or self-insured retentions on referenced insurance must be borne by Contractor. All self-insurance, retentions and/or deductibles must conform to these requirements.

The Contractor waives and agrees to cause all their insurers to waive their rights of subrogation against the Public Building Commission of Chicago, the City of Chicago, the User Agency and any other entity as required by the Public Building Commission of Chicago, their respective Board members, employees, elected officials, officers, or representatives. The Contractor must require each Subcontractor to include similar waivers of subrogation in favor of the Commission, the City of Chicago, the User Agency and any other entity as required by the Public Building Commission of Chicago.

The insurance coverage and limits furnished by Contractor in no way limit the Contractor's liabilities and responsibilities specified within the Contract or by law.

Any insurance or self-insurance programs maintained by the Public Building Commission of Chicago, the City of Chicago, the User Agency and any other entity as required by the Public Building Commission of Chicago, will not contribute with insurance provided by the Contractor under the Contract.

The required insurance to be carried is not limited by any limitations expressed in the indemnification language in this Contract or any limitation placed on the indemnity in this Contract given as a matter of law.

If contractor is a joint venture or limited liability company, the insurance policies must name the joint venture or limited liability company as a Named Insured.

The Contractor must require all subcontractors to provide the insurance required herein, or Contractor may provide the insurance for subcontractors. All subcontractors are subject to the same insurance requirements of Contractor unless otherwise specified in this Contract.

If Contractor or subcontractor desires additional coverage, the party desiring the additional coverage is responsible for the acquisition and cost

EXHIBIT A – INSURANCE REQUIREMENTS

Contractor must submit the following at the time of award:

1. Standard ACORD form Certificate of Insurance issued to the Public Building Commission of Chicago as Certificate Holder including:
 - a. All required entities as Additional Insured
 - b. Evidence of waivers of subrogation
 - c. Evidence of primary and non-contributory status
2. All required endorsements including the CG2010 and CG2037

The Public Building Commission's Director of Risk Management maintains the rights to modify, delete, alter or change these requirements.