Metropolitan Pier and Exposition Authority

Air Filters

Invitation for Bids ("IFB")

#2018-27-M
Bidders agree that it is their responsibility to obtain any addenda that may be subsequently issued. Failure to do so may result in rejection of the Bid. Bidders must acknowledge addenda issued in its Bid; if none are issued, indicate N/A in the submittal.

The Authority will not be liable for Bidder’s failure to obtain or download any addenda issued for a Bid.

The MPEA requests that all Bidders that choose to download and print the document from the MPEA website contact the MPEA, DEPARTMENT OF PROCUREMENT by email at mpeaprocurement@mpea.com to register Bidder’s company as a document holder, referencing the above IFB number and description.

The forms and affidavits included in an INVITATION FOR BIDS must not be altered or retyped in any manner. Some forms are provided as Word documents for your convenience, altering the text as issued by the MPEA may render a Bid non-responsive.

IMPORTANT DATES

DOCUMENT ISSUED: MONDAY NOVEMBER 5, 2018

QUESTIONS DUE: TUESDAY, NOVEMBER 13, 2018 BY 12:00 CST

ADDENDUM ISSUED BY FRIDAY, NOVEMBER 16, 2018

BIDS DUE: 12:00 PM CST, MONDAY DECEMBER 3, 2018

SUBMITTED TO:
METROPOLITAN PIER AND EXPOSITION AUTHORITY
PROCUREMENT DEPARTMENT
301 EAST CERMAK ROAD
CHICAGO, ILLINOIS  60616
mpeaprocurement@mpea.com
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I. GENERAL INFORMATION

1.1 General Information

The Metropolitan Pier and Exposition Authority ("Authority") is a political subdivision, unit of local government, body politic and Municipal Corporation existing under the laws of the State of Illinois pursuant to the Metropolitan Pier and Exposition Authority Act, as amended, 70 ILCS 210/1 et seq. (the "Act"). The Authority was established to promote, operate and maintain fairs, expositions, meetings and conventions in Cook County, Illinois. The Authority owns and maintains McCormick Place®, an exhibition and convention center located at 23rd Street and Martin Luther King Drive in the City of Chicago.

II. DEFINITIONS

2.2 Definitions

The following terms in this Solicitation shall be defined as follows:

“Authority” means the Metropolitan Pier and Exposition Authority

“Bid” means the submitted responses to the Bid Document, including samples

“Bidder” or “Bidder/Proposer” means the firm(s), sole proprietor, corporation(s), partnership(s), and joint venture(s) that submit Bids

“Contract” means the contract that is entered into between the Authority and the Successful Bidder pursuant to the Bid Document(s)

“Contractor” refers to the firm(s), sole proprietor, corporation(s), partnership(s), and joint venture(s) that submit Bids, and to the Successful Bidder that enters into the Contract with the MPEA.

“Include” whenever the term “include” (in any of its forms) is used, it means “include, without limitation

“Laws” shall mean City, State and Federal statutes, ordinances, codes, rules and regulations

“MBE” means Minority Owned Business Enterprise

“Responsive” Responsiveness in determined by the Authority and relates to compliance with the provisions of the solicitation, including specifications, and contractual terms and conditions.

“Responsible” Responsibility is determined by the Authority and relates primarily to the ability of a Proposer to successfully carry out a proposed contract, and whether it has the character, reputation, and integrity to receive an award. A Proposer, otherwise able to perform, who has been convicted of felony, or violation of the public procurement requirements of any Federal or State governmental entity, may be found not responsible. Other considerations bearing on a determination of responsibility can
include experience, past performance, business and financial capabilities, skills, technical organization and reliability. Some of the mechanisms available to measure a Bidder’s responsibility are the utilization of reference checks, vendor performance on previous contracts and availability of financial credit information.

“Services” shall mean the goods and/or services for which the Authority engages the Selected Contractor as set forth herein and in the Contract, including all tasks reasonably necessary to complete them.

“Successful Bidder” means the individual, partnership, corporation, or joint venture that the Authority selects for award of a Contract.

“Trade Reference” means a reference concerning the creditworthiness of the Bidder given by another business that extends credit to the Bidder, such as a supplier.

“WBE” means Women Owned Business Enterprise
III. INSTRUCTION TO AND REQUIREMENTS OF BIDDERS

3.1 DESCRIPTION OF REQUIREMENTS

The Metropolitan Pier and Exposition Authority ("Authority") is seeking bids from qualified companies to provide the goods and/or services described herein to the Authority.

3.2 OBTAINING BID DOCUMENTS

The Bid Documents are available on-line at:

http://www.mpea.com/doing-business/

Scroll down to “Current Bids/Proposal Opportunities”

Bidders acknowledge and agree that it is their responsibility to obtain any addenda that may be subsequently issued. Failure to conform to the requirements of any addenda may result in rejection of the Bid. The Authority will not be liable for Bidder’s failure to obtain or download any addenda issued for a Bid.

3.3 NO BID DEPOSIT

The MPEA does not require a bid deposit, however if a bidder fails to honor the terms and conditions that attach to submitting a bid, including but not limited to holding its bid for a period of 90 days from bid opening, the MPEA reserves the right to declare Bidder non-responsible and Bidder will not be eligible to bid on or be awarded contracts with the MPEA for a period of up to one year.

3.4 SUBMITTAL OF BID

A. A COMPLETE original of the proposer’s Bid must be submitted on the form furnished by the Authority. An identical electronic version of the complete bid must be submitted to mpeaprocurement@mpea.com by the same due date and time, or be included on a flash drive with the hardcopy bid. You must type or hand-write “ORIGINAL” on the cover sheet. All blank spaces for bid prices must be filled in, either in ink or typewritten. The “ORIGINAL” must contain the original signatures and the original notary certifications/seals. Any discrepancies between the original hardcopy and the electronic version of the Bid submitted may render a bid non-responsive.

All Bids must be received no later than MONDAY, DECEMBER 3, 2018 at 12:00 pm CST at Metropolitan Pier and Exposition Authority, Procurement Department, Corporate Center, 301 East Cermak Road, Chicago, Illinois 60616, First Floor, Receptionist Desk. Bids received after this time will be non-responsive and ineligible for consideration for a Contract for IFB # 2018-27-M. No Bid may modify or substitute the items to be furnished or the work to be done. Bids that do not conform to the specifications of this request for bids may be deemed as non-responsive.

BIDS MUST BE RETURNED AS FOLLOWS. FAILURE TO INCLUDE ANY OF THE REQUIRED DOCUMENTS MAY RENDER BIDS NONRESPONSIVE.
The Bid Package must include the following:

1. Bid Form

2. Statement of Bidder's Business Organization

3. Statement of Bidder's Qualifications and W-9. The Bidder shall submit copies of all certifications, licenses and financials, which are required as part of the Bid qualification process, in addition to any additional requirements and documentation attesting to Bidder's abilities as required by the Statement of Bidder's Business Organization including but limited to all statements detailing experience in the required fields of work.

4. Bidder/Proposer Certifications. Bidders must be certified to provide and/or repair the specified items. Provide evidence from the manufacturer. If you are unable to provide such evidence, provide an explanation of why not and how you intend to provide the specified items and/or qualifications to repair the specified items.

5. Disclosure of Lobbyists

6. Form of Transmittal Letter

7. Notification of Exceptions

B. All Bids shall be submitted in a sealed envelope clearly identified with “BID DOCUMENTS”, the name of the project/IFB, the date of the bid opening, and the name of the Bidder, and shall be addressed to the METROPOLITAN PIER AND EXPOSITION AUTHORITY, Corporate Center, 301 East Cermak Road, Chicago, Illinois 60616.

C. The Bidder shall not offer any gratuities, favors, or anything of monetary value to any Board Member, official, or employee of the Authority for the purpose of influencing consideration of the Bid. The Bidder shall not collude in any manner or engage in any practice with any other party. Violation of this instruction will cause the Bidder's response to this Bid to be rejected by the Authority. Notwithstanding the foregoing, this prohibition is not intended to preclude joint ventures or subcontracts.

D. Bids must be signed as follows:

(1) If the Bidder is a corporation or limited liability company, the Bid must be signed in the name and under the seal of the corporation by a duly authorized officer of the corporation or manager of the company, with the designation of his/her official capacity, and attested properly. The Bid must show the state in which the corporation is chartered. If the business organization is not chartered in the State of Illinois, the Bid must show whether or not it is licensed to transact business in the State of Illinois.

(2) If the Bidder is a firm or partnership, the Bid must be signed in the name or style under which the organization is doing business, by the partner, proper officer, or officers whose official capacity shall be designated. The name and address of each member of the organization must be shown on the Bid.
(3) If the Bidder is an individual, he/she must sign the Bid in person or by representative, stating the name or style, if any, under which he/she is doing business. If the signing is by representative, his/her Power of Attorney or other authorization shall be stated, and shall be proved if requested.

(4) If the Bidder is a joint venture, the Bid must be signed by each of the persons or firms which is a party to the Joint Venture Agreement. A certified copy of the Joint Venture Agreement must be attached to the Bid Form sheet. A joint venture will not be accepted unless the Joint Venture Agreement or some other signed and legally binding instrument is certified and attached to the Bid Form sheet containing provisions for one of the parties to the joint venture to be in full direction of the project and to exercise this direction through a single individual to be appointed Manager of Operations with the consent of all parties to the Joint Venture Agreement.

(5) In every case, the Bid must show the present business address of the Bidder at which communications shall be received and service of notices accepted.

E. WHERE BID IS SIGNED BY AN AGENT OF THE BIDDER, EVIDENCE OF THE AGENT’S AUTHORITY TO SIGN MUST ACCOMPANY THE BID. If Bidder is a corporation, such evidence shall be a certified copy of that section of corporate by-laws or other authorization such as a Resolution by the Board of Directors, which permits the person to sign the offer for the corporation. The name of each person signing the Bid shall be typed or printed below its signature.

F. ANY NON-CONFORMING BID OR BID TIME STAMPED AFTER THE DUE DATE AND TIME SHALL BE DEEMED NON-RESPONSIVE AND INELIGIBLE FOR CONSIDERATION.

G. Written and facsimile modifications of Bids shall be considered only if received prior to the time stated for receipt of Bids. "MODIFICATIONS TO SEALED BID" shall be marked on the lower left-hand corner of the envelope in which the written modification is enclosed to prevent its being opened prior to the scheduled opening of the Bids. NO TELEPHONIC OR ORAL MODIFICATIONS SHALL BE ACCEPTED OR CONSIDERED.

H. Any Bidder may withdraw its Bid by letter, email, or in person with proper identification at any time prior to the opening of the Bids. NO TELEPHONIC REQUEST TO WITHDRAW A BID SHALL BE ACCEPTED OR CONSIDERED.

3.5 FREEDOM OF INFORMATION ACT
This IFB and resulting contracts are subject to disclosure pursuant to the Illinois Freedom of Information Act ("FOIA," 5 ILCS 140/) and other applicable laws and rules. Bids may be made available for public inspection and copying and if the bidder believes certain information is exempt from public disclosure under FOIA, the Bidder must clearly mark those portions of its Bids as being “Confidential” and request confidential treatment. The Bidder must identify the specific grounds under FOIA or other law or rule that support exempt treatment. The Authority is not obligated to honor requests for confidential treatment, even if the information is exempt from public disclosure. The Bidder will be
responsible for any costs or damages associated with the Authority’s defending the Bidder’s request for exempt treatment.

3.6 CONTRACT TERM

The Contract begins on the Effective Date and shall remain in effect for a base term of two (2) years. The Authority shall have the option to renew the Contract under the same terms and conditions as the original Contract. However, the Contract may not renew automatically, nor may the Contract renew solely at the Contractor's option.

The Authority reserves the right to renew for a total of two (2) years in one of the following manners:
  a) One renewal covering the entire renewal allowance, or
  b) Individual one-year renewals up to and including the entire renewal allowance.

3.7 ADDENDA AND INTERPRETATIONS

A. No oral interpretation of the meaning of the Bid Documents will be made to any Bidder.

B. If a material change is to be made to the Bid Documents, it will be issued in the form of a written Addendum, which will be e-mailed to all those prospective Bidders who registered as document holders and will also be available for download on the MPEA website at www.mpea.com. If e-mailed, interpretations will be transmitted to the Bidder at the submitted email addresses furnished for such purposes not later than ten (10) days prior to the date fixed for opening of Bids.

C. Failure of any Bidder to receive any such Addendum or interpretation shall not relieve such Bidder from any obligation under his Bid as submitted. All Bidders are responsible for obtaining each Addendum and must acknowledge receipt of each Addendum that has been issued. The Bid Form contains spaces for the Bidders to inscribe the number of each Addendum that may be issued. If none are issued, fill these spaces with the word “NONE”. The Authority will not be liable for supplier's failure to obtain or download any addenda issued for a Bid.

3.8 REJECTION OF BIDS

The Authority intends to award the Contract to the lowest, responsible and responsive Bidder. Notwithstanding the foregoing, the Authority hereby reserves the right to cancel this IFB, reject or to accept any or all Bids that, in its judgment, shall be in the best interest of the MPEA.

Bids that contain omissions, erasures, alterations, or additions not called for, conditional or alternate Bids not called for, or that are irregular in any way, may be rejected as informal and insufficient. However, the Authority reserves the right to waive any and all informalities when it may deem such waiver to be in the best interest of the public.

3.9 INSTRUCTIONS FOR EXECUTING CONTRACT

The Contract shall be in the form prescribed by the Authority and shall be signed by the Successful Bidder within ten (10) days after receipt and returned to the Authority for
execution. The Successful bidder must furnish a certificate of insurance. The Contract must be signed as proscribed above.

3.10 **EXEMPTION FROM TAXES**

Bids shall include all Federal and State taxes in effect on the date of bid opening, except the Retailers' Occupation Tax, the Service Occupation Tax, (both state and local), the Use Tax and the Service Use Tax, since the Authority is exempt from such taxes.

3.11 **COMPLIANCE WITH LAWS**

The Successful Bidder shall comply with all existing and future applicable laws, ordinances, rules, regulations, and lawful orders of public authorities relating to the provision of services or items hereunder and shall ensure that all necessary licenses required by the City of Chicago and the State of Illinois are obtained.

3.12 **CONTRACT DOCUMENTS**

The Contract Documents shall consist of the Bid documents, including all Attachments, Exhibits, and any Addenda; the submitted Bid to the extent it is consistent with the Bid Documents, and the duly executed Contract. The documents are complementary and binding in whole or in part.

3.13 **DIVISIBILITY AND MULTIPLE AWARDS**

The Authority reserves the right to award this Agreement to one or more Bidders as it deems to be in its best interest.

3.14 **BID CANVASSING**

Bids will be canvassed on the basis of (a) bidder responsiveness, (b) bidder responsibility and (c) the Lowest Total Sum of prices.

3.15 **AWARD OF CONTRACT**

The Authority shall undertake a thorough review of each submitted Bid. This review process may take approximately ninety (90) days, at which time the Board of the Authority may take the necessary steps to award the Contract or may, at its option, after informing the three (3) lowest Bidders in writing of its intention, extend the time to award the Contract an additional thirty (30) days.

3.16 **CERTIFICATE OF LIABILITY INSURANCE**

The Contractor must provide and maintain during the life of this Contract, at Contractor's own expense, until Contract completion and during the time period following final completion if Contractor is required to return and perform any additional work, the insurance coverage's and requirements specified in **REQUIRED FORM H** insuring all operations related to the contract.

3.17 **SPECIAL CONDITIONS REGARDING MINORITY & WOMEN BUSINESS ENTERPRISES**
In accordance with the Metropolitan Pier and Exposition Authority Act, 70 ILCS 210/23.1 the Authority has adopted and maintains a minority and female owned business enterprise procurement program for any and all work undertaken by the Authority.

When selecting providers of goods and services, the Authority is authorized to make direct awards to qualified MBEs and WBEs to fulfill its commitments under the Act. Accordingly, the Authority invites certified MBEs and WBEs to submit Proposals for consideration in response to this IFB.

If Bidders cannot meet the MBE and WBE goals, a request for waiver along with evidence of good faith efforts must be submitted with the bid.

3.18 TIE BIDS AND PROPOSALS

Tie bids or proposals are those from responsive and responsible vendors that are, in the case of bids, identical in price, and, in the case of proposals, identical in evaluation.

Tie bids or proposals will be resolved as follows:

1) The award shall be made by lot unless the Director of Procurement determines that:

   a) Awarding to one of the vendors is in the Authority’s best interest because, for example, that vendor is likely to be more reliable or responsive to the Authority’s needs, based on past performance; provides a better quality of the supply or service; or provides quicker delivery; or, in the case of proposals, because of a desire to take advantage of the lower price; or

   b) Splitting the award is in the Authority’s best interest because of a need to ensure delivery of the supply or service, or is necessary or desirable to promote future competition, and provided the affected vendors agree to the split award.
REQUIRED FORM A

BID FORM

BIDS SUBMITTED BY:

_____________________________________________________________________________
_____________________________________________________________________________
_____________________________________________________________________________

TO: THE METROPOLITAN PIER AND EXPOSITION AUTHORITY
Corporate Center
301 East Cermak Road
Chicago, Illinois 60616
c/o MPEA Procurement Department

COMMITMENT TO ENTER CONTRACT
A. This is to certify that the undersigned, ______________________, hereinafter referred to as the Bidder, has read (1) the Advertisement, (2) the Instructions to and Requirements of Bidder, and (3) the Scope/Specifications issued by the Metropolitan Pier and Exposition Authority, hereinafter referred to as the “Authority”, and that the Bidder has made all the investigations and examinations required by said documents.

B. The undersigned hereby agrees to enter into a contract with the Authority, in substantially the Form of Contract attached to these Bid Documents and to furnish all the items and/or services required under the Contract.

CONTRACT PRICE
A. It is understood that (i) as to the Contract which may be awarded upon this Bid, the Authority shall purchase from the Bidder supplies and services of the kind described in the Contract; and (ii) it is the intention of the Authority that a Contract shall be awarded by the Board to the lowest, responsible and responsive Bidder in terms of its fitness and capacity to furnish the quality of materials and workmanship considered to be best to meet the requirements of the Authority; and (iii) the Bid submitted under this document shall be on the basis of the Lowest Total Sum of prices bid.

B. The undersigned hereby offers and agrees to furnish and deliver the goods and/or services to the Authority as follows:
BID FORM

Bidders must use this Bid Form

Air Filters

BIDDER: __________________________________________________________

Note: Bidders must complete each line item to be considered for an award.

Please provide pricing below in each of the categories, pricing must be all inclusive (taxes, delivery charges, etc.), no additional costs will be approved.
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<th>Description</th>
<th>Package Qty</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
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The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

CATEGORY A - DISPOSABLE PANEL FILTERS (FIBERGLASS)

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<td>Percentage Discount Category A:</td>
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Total Category A $__________
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<td>18½ x 33 x 2</td>
<td>12</td>
<td>7</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>18½ x 21 x 2</td>
<td>12</td>
<td>2</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>24 x 24 x 1</td>
<td>12</td>
<td>48</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 20 x 2</td>
<td>12</td>
<td>527</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 24 x 2</td>
<td>12</td>
<td>500</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 25 x 2</td>
<td>12</td>
<td>787</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 30 x 2</td>
<td>12</td>
<td>30</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 20 x 4</td>
<td>6</td>
<td>8</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 20 x 12</td>
<td>1</td>
<td>116</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 24 x 12</td>
<td>1</td>
<td>286</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 20 x 6</td>
<td>2</td>
<td>116</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20 x 24 x 6</td>
<td>2</td>
<td>292</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>20¼ x 22 x 2</td>
<td>12</td>
<td>9</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>22 x 22 x 1</td>
<td>12</td>
<td>1</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>22 x 29 x 2</td>
<td>12</td>
<td>16</td>
<td>$__________</td>
<td>$__________</td>
</tr>
<tr>
<td>24 x 24 x 2</td>
<td>12</td>
<td>346</td>
<td>$__________</td>
<td>$__________</td>
</tr>
</tbody>
</table>
The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

### CATEGORY B - PLEATED FILTERS STANDARD CAPACITY

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Qty</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 x 24 x 12</td>
<td>1</td>
<td>52</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>24 x 24 x 6</td>
<td>2</td>
<td>40</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>25 x 25 x 1</td>
<td>12</td>
<td>1</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>25 x 25 x 2</td>
<td>12</td>
<td>4</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>28½ x 28½ x 2</td>
<td>12</td>
<td>18</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>28½ x 29¼ x 2</td>
<td>12</td>
<td>14</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>29 x 29 x 2</td>
<td>12</td>
<td>8</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td><strong>Total Category B</strong></td>
<td></td>
<td></td>
<td></td>
<td>$______________</td>
</tr>
</tbody>
</table>

### CATEGORY C – RING PANEL & RING PANEL LINK FILTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Qty</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>2PLY LINK</td>
<td>16 x 90</td>
<td>6</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td></td>
<td>20 x 90</td>
<td>6</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td></td>
<td>24 x 90</td>
<td>6</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>3PLY LINK</td>
<td>16 x 112</td>
<td>6</td>
<td>$__________</td>
<td>$______________</td>
</tr>
<tr>
<td>Dimensions</td>
<td>Quantity</td>
<td>Thickness</td>
<td>Price 1</td>
<td>Price 2</td>
</tr>
<tr>
<td>------------</td>
<td>----------</td>
<td>-----------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td>16 x 128</td>
<td>6</td>
<td>4</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>20 x 72</td>
<td>6</td>
<td>2</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>20 x 112</td>
<td>6</td>
<td>12</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>20 x 128</td>
<td>6</td>
<td>6</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>24 x 72</td>
<td>6</td>
<td>2</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>24 x 128</td>
<td>6</td>
<td>2</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>24 x 100</td>
<td>6</td>
<td>2</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>25 x 144</td>
<td>6</td>
<td>4</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>25 x 48</td>
<td>6</td>
<td>4</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>25 x 90</td>
<td>6</td>
<td>2</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>25 x 60</td>
<td>6</td>
<td>3</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td><strong>4PLY LINK</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 x 150</td>
<td>6</td>
<td>8</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>25 x 55</td>
<td>6</td>
<td>1</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>25 x 120</td>
<td>6</td>
<td>6</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td><strong>2PLY PANEL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 x 42</td>
<td>12</td>
<td>6</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>14 x 54</td>
<td>12</td>
<td>1</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>16 x 31</td>
<td>12</td>
<td>2</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>29½ x 34½</td>
<td>12</td>
<td>2</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>9.125 x 56.875 x 1</td>
<td>24</td>
<td>22</td>
<td>$_____</td>
<td>$_____</td>
</tr>
<tr>
<td>9.125 x 44.875 x 1</td>
<td>24</td>
<td>16</td>
<td>$_____</td>
<td>$_____</td>
</tr>
</tbody>
</table>
The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

<table>
<thead>
<tr>
<th>16 x 25</th>
<th>12</th>
<th>2</th>
<th>$___________</th>
<th>$___________</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Category C</strong></td>
<td></td>
<td></td>
<td>$___________</td>
<td></td>
</tr>
</tbody>
</table>
## CATEGORY D – UNITIZED CUBE FILTERS

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Qty</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>4 PLY CUBE W HDR</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 x 20 x 15</td>
<td>8</td>
<td>48</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td>20 x 24 x 15</td>
<td>8</td>
<td>56</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td>24 x 24 x 15</td>
<td>8</td>
<td>28</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td><strong>4PLY CUBE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24 x 24 x 10</td>
<td>8</td>
<td>6</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td>24 x 20 x 20</td>
<td>8</td>
<td>192</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td>12 x 24 x 20</td>
<td>8</td>
<td>288</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td>20 x 20 x 20</td>
<td>8</td>
<td>8</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td>24 x 24 x 20</td>
<td>8</td>
<td>3800</td>
<td>$___________</td>
<td>$___________</td>
</tr>
<tr>
<td><strong>Total Category D</strong></td>
<td></td>
<td></td>
<td></td>
<td>$___________</td>
</tr>
</tbody>
</table>

The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

<table>
<thead>
<tr>
<th>CATEGORY D - UNITIZED CUBE FILTERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Product Order Quantity:</td>
</tr>
<tr>
<td>Percentage Discount Category D:</td>
</tr>
</tbody>
</table>
**CATEGORY E – PLEATED FILTERS HIGH CAPACITY**

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Quantity</th>
<th>Estimated Annual Qty</th>
<th>Unit Price (per foot of media)</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 x 20 x 4</td>
<td>6</td>
<td>96</td>
<td>$___________________________</td>
<td>$_____________</td>
</tr>
<tr>
<td>16 x 25 x 4</td>
<td>6</td>
<td>271</td>
<td>$___________________________</td>
<td>$_____________</td>
</tr>
<tr>
<td>20 x 20 x 4</td>
<td>6</td>
<td>154</td>
<td>$___________________________</td>
<td>$_____________</td>
</tr>
<tr>
<td>20 x 24 x 4</td>
<td>6</td>
<td>168</td>
<td>$___________________________</td>
<td>$_____________</td>
</tr>
<tr>
<td>20 x 25 x 4</td>
<td>6</td>
<td>685</td>
<td>$___________________________</td>
<td>$_____________</td>
</tr>
<tr>
<td>24 x 24 x 4</td>
<td>6</td>
<td>156</td>
<td>$___________________________</td>
<td>$_____________</td>
</tr>
<tr>
<td><strong>Total Category E</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$_____________</strong></td>
</tr>
</tbody>
</table>

The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

**CATEGORY E – PLEATED FILTERS HIGH CAPACITY**

<table>
<thead>
<tr>
<th>Product Order Quantity:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Percentage Discount Category E:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>
### CATEGORY F – PADS AND BULK MEDIA ROLLS

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Quantity</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>12” x 135’ x ½”</td>
<td>1</td>
<td>3</td>
<td>$_____________</td>
<td>$_____________</td>
</tr>
<tr>
<td>48” x 90’ x ½”</td>
<td>1</td>
<td>1</td>
<td>$_____________</td>
<td>$_____________</td>
</tr>
</tbody>
</table>

**Total Category F**  
$________________

The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

<table>
<thead>
<tr>
<th>CATEGORY F – PADS AND BULK MEDIA ROLLS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Product Order Quantity:</td>
</tr>
<tr>
<td>Percentage Discount Category F:</td>
</tr>
</tbody>
</table>

### CATEGORY G – HIGH EFFICIENCY FOUR PANEL V-CELL FILTERS

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Quantity</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 x 24 x 12</td>
<td>4</td>
<td>6</td>
<td>$____________</td>
<td>$____________</td>
</tr>
</tbody>
</table>

**Total Category G**  
$________________

The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

<table>
<thead>
<tr>
<th>CATEGORY G – HIGH EFFICIENCY FOUR PANEL V-CELL FILTERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Product Order Quantity:</td>
</tr>
<tr>
<td>Percentage Discount Category G:</td>
</tr>
</tbody>
</table>
### CATEGORY H – CARBON PAD FILTERS

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Quantity</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 x 24 x 1 CARBON PAD</td>
<td>12</td>
<td>80</td>
<td>$__________</td>
<td>$____________</td>
</tr>
</tbody>
</table>

**Total Category H** $____________

The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

### CATEGORY H – CARBON PAD FILTERS

<table>
<thead>
<tr>
<th>Product Order Quantity:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage Discount Category H:</td>
</tr>
</tbody>
</table>

### CATEGORY I – CUSTOMER FILTER

<table>
<thead>
<tr>
<th>Description</th>
<th>Package Quantity</th>
<th>Estimated Annual Qty</th>
<th>Unit Price</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special order filter</td>
<td></td>
<td></td>
<td>$__________</td>
<td>$____________</td>
</tr>
</tbody>
</table>

| 54” x 26”            | 1                | 28                   | $__________| $____________ |

**Total Category I Group** $____________

The Bidder shall allow a quantity percentage (%) discount for orders which meet the following:

### CATEGORY I – CUSTOMER FILTER

<table>
<thead>
<tr>
<th>Product Order Quantity:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage Discount Category I:</td>
</tr>
<tr>
<td>CATEGORY PRICING SUMMARY</td>
</tr>
<tr>
<td>---------------------------</td>
</tr>
<tr>
<td><strong>Total Category A Price</strong></td>
</tr>
<tr>
<td><strong>Total Category B Price</strong></td>
</tr>
<tr>
<td><strong>Total Category C Price</strong></td>
</tr>
<tr>
<td><strong>Total Category D Price</strong></td>
</tr>
<tr>
<td><strong>Total Category E Price</strong></td>
</tr>
<tr>
<td><strong>Total Category F Price</strong></td>
</tr>
<tr>
<td><strong>Total Category G Price</strong></td>
</tr>
<tr>
<td><strong>Total Category H Price</strong></td>
</tr>
<tr>
<td><strong>Total Category I Price</strong></td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
</tr>
</tbody>
</table>

NO SUPPLIES OF THE KIND DESCRIBED HEREIN SHALL BE DELIVERED UNTIL A PURCHASE ORDER HAS BEEN ISSUED BY MPEA.
PAYMENT WILL BE SUBJECT TO ACCEPTANCE BY THE AUTHORITY OF THE SERVICES PROVIDED BY THE CONTRACTOR.

Person to contact regarding Bid:

Name: ___________________________ FEIN: ___________________________

Address: _____________________________________________________________

Telephone: __________________________ Facsimile: ______________________

Location of facility where inventory is maintained:

Address _____________________________________________________________

Telephone Number _____________________________________________________

E-Mail Address ________________________________________________________
SIGNATURES
(If an Individual)

Signature of Bidder
___________________________________________________________________

Business Address ________________________________________________

______________________________________________________________

State of________________

County of______________

Subscribed and sworn to before me this ___ day of ________________, 2018.

NOTARY PUBLIC (SEAL)
SIGNATURES (Continued)
(If a Partnership)

Firm Name
___________________________________________________________________

By______________________________________________________________
Title__________________________________________________________

By______________________________________________________________
Title__________________________________________________________

Business Address ________________________________________________

Names and addresses of all members of the firm:
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________

State of___________________
County of__________________

Subscribed and sworn to before me this ___ day of ________________, 2018.

______________________________________________________________
NOTARY PUBLIC (SEAL)
SIGNATURES (Continued)
(If a Corporation or Limited Liability Company)

Corporate or Company

Name___________________________________________________

Signature of President, Manager, or Authorized Officer

___________________________________________________________________

Title___________________________________________________________

Business Address

___________________________________________________________________

Note: In the event that this Bid is signed by other than the President, attach hereto a certified copy of that section of Corporate By-Laws, company operating agreement, or other authorization, such as a Resolution by the Board of Directors or Managers, which permits the person to sign the offer for the corporation.

CORPORATE SEAL
President___________________________________________________________

Vice President_______________________________________________________

Secretary_______________________________________________________

Treasurer_______________________________________________________

Attest: ________________________________________
Secretary

State of__________________________________________

County of________________________________________

Subscribed and sworn to before me this ___ day of _____________, 2018.

NOTARY PUBLIC
(SEAL)
SIGNATURES (Continued)
(If a Joint Venture)

Joint Venture Name ____________________________________________________________________________

Business Address ____________________________________________________________________________

__________________________________________________________________________________________

Signature for Joint Venture Firm ________________________________________________________________

Title _______________________________________________________________________________________

Signatures of Parties to Joint Venture

Firm _______________________________________________________________________________________

By _______________________________________________________________________________________

Title ______________________________________________________________________________________

Address ____________________________________________________________________________________

Signatures of Parties to Joint Venture Firm

__________________________________________________________________________________________

By _______________________________________________________________________________________

Title ______________________________________________________________________________________

Address ____________________________________________________________________________________

State of ______________________________________________________

County of ______________________________________________________

Subscribed and sworn to before me this ___ day of ____________________, 2018.

________________________________________

NOTARY PUBLIC
NAME OF PROJECT: Air Filters  
PROJECT NUMBER: 2018-27-M

BIDDER/PROPOSER: ____________________________________________

Note: Each Bidder/Proposer is obligated to notify the Authority of any changes in its ownership or in its officers and directors at the time such changes occur if the change occurs during bid evaluation or during the Contract term.

1. If the Bid/Proposal is submitted by an individual, answer questions listed below:
   
   (a) Name______________________________________________________
   
   (b) Official Address____________________________________________
   
   (c) Telephone_________________________ Email address ______________
   
   (d) Fax Number________________________________________________
   
   (e) FEIN_______________________________________________________
   
   (f) Is the individual authorized to do business in Illinois? □YES □NO

2. If the Bid/Proposal is submitted by a partnership, answer questions listed below:

   (a) Firm Name___________________________________________________
   
   (b) Official Address____________________________________________
   
   (c) Fax Number________________________________________________
   
   (d) Telephone Number____________________________________________
   
   (e) FEIN_______________________________________________________
   
   (f) List each individual or business entity having a beneficial interest directly or indirectly, of more than seven and one-half percent (7 ½%) in the business organization.

      Holding firms: Where owners are themselves a corporation, LLC, partnership or other business entity, list the business entity’s name and each individual or business entity having a beneficial interest directly or indirectly, of more than seven and one-half percent (7 ½%) in such “holding firm”. (Use a separate page if necessary).

      Affiliated entities: List each individual or business entity having a beneficial interest directly or indirectly, of more than seven and one-half percent (7 ½%) in any affiliated entities. (Use a separate page if necessary)

<table>
<thead>
<tr>
<th>Name</th>
<th>Percentage Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>


(g) List the names of all managing partners:

__________________________________________________________

__________________________________________________________

__________________________________________________________

(h) Is partnership authorized to do business in Illinois? □ YES □ NO

3. If the Bid/Proposal is submitted by a corporation or limited liability company (LLC), answer questions listed below:

(a) Corporate or Company Name______________________________________________

(b) Date of Incorporation_____________________________________________________

(c) State of incorporation____________________________________________________

(d) If incorporated in another State, are you authorized to do business in the State of Illinois?
   □ YES □ NO

(e) Name and address of registered agent _______________________________________

..............................................................

..............................................................

..............................................................

(f) Fax Number_____________________________________________________________

(g) Telephone_________________________ Email address ____________________________

(h) FEIN _________________________________________________________________

(i) List the names of all officers and directors:

..............................................................

..............................................................

..............................................................

(j) List each individual having a beneficial interest directly or indirectly, of more than seven and one-half percent (7 ½%) in the business organization.

   Holding firms: Where owners are themselves a corporation, LLC, partnership or other business entity, list the business entity’s name and each individual or business entity having a beneficial interest directly or indirectly, of more than seven and one-half percent (7 ½%) in such “holding firm”. (Use a separate page if necessary).

   Affiliated entities: List each individual or business entity having a beneficial interest directly or indirectly, of more than seven and one-half percent (7 ½%) in any affiliated entities. (Use a separate page if necessary)
4. Is Company a certified minority or woman owned business enterprise? □ YES □ NO

If yes, check one: □ MBE □ WBE

Certified by: □ City of Chicago
□ Chicago Minority Supplier Development Council
□ County of Cook
□ Women's Business Development Center
□ State of Illinois, Department of Central Management Services

Date of Certification: ________________________________

Please attach copy of current certification letter.

I declare that this Statement of Bidder's Business Organization has been examined by me and to the best of my knowledge and belief is a true, correct, and complete statement of the business organization.

__________________________
(Signature)

State of__________________________

County of__________________________

Subscribed and sworn to (or affirmed) before me this ______ day of ________________, 2018

____________________________________
NOTARY PUBLIC (SEAL)
REQUIRED FORM C

STATEMENT OF QUALIFICATIONS

Bidder must furnish all of the following information relative to its ability, experience, and financial resources available for the fulfillment of the Contract.

1. The number of consecutive years that Bidder has been engaged in the business under the present firm name ___________.
   Number of consecutive years at this location: ___________.
   Date when business was organized _________________.

2. List all pertinent organizations and associations of which Bidder is currently a member:
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________

3. Provide the overall ratio of managers to personnel. _________________________________

4. A. State approximately the value of the three (3) largest contracts your organization has had providing products or services similar to the requirements set forth in the Bid/Request Document, giving the name and location of the firm with whom you contracted.

<table>
<thead>
<tr>
<th>Firm</th>
<th>Location</th>
<th>Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
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<tr>
<td>(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. State the names and locations of any governmental bodies with whom your organization has had contracts providing products or services similar to the requirements set forth in the Bid/Request Document.

<table>
<thead>
<tr>
<th>Firm</th>
<th>Location</th>
<th>Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
5. **Within the last five (5) years**, list below three (3) references for the three (3) largest contracts your organization has had **providing products or services similar** to the requirements set forth in the Bid/Request Document, giving the name of the person we are authorized to contact:

A. **Company Name**

   Contact

   Title

   Address

   Telephone________ Email address________

   Contract Duration

   Contract Size

B. **Company Name**

   Contact

   Title

   Address

   Telephone________ Email address________

   Contract Duration

   Contract Size

C. **Company Name**

   Contact

   Title

   Address

   Telephone________ Email address________

   Contract Duration

   Contract Size

6. List below two (2) trade references:

A. **Company Name**

   Contact

   Title
Address

Telephone          Email address

Length of Relationship

B. Company Name

Contact

Title

Address

Telephone          Email address

Length of Relationship

7. List below one (1) bank reference:

Company Name

Contact

Title

Address

Telephone          Email address

Length of Relationship

8. Identify all union contracts to which you are a signatory.


9. Provide evidence of the ability to provide insurance coverage as specified in Required Form H.

10. Has Bidder ever refused to sign a contract? Y ___ N ___ At the original price? Y ___ N ___

If yes to either question, provide details. __________________________________________________________

11. Has Bidder ever been terminated for cause? _____  If yes, provide details.______________________

________________________________________________________________________
12. Has Bidder ever defaulted on a contract? ___________ If yes, provide details.

13. Has Bidder or any related or affiliated entity, ever been adjudged a bankrupt, been subject to a receivership or an order of reorganization, or other similar action involving the rights of creditors against vendors? _____ If yes, provide details.

14. Is Bidder or its business at this time subject to any court order relating to bankruptcy, receivership, liquidation, reorganization, or similar relief? _____ If yes, provide details.

15. Has Bidder ever forfeited a performance bond? _____ If yes, provide details.

16. Bidder shall provide copies of its annual financial statement or annual report, such as balance sheets, profit and loss statements, or financial report, for the last three (3) years.

I declare that this Statement of Qualifications has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of the business organization.

___________________________________________
(Signature)
REQUIRED FORM D

BIDDER CERTIFICATIONS

NAME OF PROJECT:  Air Filters
PROJECT NUMBER:   2018-27-M

BIDDER:  ______________________________

Bidder certifies that it is fully authorized to enter into an Agreement with the Authority, has no known conflicts of interest as described in the MPEA Act (70 ILCS 210/25.3), or otherwise, and further specifically certifies that:

1. Neither Bidder nor its agents, officers or employees, has entered into any agreement or arrangement with any individual or entity to refrain from bidding, or to do any act or omit to do any act, the result of which would restrain free competition among Bidder.

2. Pursuant to 70 ILCS 210/25.3, neither Bidder, nor its agents, officers or employees, has made any offer to, nor been solicited by, any member of the Board, Trustee, officer or employee of the Authority, either directly or indirectly, regarding any money or other thing of value as a gift or bribe or means of influencing his or her vote or action in his or her official character.

3. Bidder, its affiliated entities and affiliated persons of Proposer’s organization have not made any contributions to any political committees established to promote the candidacy of any declared candidate for the office of Mayor of Chicago or Governor of Illinois in violation of the restrictions in 70 ILCS 210/25.5(a).

4. Neither Bidder, nor its agents, officers or employees, is barred from contracting with any unit of state or local government as a result of being convicted of bid-rigging, as defined in Section 33E-3 of the Illinois Criminal Code of 1961 (720 ILCS 5/33E-3) or of bid-rotating, as defined in Section 33E-4 (720 ILCS 5/33E-4) or of any similar offenses of any state or the United States that contain the same elements as the offenses of bid-rigging or bid-rotating.

5. Bidder will, pursuant to 720 ILCS 5/33E-6, report to the Illinois Attorney General and Cook County State’s Attorney any prohibited communication that would constitute interference with contract submission and award by a public official.

6. Pursuant to 775 ILCS 5/2 105, Bidder complies with the Illinois Department of Human Rights Act and rules applicable to public contracts, including equal employment opportunity, refraining from unlawful discrimination, and having written sexual harassment policies.

7. Bidder will, pursuant to the Drug Free Workplace Act (30 ILCS 580), provide a drug free workplace. Bidder certifies that it will not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the performance of the contract. This requirement applies to contracts of $5000 or more with individuals, and to entities with twenty-five (25) or more employees.

8. Bidder or its employees and subcontractors shall comply with applicable provisions of the U.S. Civil Rights Act, Section 504 of the Federal Rehabilitation Act, and the rules applicable to each as well as the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and the regulations thereunder (28 CFR 35.130).

9. Neither Proposer, nor any of its affiliates, subsidiaries, officers, directors, managerial employees, or any individual who, directly or indirectly, holds a pecuniary interest in the
Proposer’s organization has been convicted of a criminal offense incident to the application for or performance of a contract or subcontract with a governmental entity in the State of Illinois, or has been convicted of a criminal offense, or held liable in a civil proceeding, that negatively reflects on the entity’s or individual’s business integrity, based on a finding of embezzlement, theft, forgery, bribery, falsification, or destruction of records, receiving stolen property, or violation of state or federal antitrust statutes or similar laws.

10. Proposer is not in arrears to the State of Illinois for any debts whatsoever (including but not limited to back taxes). Further, the undersigned certifies that the Proposer has not defaulted on any other project with the State of Illinois, US Federal Government, or any governmental entity of Cook County or the City of Chicago.

My name is__________________________________________________________

B. I am (Please choose one of the following and fill in the name of the Bidder):
   (i) the sole proprietor of_______________________________________
       Name of Bidder
   (ii) a partner in________________________________________________
        Name of Bidder
   (iii) I am the______________ of____________________________________
        Title                                Name of Bidder

This certification is attached to and is a part of the Bid submitted to the Metropolitan Pier and Exposition Authority on behalf of Bidder.

Signature __________________________________________________________

Date ______________________________________________________________

State of ________________ )
   ) SS
County of ________________ )

Subscribed and sworn to before me this
___ day of ____________________, 2018.

__________________________
NOTARY PUBLIC                      (SEAL)
REQUIRED FORM E

FORM OF TRANSMITTAL LETTER

To be duplicated and completed on Bidder’s firm letterhead

(Date)

Metropolitan Pier and Exposition Authority
301 East Cermak Road
Chicago, Illinois 60616
Attention: Director of Procurement

Re: Air Filters IFB # 2018-27-M

On behalf of (Full legal name of Bidder), I submit with this letter its response to the Metropolitan Pier and Exposition Authority's INVITATION FOR BIDS ("IFB") 2018-27-M. In this connection, I state the following:

1. I have full authority to bind Bidder with respect to this response to the IFB and any oral or written presentations and representations made to the Authority.

2. (Full legal name of Bidder) has read and understands the IFB and is fully capable and qualified to provide the goods and or services as described within this IFB.

3. I have read and understand the IFB, including addenda numbers ________.

4. (Full legal name of Bidder) understands that the Metropolitan Pier and Exposition Authority will rely on Bidder’s response to the IFB and Bidder agrees to be bound by its representations and statements made in its response and in any oral or written presentation(s) made during the evaluation and selection process.

5. (Full legal name of Bidder) agrees to hold its Bid open for a period of 60 days from the date and time established for submission of Bids, and, if requested by the Authority, for an additional 60 days thereafter.

6. If requested by the Authority, Bidder agrees to furnish additional information or documentation or to make one or more oral presentations or demonstrations to assist the Authority in evaluating its Bid.

7. If selected by the Authority, Bidder agrees to enter into a Contract for IFB# 2018-27-M with the Authority in accordance with the FORM OF CONTRACT attached to this Invitation for Bids and to supply all of the items or services required.

8. Neither I, nor Bidder has any beneficial interest in or relationship with any other party working or performing services for or otherwise affiliated with the Authority and no conflict of interest which could interfere with the provision of services to the Authority.

9. Bidder understands that the Authority will rely upon the material representations set forth in the Bid and that Bidder has a continue obligation to update any information which changes or which Bidder learns to be incorrect.
10. It is understood that an original and multiple copies of the Bidder have been submitted for consideration. Bidder warrants that all copies are identical to the original in all respects.

11. Bidder acknowledges that any comments, requests or exceptions to the form of agreement or any other requirements stated in this procurement have been identified on REQUIRED FORM G, NOTIFICATION OF EXCEPTIONS.

Signed:____________________________________

________________________________________
Typed/lettered name of signatory

As: ______________________________________
(Relationship to Bidder/Title/etc.)
A. DEFINITIONS AND DISCLOSURE REQUIREMENTS

1. The Board of the Metropolitan Pier and Exposition Authority ("MPEA") has determined that all bids, proposals and contracts requiring Board approval must be accompanied by a statement disclosing information about Lobbyists.

2. "Lobbyist" means any person (i) who, for compensation or on behalf of any person other than himself, undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action. Subconsultants or subcontractors hired by the Applicant who do not fit this definition are not considered Lobbyists.

3. In particular, the Applicant must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. All Lobbyists must be disclosed.

4. If the Applicant is uncertain whether a disclosure is required under this Section, the Applicant must either ask the MPEA whether disclosure is required or make the disclosure. The Applicant is not required to disclose employees who are paid solely through the Applicant's regular payroll or sub-contractors.

5. MPEA prohibits the participation of Lobbyists when the payment to the Lobbyist is contingent on the award to the party of a contract. (Contingency Fee Agreements).

B. CERTIFICATION

Each and every Lobbyist or other person retained or anticipated to be retained directly by the Applicant with respect to or in connection with lobbying for the award of the contract that is the subject of this DISCLOSURE OF LOBBYISTS is listed below [begin list here, add sheets as necessary]:

<table>
<thead>
<tr>
<th>Name</th>
<th>Business Address</th>
<th>Fees (indicate whether paid or estimated)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
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</tbody>
</table>

[ ] CHECK HERE IF NO SUCH PERSON HAS BEEN RETAINED DIRECTLY BY THE APPLICANT OR IS ANTICIPATED TO BE RETAINED DIRECTLY BY THE APPLICANT.

The Undersigned understands and agrees that:

A. The certifications, disclosures, and acknowledgments contained in this DISCLOSURE OF LOBBYISTS will become part of any contract awarded to the Applicant by the MPEA in connection with the project or transaction that is the subject of this DISCLOSURE OF LOBBYISTS.

B. Some or all of the information provided on this DISCLOSURE OF LOBBYISTS, including any REQUIRED FORMS, may be made available to the public in response to a Freedom of Information Act request, or otherwise. By completing and signing this DISCLOSURE OF LOBBYISTS, the Undersigned waives and releases any possible rights or claims which it
may have against the MPEA in connection with the public release of information contained in this DISCLOSURE OF LOBBYISTS and also authorizes the MPEA to verify the accuracy of any information submitted in this DISCLOSURE OF LOBBYISTS.

C. Lobbyists and all other parties retained in connection with the award of contract are agents of the Undersigned and are therefore subject to the same rules as the Undersigned, including but not limited to the prohibition of conflicts of interest and the prohibition of direct contact with any official, employee or agent of the MPEA regarding outstanding procurement projects, except as provided herein. The only officials, employees or agents of the MPEA who may be contacted regarding outstanding procurement projects are the Director of Procurement, to whom questions for clarification regarding an outstanding procurement may be submitted in writing, and members of the MPEA’s Business and Workforce Diversity Department, who may be contacted regarding the Undersigned’s Minority and Women’s Business Enterprise participation.

D. If the MPEA determines that any information provided in this DISCLOSURE OF LOBBYISTS is false, incomplete or inaccurate, or if any provision of this DISCLOSURE OF LOBBYISTS is violated, any contract or other agreement in connection with which it is submitted may be void or voidable, and the MPEA may pursue any remedies under the contract, at law, or in equity, including terminating the Undersigned’s participation in the project or transaction and/or declining to allow the Undersigned to participate in future transactions with the MPEA.

_________________________________________ Date: _______________________
(Print or type name of individual or legal entity submitting this DISCLOSURE OF LOBBYISTS)

By: ______________________________________ (sign here)

Title of signatory: ________________________________

Print or type name of signatory: ____________________

County of ____________________________________________

State of ____________________________________________

Acknowledged under oath on [date] ____________

before me by ____________________________________________
as [title] ____________________________________________
of [firm] ____________________________________________.

________________________________________
Notary Public

Commission expires: ____________________
REQUIRED FORM G

NOTIFICATION OF EXCEPTIONS

The Undersigned understands and agrees that:

PLEASE CHECK ONLY ONE

[ ] BIDDER ACKNOWLEDGES THAT THERE ARE NO EXCEPTIONS TO THE FORM OF CONTRACT OR ANY OTHER REQUIREMENTS STATED IN THIS PROCUREMENT IFB #2018-27-M.

Signed: ________________________________

____________________________________

(Typed/lettered name of signatory)

As: ________________________________

(relationship to Bidder/Title/etc.)

Date: ________________________________

[ ] BIDDER ACKNOWLEDGES THAT THERE ARE EXCEPTIONS TO THE FORM OF CONTRACT, THAT CONFLICTS OF INTEREST EXIST, OR ANY OTHER REQUIREMENTS STATED IN THIS PROCUREMENT IFB # 2018-27-M AND HAS ATTACHED THEM TO THIS REQUIRED FORM G, NOTIFICATION OF EXCEPTIONS.

Signed: ________________________________

____________________________________

(Typed/lettered name of signatory)

As: ________________________________

(relationship to Bidder/Title/etc.)

Date: ________________________________
REQUIRED FORM H

INSURANCE REQUIREMENTS

_Bidders must include a sample certificate of insurance, verifying that they can meet the limits set forth below, with their Bid._

1. The Selected Supplier must procure and maintain, at its own expense, until final completion of the Services covered by this Contract and during the time period following final completion if required to return and perform additional Services, for any reason whatsoever, the types of insurance specified below with insurance companies authorized to do business in the State of Illinois covering all operations under this Contract, in amounts specified by the Authority's Risk Manager. The Selected Supplier must provide the Authority with certificates evidencing such coverage prior to receiving the contract:

   a. _Commercial General Liability_

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Aggregate</td>
<td>$2,000,000.00</td>
</tr>
<tr>
<td>Products Liability/Completed</td>
<td>$2,000,000.00</td>
</tr>
<tr>
<td>Oper. Aggregate</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Each Occurrence</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Personal &amp; Advertising Injury</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Contractual Liability</td>
<td></td>
</tr>
</tbody>
</table>

   The policy must include coverage for Misdelivery of Liquid Products.

   b. _Workers' Compensation and Employer's Liability_

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workers' Compensation</td>
<td>Statutory</td>
</tr>
<tr>
<td>Employer's Liability</td>
<td></td>
</tr>
<tr>
<td>Each Accident</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Per Employee - Disease</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Annual Aggregate - Disease</td>
<td>$1,000,000.00</td>
</tr>
</tbody>
</table>

   Workers’ Compensation/ Employer’s Liability policies shall be endorsed to waive the insurer’s right of subrogation against the Authority.

   c. _Automobile Liability_

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bodily Injury and Property Damage</td>
<td></td>
</tr>
<tr>
<td>Combined Single Limit Each Accident</td>
<td></td>
</tr>
<tr>
<td>Uninsured/Underinsured Motorist</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>Occurrence</td>
<td>$1,000,000.00</td>
</tr>
</tbody>
</table>

   This Policy must provide coverage for all owned, non-owned, and hired autos.
d. **Umbrella Coverage**

Coverage must be in excess of and provide coverage as broad as the underlying Commercial General Liability, Commercial Auto Liability and Employers Liability. It must be no more restrictive than the primary coverage listed.

2. All insurance companies must be rated A-VIII or better by the A. M. Best Company. Any deviation from this rating must be approved by the Risk Management Department.

3. Supplier’s assumption of liability is independent from, and not limited in any manner by, the Supplier’s insurance coverage obtained pursuant to this Contract, or otherwise. All amounts owed by Supplier to the Authority as a result of the liability provisions of the Contract shall be paid on demand.

4. Supplier expressly understands and agrees that any insurance or self-insurance programs maintained by the Authority shall apply in excess of and not contribute with insurance provided by them under the Agreement.

5. Policies should be written on an occurrence basis.

6. All coverages must contain a Waiver of Subrogation in favor of the MPEA.

7. All policies must amend the other insurance clause to be Primary and Non Contributory for any liability arising directly or indirectly from the Services.

8. Subcontractors performing services for the selected contractor shall maintain coverage and limits equal to or greater than the proposer.

9. The Metropolitan Pier and Exposition Authority, its facilities, agents, officers, board members and employees are named as an additional insured.

10. If policies are canceled for any reason, immediate notice is required to be given to the Risk Management Department via certified mail.
NAME OF PROJECT: _______________________________________________________

PROJECT NUMBER: ______________________________________________________

PROPOSER: ____________________________________________________________

SECTION I. POLICY STATEMENT AND TERMS

In accordance with the Metropolitan Pier and Exposition Authority Act, 70 ILCS 210/1 et. seq., Section 23.1(b) (hereinafter referred to as “Act”); the Authority has adopted and maintains a Business Diversity Program. Goals established pursuant to the adoption of such a program include the award of not less than 25% of the annual dollar value of all contracts, purchase orders, or other agreements (collectively referred to as “contracts”) to minority owned businesses (MBE) and 5% of the annual dollar value of all contracts to women owned business enterprises (WBE).

It is the policy of the Authority that a Contractor take affirmative steps to ensure that minority and women owned businesses have the maximum opportunity to compete for and perform subcontracts for the supply of goods and services. Further, no contractor shall discriminate against any person or business on the basis of race, color, religion, ancestry, age, marital status, physical or mental disability, military discharge status, parental status, sexual orientation, national origin, sex or any other protected status in connection with the purchase of goods and services or the subcontracting of work required by an agreement awarded by the Authority.

SECTION II. DEFINITIONS

For purposes of this Bid or Proposal, the following terms shall have the definitions set forth in this Section II. If there is any discrepancy between the definitions set forth in these Special Conditions and the Act, the provisions of the Act control.

a. “Area of Specialty” means the description of a MBE or WBE firm’s business which has been determined by the Director of Procurement to be most reflective of the MBE or WBE firm’s claimed specialty or expertise. Each MBE and WBE letter of certification must contain a description of the firm’s Area of Specialty. This information is also contained in each directory published by the Certifying Entities identified in Section III. Credit towards MBE and WBE participation goals on a contract shall be limited to the participation of firms performing within their Area of Specialty.

b. “Bid” or “Proposal” means a bid, proposal, or submittal detailing a description of the services or work to be provided by the Contractor in response to a bid solicitation, request for proposal, request for qualification or task order request issued by the Authority.

c. “Bidder” or “Proposer” means any person or business entity that submits a bid, proposal, qualification or submittal that seeks to enter into a contract with the Authority, and includes all partners, affiliates and joint ventures of such person or entity.
d. “Broker” means any person or entity that fills orders by purchasing or receiving supplies rather than out of its own existing inventory and provides no substantial service other than acting as a conduit between his or her supplier and his or her customer.

e. “Commercially Useful Function” means responsibility for the execution of a distinct element of the work of the contract, which is carried out by actually performing, managing, and supervising the work involved, evidencing the responsibilities and risks of a business owner.

f. “Compliance Monitoring System” means the computer-based system established by the Authority to monitor Contractor compliance in meeting MBE/WBE goals for a contract.

g. “Consultant” means an expert who is called on for professional or technical advice or opinions.

h. “Contract Specific Goals” means the subcontracting goals for MBE and WBE participation established for a particular contract.

i. “Contractor” means any person or business entity that has entered into a contract with the Authority as described herein, and includes all partners, affiliates, and joint ventures of such person or entity.

j. “Coordinator” means the Authority’s Business Diversity Program Coordinator.

k. “Direct Participation” means the total value of payments made to MBE or WBE firms for work that is completed in their Area of Specialty directly related to the performance of the subject matter of the contract.

l. “Directory” means a directory of certified minority business enterprises and women business enterprises maintained and published by a Certifying Entity. The Directory identifies firms that have been certified as MBES and WBEs, and includes both the date of the firm’s last certification and the Area of Specialty in which the firm is certified. Contractors are responsible for verifying the current certification status of all proposed MBE and WBE firms.

m. “Good Faith Efforts” means actions undertaken by a bidder or contractor to achieve a Contract Specific Goal in accordance with Section VIII(b).

n. “Joint Venture” means an association of at least one MBE or WBE firm and one or more other firms to carry out a single, for-profit business enterprise, for which each Joint Venture partner contributes property, capital, efforts, skills and knowledge, and in which the MBE or WBE is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the capital contribution, control, management, risks, and profits of the Joint Venture are commensurate with its ownership interest.

o. “Minority Business Enterprise” or “MBE” shall be defined in accordance with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, 30 ILCS 575/2.01, et. seq., and means a business concern which is at least 51% owned by one or more minority persons, or in the case of a corporation, at least 51% of the stock in which is owned by one or more minority persons; and the management and daily business operations of which are controlled by one or more of the minority individuals who own it.
p. “Special Conditions” means the terms and conditions of the Authority’s Business Diversity Program as set forth in this document.

q. “Supplier” means a firm who manufactures or fabricates from raw materials or substantially alters the materials / supplies; or a firm that is the wholesale/retail distributor of materials or supplies.

r. “Women Business Enterprise” or “WBE” shall be defined in accordance with the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, 30 ILCS 575/2.01, et. seq., and means a business concern which is at least 51% owned by one or more females, or, in the case of a corporation, at least 51% of the stock in which is owned by one or more females; and the management and daily business operations of which are controlled by one or more of the females who own it.

SECTION III. CERTIFICATION

The Authority neither certifies nor decertifies a firm’s MBE or WBE status. Rather, it accepts the current certifications of other agencies whose policies and procedures are consistent with the requirements of Section 23.1(b) of the Act. The Authority presently accepts certifications from the City of Chicago, Chicago Minority Business Development Council, County of Cook, Women’s Business Development Center through a partnership with the Women’s Business Enterprise National Council, and the State of Illinois through its Central Management Services Division. Other certifications will be reviewed on a case-by-case basis. To be eligible for credit towards meeting the MBE and WBE goals, a firm must be certified by the time of contract award.

The Authority does not make any representation concerning the ability of any MBE or WBE to perform work within the firm’s Area of Specialty. It is the responsibility of all Contractors to determine the capability and capacity of MBEs and WBEs to satisfactorily perform the work proposed.

Bidder or Proposer must confirm that neither it nor any of its proposed subcontractors have been decertified by any of the certifying agencies listed above. If an MBE or WBE firm loses its certification from any of the certifying agencies above during the contract term, the Contractor and the MBE or WBE must immediately notify the Authority. The Authority has the right to demand the substitution by a certified MBE or WBE or take other appropriate action.

SECTION IV. CONTRACT GOALS

The Authority has established the following Contract Specific Goals for this contract:

<table>
<thead>
<tr>
<th>MBE PERCENTAGE</th>
<th>WBE PERCENTAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>25%</td>
<td>5%</td>
</tr>
</tbody>
</table>

These goals shall apply to the contract, unless Bidder or Proposer requests an appropriate waiver at the time of the submission of the Bid or Proposal and such request is granted in writing by the Authority.
SECTION V. OBLIGATIONS OF BIDDERS AND PROPOSERS

a. Each Bidder or Proposer must commit to utilize MBE and WBE firms to meet the goals stated above relative to the total contract price (inclusive of any and all modifications and amendments). Evidence of such commitment shall be the responsibility of the Bidder or Proposer. MBE and WBE commitments may be met by one or a combination of the following:

1. Bidder or Proposer status as a certified MBE or WBE firm;

2. Subcontracting part of the work to one (1) or more certified MBE or WBE firms; or

3. A joint venture as prime contractor with one (1) or more certified MBE or WBE firms to the extent of the MBE and WBE participation in such joint venture; or

4. Purchasing materials or supplies used in performing the contract from one (1) or more certified MBE or WBE firms.

b. Bidders or Proposers that are unable to meet the goals set forth in Section IV above must request a waiver or reduction at the time of Bid or Proposal submission and demonstrate Good Faith Efforts pursuant to Section VIII(b) herein;

c. Bids or Proposals may be rejected as non-responsive if:

1. Bids or Proposals do not include a detailed MBE or WBE commitment or a request for a waiver accompanied by evidence of Good Faith Efforts;

2. Bidder or Proposer fails to cooperate with Authority requests regarding MBE or WBE participation efforts; or

3. False or misleading statements are made regarding MBE or WBE participation.

d. Bidders or Proposers are encouraged to contact the Coordinator early in the process of preparing their Bids or Proposals to obtain assistance identifying qualified and certified MBE and WBE firms. Direct requests to:

   Metropolitan Pier and Exposition Authority
   301 East Cermak Road, Chicago, Illinois 60616
   Telephone: (312) 791-6333 ~ Facsimile: (312) 791-7125
   Email: tpetties@mpea.com
   Attention: Tiffany M. Petties
   Business Diversity Program Compliance Coordinator

SECTION VI. SUBMITTAL REQUIREMENTS

a. **Required Documents.** The following documents must be submitted to the Authority with the Bid or Proposal:
1. **Schedule A: Affidavit of Bidders or Proposers Commitments.** The Bidder or Proposer must complete this form to warrant to the Authority the Bidder’s or Proposer’s commitment to use specific MBE/WBE firms in performing the contract. Bidder or Proposer must detail a specific MBE/WBE plan on Schedule A and submit it along with the appropriate certification letters for all MBE and WBE firms in accordance with Section III. All Bidders and Proposers are required to submit a completed Schedule A. Any Bid or Proposal submitted without Schedule A and the relevant supporting documents will be rejected unless the Authority deems it appropriate to grant a waiver in accordance with Section VIII.

2. **Schedule B: Letter of Intent.** All MBE/WBE firms that will perform services under the contract must complete Schedule B to show the commitment between the Bidders or Proposers and each MBE/WBE participant. MBE and WBE firms that are party to a Joint Venture must also complete Schedule B.

3. **Schedule C: Joint Venture Affidavit and Agreement.** All Joint Ventures must complete Schedule C. Where all of the Joint Venture parties are MBE and WBE firms, a copy of the Joint Venture agreement and Schedule B are required, but Schedule C is not required.

4. **Schedule D-1 and D-2: Waiver Request and Unavailability Certification.** In the event that the Bidder or Proposer has been unable to identify any MBE/WBE firms to participate in the contract, Bidder or Proposer must complete these forms to demonstrate its Good-Faith Efforts to obtain MBE/WBE participation.

**b. Changes.** Once approved by the Authority, changes to Bidder or Proposer commitments certified in Schedules A- C are prohibited without prior written consent of the Authority. Bidder or Proposer may request, in writing, to substitute or add a new MBE or WBE or change the percentages among the MBE/WBE firms identified in Schedule A due to unforeseen circumstances in order to fulfill the requirements of the contract. All such requests are subject to the Authority’s written approval, subject to the terms of the contract.

**SECTION VII. COUNTING MBE/WBE PARTICIPATION TOWARD CONTRACT GOALS**

**a. Limitations.** MBE and WBE participation generally counts toward MBE and WBE goals according to the total dollar value of the goods and services supplied by the certified MBE or WBE firm. Some restrictions to this general rule apply, as follows:

1. Credit toward MBE/WBE commitments is only given for work by firms performing within their Area(s) of Specialty as stated in the current letter of certification. Firms acting as brokers are not eligible to be counted for credit.

2. If a firm (including wholly-owned MBE/WBE Joint Ventures) is certified as both an MBE and a WBE, the Authority will determine whether to count the total dollar value of the contract toward the MBE or WBE goal, but not both at once.

3. Only payments to firms performing Commercially Useful Functions under the contract with the Authority are counted towards MBE/WBE goals. Commercially Useful Functions include actually performing, managing, and supervising a clear element of
the contract. The amount of work subcontracted, industry practices, and other relevant factors are considered.

4. A MBE/WBE subcontractor is presumed not to perform a Commercially Useful Function when it subcontracts a significantly greater part of the contract than customary industry practice permits. MBE and WBE firms may present evidence to rebut this presumption.

b. Direct Participation.

1. Full credit towards the MBE or WBE commitment may be received for the purchase price of materials and supplies if the materials and supplies are wholly consumed in the performance of a contract and:

   A. The MBE or WBE firm manufactures (i.e., fabricates from raw materials or substantially alters) the materials or supplies; or

   B. The contract or subcontract with the MBE or WBE firm calls for the firm to furnish and install the supplies or materials; or

   C. The MBE or WBE firm providing the materials or supplies performs some other Commercially Useful Function in the supply process (e.g., the MBE or WBE firm’s Area of Specialty, as stated on the letter of certification, is a wholesale/retail distributor of the materials or supplies in question). The Authority, in its sole discretion, shall determine whether the MBE or WBE firm performs a Commercially Useful Function.

2. If the MBE or WBE subcontracts out any of its work:

   A. The full value of the portion of the work subcontracted to other MBEs or WBEs performing work in its Area of Specialty may be counted toward the Contract Specific Goals.

   B. None of the value of the work that an MBE or WBE subcontracts to a noncertified firm counts toward the Contract Specific Goals.

   C. The fees or commissions charged for providing a bona fide service, such as professional, technical, consulting or managerial services or for providing bonds or insurance and assistance in the procurement of essential personnel, facilities, equipment, materials or supplies required for performance of the Contract, may be counted toward the Contract Specific Goals, provided that the fee or commission is determined by the Authority to be reasonable and not excessive as compared with fees customarily allowed for similar services.

c. Purchase of Materials. If the MBE or WBE firm has the actual and contractual responsibility for providing materials and supplies, then the contract price of those items may be counted towards Bidder or Proposer’s MBE/WBE goals.

d. Joint Ventures

1. A Joint Venture that includes MBE/WBE partners may count towards a Bidder or Proposer’s Contract Specific Goals, provided, however, that the MBE or WBE partner(s) must:
A. Be responsible for a clearly defined portion of the contract to be performed;

B. Perform a Commercially Useful Function;

C. Share in the capital contribution, control, management responsibilities, risks and profits of the Joint Venture are equal to its ownership interest;

D. Execute the Bid or Proposal along with the other Joint Venture partners;

E. Enter into a written Joint Venture agreement with the other Joint Venture partners that specifies the terms and conditions of the relationship between the partners and their relationship and responsibilities to the contract, and certifies that all such terms and conditions of the Joint Venture agreement are in accordance with Section VII(a)(1)-(3) above. Roles assigned between the Joint Venture partners should require activities that are performed on a regular, recurring basis rather than as needed. The roles must also be pertinent to the nature of the business for which credit is being sought.

2. If the conditions set forth in Section VII(d)(1) are met, credit for the Joint Venture will be applied in one (1) of the three (3) following manners:

A. If 51% or more of the ownership of the Joint Venture is held solely by MBE firms, or is held solely by WBE firms, then the Bidder or Proposer will receive credit for the full amount of the contract price towards the MBE or WBE commitment, respectively; or

B. If the Joint Venture includes both MBE and WBE firms, then the commitment to the MBE firm(s) will be counted towards the MBE goal, and the commitment to the WBE firm(s) will be counted towards the WBE goal; or

C. If the Joint Venture includes only MBE firm(s), or only WBE firm(s), and the MBE or WBE firm(s) own less than 51% of the Joint Venture, then the joint venture will be credited with the percentage of the contract price committed to the MBE or WBE firm(s).

3. A subcontract agreement between the Joint Venture and the MBE or WBE partner(s) to the Joint Venture clearly delineating the role of each firm in the performance of the contract must be included with the submission of the Bid or Proposal along with a Schedule A that has been completed by the Joint Venture and Schedule B that has been completed by all MBE/WBE firms.

SECTION VIII. GRANT OF RELIEF / REDUCTION OF MBE/WBE GOALS AND WAIVER PROVISIONS

The Coordinator shall determine whether the request for a reduction of MBE/WBE goals or waiver shall be granted. Bidder or proposer may be considered responsive to the terms and conditions of these schedules only if a reduction or waiver request is submitted at the time of the Bid or Proposal opening.
Failure to submit the request for reduction from the stated goals or waiver, sufficient to support the request for a reduction or to support the waiver request with the Bid or Proposal, will cause the Bid or Proposal to be found non-responsive by the Coordinator, and the Bid or Proposal will be rejected by the Director of Procurement.

a. **Required Documents.** To obtain relief/reduction of MBE/WBE goals, a Bidder or Proposer must submit the following:

1. A written request for reduction or waiver from the goals in the form of a signed petition submitted on the Bidder’s or Proposer’s letterhead;

2. Copies of the letters on the Bidder’s or Proposer’s company letterhead sent to at least two (2) assistance agencies requesting assistance in locating MBE/WBE firms (include also a notarized statement certifying that the original of each letter to an assist agency was mailed on the date stated in each letter);

3. Completed Schedules D-1 and D-2: Unavailability Certification for each MBE or WBE firm contacted for participation in the performance of the Bid or Proposal; and

4. Evidence of Good-Faith Efforts as set forth in Section VIII(b) demonstrating that all required efforts were taken to secure certified MBE/WBE firms to meet the goals.

b. **Good-Faith Efforts.** The following are examples of good-faith efforts. The list is not intended to be exhaustive, and a Bidder or Proposer may present additional information or documentation as evidence of its Good Faith Efforts. The Authority will review all such documentation on a case by case basis, but does not guarantee that documentation of the following factors will automatically qualify as Good Faith Efforts.

1. Having written affirmative action policies and demonstrating general success in implementing those policies.

2. Notifying assistance agencies in writing before Bids or Proposals are due to seek their assistance in identifying viable MBE and/or WBEs for specific work on a contract. (See Section XIV for a list of such agencies.).

3. The method, means, and date(s) by which the Contractor timely notified the MBE/WBEs of the potential for bidding or participation in the subject contract.

4. Documentation that the information Contractor provided to the MBE/WBEs about plans, specifications, requirements of the contract and scope of services was adequate to facilitate the MBE/WBE’s ability to provide a substantive bid response to the Contractor.

5. Evidence that the Contractor selected portions of the work to be performed by an MBE/WBE in order to increase the likelihood of participation, including, where appropriate, breaking down contracts into smaller, economically feasible units.

6. If the Bidder or Proposer has directly negotiated with MBE and/or WBEs for subcontracts, the following items must be reported. A detailed statement of the efforts made to negotiate in good faith with MBE/WBEs showing:

   A. The names, addresses and telephone numbers of the MBE/WBEs contacted;
B. A description of the plans and specifications provided to MBE/WBEs; and

C. A detailed statement of the reason(s) agreements with the MBE/WBEs were not possible;

D. A detailed statement of efforts made to select work for an MBE/WBE.

7. Whether the contractor deemed the MBE/WBE as unqualified on a bona fide basis consistent with legitimate industry standards.

8. The Bidder and/or Proposer must research MBE and/or WBE involvement beyond customary roles. (Affidavits must be submitted stating why MBE/WBE participation was not possible).

9. Assisting MBE and/or WBEs in overcoming participation barriers, for example, by helping firms obtain bonding or insurance coverage.

c. Price. Price alone is not an acceptable reason for rejecting an MBE/WBE subcontractor. The bidder or proposer must demonstrate that no MBE and/or WBE offered a reasonable price based on objective factors establishing that the quote is excessively costly. In order to establish that a subcontractor’s quote is excessively costly, the Bidder or Proposer must provide the following information:

1. A detailed statement of the work identified for MBE/WBE participation for which Bidder or Proposer asserts the MBE/WBE quotes(s) was excessively costly (in excess of 10%).

2. A list of all potential subcontractors contacted for a quote on the relevant work or service to be performed by the subcontractors and the prices quoted for the subcontract in question.

3. Other documentation that demonstrates to the satisfaction of the Coordinator that the MBE/WBE proposals are excessively costly, even though not in excess of 10% than the average price quoted. This determination will be based on factors that include, but are not limited to the following:

   A. The Authority’s estimate for the work under a specific subcontract;

   B. The Bidder’s or Proposer’s own estimate for the work under the subcontract;

   C. An average of the bona fide prices quoted for the subcontract;

   D. Demonstrated increase in other contract costs as a result of subcontracting to the MBE/WBE or other firm.

SECTION IX. IMPRACTICABILITY

If the Authority, determines that a lesser MBE/WBE percentage goal is appropriate with respect to a particular contract subject to competitive bidding or issuance of request for proposals prior to the Bid or Proposal solicitations for such contract, Bid or Proposal specifications shall include a statement of such revised standard. This determination may be made in connection with a particular contract, whether before the contract is let for Bid or Proposal, during the Bid or
Proposal or award process, before or during award of the contract, or during the performance of the contract.

SECTION X. RECORD KEEPING

Records of all relevant data must be maintained for at least five (5) years after the work is accepted or the contract with the Authority ends whichever is later. The Authority shall have access to Contractor’s books and records, including without limitation payroll records, tax returns and records and books of account, to determine the Contractor’s compliance with its commitment to MBE/WBE participation and the status of any MBE/WBE performing any portion of the contract. This provision shall be in addition to, and not a substitute for, any other provision allowing inspection of the Contractor’s records by any officer or official of the Authority for any purpose.

SECTION XI. REPORTING REQUIREMENTS DURING THE TERM OF THE CONTRACT

The Compliance Monitoring System is available at: https://mpea.diversitycompliance.com. The Coordinator will set up account access for the Contractor and all subcontractors following execution of the contract.

During the term of the contract, Contractor and all subcontractors will be responsible for submitting monthly reports to the Authority via the Compliance Monitoring System according to the following schedule:

<table>
<thead>
<tr>
<th>CONTRACTOR (PRIME)</th>
<th>Report all payment activity, including non-payments, to subcontractors for the prior month</th>
<th>15th day of each month</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUBCONTRACTOR</td>
<td>Confirmation of all payments received from prime Contractor</td>
<td>20th of each month</td>
</tr>
</tbody>
</table>

All subcontract agreements between the Contractor and MBE/WBE firms must contain language requiring the MBE/WBE to respond to notifications from the Authority requiring the MBE/WBE firms to report payments received from a prime or a non-certified firm.

SECTION XII. EQUAL EMPLOYMENT OPPORTUNITY

Contractor shall comply with all applicable federal, state, and local Equal Employment Opportunity or Civil Rights laws, codes or ordinances, and regulations, and shall require compliance from all subcontractors.

SECTION XIII. AUTHORITY’S REMEDIES FOR NON-COMPLIANCE

Contractor acknowledges and agrees that the terms and conditions of these Special Conditions are material terms of the Bid or Proposal and that these Special Conditions including Affidavits A – D shall be incorporated by reference into Contractor’s contract.
a. **Material Breach.** A material breach of the Special Conditions includes, but is not limited to, the following:

1. Contractor’s failure to satisfy the MBE/WBE percentage goals required by the contract.

2. Contractor or subcontractor disqualification as an MBE or WBE when such status was a factor in contract award and was misrepresented by the Contractor. In the event that the Contractor is determined not to have been involved in any misrepresentation of the status of the disqualified subcontractor or supplier, the Contractor shall seek to discharge the disqualified subcontractor or supplier, report such disqualification to the Coordinator, and make every effort to identify and engage a qualified MBE/WBE as its replacement.

3. Contractor or subcontractor failure to maintain MBE/WBE certification in good standing with the certifying agency.

b. **Remedies.** In the event of a material breach by Contractor, the Authority may invoke any or all of the following remedies. These remedies are not intended to be exclusive of any other remedies available, and every remedy is cumulative and in addition to any other remedy existing now or later at law, in equity or under the contract.

1. Rejection of the Bid or Proposal.

2. Termination of the contract.

3. Deem Contractor non-responsive for future contracts with the Authority.

4. Debarment of Contractor doing business with the Authority.

5. Referral of Contractor to the appropriate certifying and/or law enforcement agency(ies).

6. Withhold payments due to the Contractor until corrective action is taken.

7. Contractor acknowledges that its failure to engage in Good Faith Efforts, will harm the operations and reputation of the Authority, which is difficult to determine and accurately specify. Accordingly, Contractor agrees that if the Authority issues a notice to cure to Contractor with respect to Contractor’s failure to exercise Good Faith Efforts, Contractor shall pay to the Authority Five Thousand Dollars ($5,000) as liquidated damages, not as a penalty, for each instance of such failure to cure, and each thirty-day period thereafter that Contractor fails to establish Good Faith Efforts consistent with the requirements of these Special Conditions. The liquidated damages provided herein shall be in lieu of all liability for any and all extra costs, losses, expenses, claims penalties and all other damages of whatsoever nature incurred by the Authority which are occasioned by any failure of Contractor to establish Good Faith Efforts consistent with these Special Conditions. Any payment due to the Authority shall be deducted from the next payment due to Contractor under the contract and deposited in the Authority’s Affirmative Action Commitment Outreach Fund.
Metropolitan Pier and Exposition Authority
Special Conditions Regarding Minority and Women Owned Business
Schedule A: Affidavit of Bidder/Proposer Regarding
MBE/WBE Commitments

<table>
<thead>
<tr>
<th>A. Project Information</th>
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<tbody>
<tr>
<td>RFP Number:</td>
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</table>

<table>
<thead>
<tr>
<th>B. Bidder/Proposer Information</th>
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<tbody>
<tr>
<td>Name of Bidder/Proposer:</td>
</tr>
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</table>

I HEREBY DECLARE AND AFFIRM, under penalty of perjury, that

1. I am a duly authorized representative of: ______________________ (“Prime Contractor”);

2. I have personally reviewed information set forth in this Schedule A describing our proposed plan to achieve the MBE/WBE requirements of this contract (“Compliance Plan”) and any relevant supporting information;

3. I have conducted reasonable due diligence about the accuracy of the information set forth in the Compliance Plan;

4. I understand that the Compliance Plan contains material statements upon which the Metropolitan Pier and Exposition Authority (the “Authority”) will rely as part of its decision making regarding bid or proposal selection;

5. All MBE/WBE firms included in this Compliance Plan are certified, and that I have attached all letters of certification for all MBE/WBE firms including Prime Contractor if applicable;

6. Based on my knowledge and due diligence, this Compliance Plan does not contain any untrue information or omit any material fact necessary to make the information contained therein true and complete; and

7. I further declare and affirm that I have read and understand the Authority’s Special Conditions Regarding Minority and Women Owned Business Enterprises (the “Special Conditions”) and that the organization that I represent is in compliance with the Special Conditions. I further understand that if the Authority determines that any information provided in the Compliance Plan or any other document submitted to the Authority is intentionally false or misleading, the Authority may pursue any and all remedies at law or equity, including without limitation, termination of any and all contracts with my firm, designating my firm as non-responsible on future bid opportunities, debarment of my firm from doing business with the Authority, as well as referral of my firm to the appropriate certifying and/or law enforcement agency(ies), and liquidated damages.
The Prime Contractor shall, in determining the manner of MBE/WBE participation, first consider involvement with MBE/WBE firms as joint venture partners, subcontractors and suppliers of goods and services directly related to the performance of this contract.

If Bidder/Proposer is a joint venture and one or more joint venture partners are certified MBE and/or WBE, attach copies of certification letters, a copy of Joint Venture Agreement clearly describing the role of the MBE/WBE firm(s) and its ownership interest in the joint venture and list all MBE/WBE firms below.

List all MBE/WBE firms directly involved in the performance of this contract, including the Bidder/Proposer if MBE/WBE.

Attach certification letters and completed Schedule B for all MBE/WBE firms.

If awarded a contract by the Authority, the Prime Contractor shall enter into formal written agreements with all MBE/WBE firms listed in this Section C, within a reasonable amount of time upon Prime Contractor’s execution of the contract with the Authority.

Attach additional sheets if necessary.

| Name of Firm: | | |
| Address: | | |
| Phone: | Fax: |
| Contact Person: | Email: |
| Dollar Amount of Participation: | Percentage of Participation: |
| Description of Service or Work: | |

| Name of Firm: | | |
| Address: | | |
| Phone: | Fax: |
| Contact Person: | Email: |
| Dollar Amount of Participation: | Percentage of Participation: |
| Description of Service or Work: | |
| Name of Firm: |  |
| Address: |  |
| Phone: | Fax: |
| Contact Person: | Email: |
| Dollar Amount of Participation: | Percentage of Participation: |
| Description of Service or Work: |  |

### D. Direct Participation of Non MBE/WBE Firms

List all Non-MBE/WBE firms directly involved in the performance of this contract. Attach additional sheets as necessary.

| Name of Firm: |  |
| Address: |  |
| Phone: | Fax: |
| Contact Person: | Email: |
| Dollar Amount of Participation: | Percentage of Participation: |
| Description of Service or Work: |  |

| Name of Firm: |  |
| Address: |  |
| Phone: | Fax: |
| Contact Person: | Email: |
| Dollar Amount of Participation: | Percentage of Participation: |
**Metropolitan Pier and Exposition Authority**  
**Special Conditions Regarding Minority and Women Owned Businesses**  
**Schedule A: Affidavit of Bidder/Proposer Regarding MBE/WBE Commitments**

<table>
<thead>
<tr>
<th>Name of Firm:</th>
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<tr>
<td>Address:</td>
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<tr>
<td>Phone:</td>
<td>Fax:</td>
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<tr>
<td>Contact Person:</td>
<td>Email:</td>
</tr>
<tr>
<td>Dollar Amount of Participation:</td>
<td>Percentage of Participation:</td>
</tr>
<tr>
<td>Description of Service or Work:</td>
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**E. Declaration and Affirmation**

I do solemnly declare and affirm under the penalties of perjury that the statements made in this Schedule A, including the contents of all attachments, are true and correct, and that I am authorized on behalf of the Bidder/Proposer to make this Affidavit.

**Signature of Affiant:**

<table>
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<tr>
<th>Print Name:</th>
<th>Date:</th>
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**IF PROPOSING AS A JOINT VENTURE**

**Name of Joint Venture Participant:**

<table>
<thead>
<tr>
<th>Signature of Affiant:</th>
<th>Date:</th>
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<tbody>
<tr>
<td>Print Name:</td>
<td>Date:</td>
</tr>
</tbody>
</table>

State of: ___________________________  
County of: ___________________________  

Subscribed and sworn to before me this __________ day of ______, 20__

________________________________________  
NOTARY PUBLIC (SEAL)

For MPEA Use:  
Reviewed by:  
Date:  

## A. Project Information

<table>
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<tr>
<th>RFP Number:</th>
<th>RFP Title:</th>
</tr>
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</table>

## B. Statement of Intent

From (MBE/WBE Firm):

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<tr>
<th>Type of Certification:</th>
<th>WBE</th>
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<tbody>
<tr>
<td>□ MBE</td>
<td>□ WBE</td>
</tr>
<tr>
<td>Certifying Entity:</td>
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</table>

To (Prime Contractor):

and the Metropolitan Pier and Exposition Authority

The undersigned MBE/WBE firm agrees that it intends to perform work in connection with the above referenced project, and that:

1. The firm has attached to this Schedule B, a valid certification letter from one the Certifying Entities set forth in Section III of the Special Conditions, and if applicable, Schedule C: Joint Venture Affidavit.

2. The firm is prepared to provide the following services or supply the following goods in connection with the above referenced project. Attach additional sheets as necessary.

<table>
<thead>
<tr>
<th>Description of Services/Goods to be provided:</th>
<th>Fee/Cost</th>
<th>Percentage</th>
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3. The firm will be subcontracting a portion of the work described in this Schedule B as set forth below. If the MBE/WBE firm will not be subcontracting a portion of the work, 0% must be shown in the table. If more than 10% of the value of the MBE or WBE’s scope of work will be sub-contracted, attach a letter from the subcontractor (on subcontractor letterhead) indicating the dollar amount of participation and a brief description of the work to be subcontracted.

<table>
<thead>
<tr>
<th>Type of Firm</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>MBE</td>
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<tr>
<td>WBE</td>
<td></td>
</tr>
<tr>
<td>Non MBE/WBE Firm</td>
<td></td>
</tr>
</tbody>
</table>
C. Declaration and Affirmation

The undersigned MBE/WBE firm and the Bidder/Proposer agree that they will enter into a binding agreement to perform the work set forth in this Schedule B for the prices/percentages indicated. The undersigned firms also certify that before making any changes to the work to be provided under this Schedule B, they will notify the Authority. Any material misrepresentation will be grounds for terminating any contract that may be awarded and for initiating action under federal or state laws concerning false statements.

I do solemnly declare and affirm under the penalties of perjury that the statements made in this Schedule B, including the contents of all attachments, are true and correct, and that I am authorized on behalf of the undersigned to make this Affidavit.

<table>
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<tr>
<th>MBE/WBE Firm:</th>
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<td>Signature of Affiant:</td>
<td>Date:</td>
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<tr>
<td>Print Name:</td>
<td>Title:</td>
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</tbody>
</table>

IF PROPOSING AS A JOINT VENTURE (Attach Schedule C: Joint Venture Agreement) Non-MBE/WBE Firm:

<table>
<thead>
<tr>
<th>Signature of Joint Venture Partner:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature of Affiant:</td>
<td>Date:</td>
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<td>Print Name:</td>
<td>Title:</td>
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</tbody>
</table>

State of: ___________________________ County of ______________

Subscribed and sworn to before me this __________day of _____, 20__

__________________________

NOTARY PUBLIC (SEAL)

For MPEA Use

Reviewed By:

Date:
Metropolitan Pier and Exposition Authority  
Special Conditions Regarding Minority and Women Owned Businesses  
Schedule C: Joint Venture Affidavit

## A. Project Information

<table>
<thead>
<tr>
<th>RFP Number:</th>
<th>RFP Title:</th>
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</table>

A Joint Venture is an association of two (2) or more business enterprises to constitute a single business enterprise to perform the services required pursuant to the above referenced RFP. A Joint Venture that includes MBE/WBE partners may count towards a Bidder or Proposer’s Contract Specific Goals, provided, however, that the MBE or WBE partner(s) must: (a) be responsible for a clearly defined portion of the contract to be performed; (b) perform a Commercially Useful Function; (c) share in the ownership, control, management, risks and profits of the Joint Venture; (d) execute the Bid or Proposal along with the other Joint Venture partners; and (e) enter into a written Joint Venture agreement with the other Joint Venture partners that specifies the terms and conditions of the relationship between the partners and their relationship and responsibilities to the contract.

DO NOT complete this form if all joint venture participants are MBE/WBE firms. Instead, submit a copy of the Joint Venture agreement clearly delineating the roles of all participants, Schedule A, Schedule B and copies of all valid certification letters.

Joint Ventures must provide requested answers in the spaces provided. Do not refer to your Joint Venture agreement except to expand on answers provided on this form. If additional space is required, additional sheets may be attached.

## B. Joint Venture Information

Name of Joint Venture:

Address:

Phone:  
Fax:

Contact Person:

Attach a copy of the Joint Venture agreement, promissory note or loan agreement (if applicable), and any and all written agreements between the Joint Venture participants. The Joint Venture Agreement must include specific details related to: (a) the contributions of capital and equipment; (b) work items to be performed by the MBE/WBE’s own forces; (c) work items to be performed under the supervision of the MBE/WBE participant; and (d) the commitment of management, supervisory and operative personnel employed by the MBE/WBE to be dedicated to the performance of the project.

List all other business relationships between the Joint Venture participants, including other joint venture agreements in which the parties are jointly involved:
### C. Non MBE/WBE Joint Venture Participant(s)

<table>
<thead>
<tr>
<th>Name of Firm:</th>
<th>% Ownership:</th>
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<tbody>
<tr>
<td>Address:</td>
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<tr>
<td>Phone:</td>
<td>Fax:</td>
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<tr>
<td>Contact Person:</td>
<td>Email:</td>
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</tbody>
</table>

### D. MBE/WBE Joint Venture Participant(s)

<table>
<thead>
<tr>
<th>Name of Firm:</th>
<th>% Ownership:</th>
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<tr>
<td>Address:</td>
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<td>Phone:</td>
<td>Fax:</td>
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<td>Contact Person:</td>
<td>Email:</td>
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<tr>
<td>Type of Certification:</td>
<td>Certifying Entity:</td>
</tr>
<tr>
<td>□ MBE</td>
<td>□ WBE</td>
</tr>
<tr>
<td>Area of Specialty:</td>
<td></td>
</tr>
<tr>
<td>MBE/WBE initial capital contributions:</td>
<td>$</td>
</tr>
<tr>
<td>Future capital contributions (explain requirements):</td>
<td></td>
</tr>
<tr>
<td>Source of funds for the MBE/WBE capital contributions:</td>
<td></td>
</tr>
<tr>
<td>Specify the MBE/WBE’s share in the profits of the Joint Venture:</td>
<td></td>
</tr>
<tr>
<td>Specify the MBE/WBE’s share in the risks of the Joint Venture:</td>
<td></td>
</tr>
</tbody>
</table>
Specify other applicable ownership interests or other agreements, which restrict or limit ownership and/or control:

E. **Control of and Participation in the Joint Venture**

Identify by name and firm those individuals who are, or will be responsible for, and have the authority to engage in the following management functions and policy decisions. Indicate any limitations to their authority such as dollar limits and co-signatory requirements.

Joint Venture check signing:

Authority to enter into contracts on behalf of the Joint Venture:

Signing, co-signing and/or collateralizing loans:

Acquisition of lines of credit:

Acquisition and indemnification of payment and performance bonds:

Negotiating and signing labor agreements:

Management of contract performance (identify by name and firm):

<table>
<thead>
<tr>
<th>Task</th>
<th>Name</th>
<th>Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase of major items or supplies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Estimating</td>
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<td>Supervision of field operations</td>
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<td>Marketing and sales</td>
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<td>Other (please describe):</td>
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F. **Financial Control of Joint Venture**

Which firm or individual will be responsible for accounting functions relative to the Joint Venture’s business?
Identify the managing partner, if any, and describe the means and measure of the individual’s compensation.

What authority does each party have to commit or obligate the other to insurance and bonding companies, financing institutions, suppliers, subcontractors and/or other parties participating in the performance of this contract or the work of this project?

G. Personnel of Joint Venture

Please provide information relating to the approximate **number** of management, administrative, support and non-management employees that will be required to operate the business and indicate whether they will be employees of the MBE/WBE, non MBE/WBE or Joint Venture:

<table>
<thead>
<tr>
<th></th>
<th>Non MBE/WBE</th>
<th>MBE/WBE</th>
<th>Joint Venture</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management</td>
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<tr>
<td>Administrative</td>
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<td>Support</td>
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<tr>
<td>Hourly Employees</td>
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</tbody>
</table>

Identify by name and firm the person responsible for hiring employees for the Joint Venture:

Are any of the proposed Joint Venture employees currently employees of any of the Joint Venture participants? □ Yes □ No

If yes, please list the number and positions and indicate which firm currently employees the individual(s):

<table>
<thead>
<tr>
<th>Number of employees</th>
<th>Position</th>
<th>Employed by</th>
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H. Additional Information

Please state any material facts or additional information pertinent to the control and structure of this Joint Venture.
I. Declaration and Affirmation

I do solemnly declare and affirm under the penalties of perjury that the statements made in this Schedule C, including the contents of all attachments, are true and correct, and that I am authorized on behalf of the undersigned to make this Affidavit.

<table>
<thead>
<tr>
<th>MBE/WBE Firm:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature of Affiant:</td>
</tr>
<tr>
<td>Print Name:</td>
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<tr>
<td>Non - MBE/WBE Firm:</td>
</tr>
<tr>
<td>Signature of Affiant:</td>
</tr>
<tr>
<td>Print Name:</td>
</tr>
</tbody>
</table>

State of: ___________________________     County of: ________________

Subscribed and sworn to before me this ___________day of ______, 20__

______________________________

NOTARY PUBLIC (SEAL)
A. **Project Information**

<table>
<thead>
<tr>
<th>RFP Number</th>
<th>RFP Title</th>
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</table>

B. **Bidder/Proposer Information**

<table>
<thead>
<tr>
<th>Name of Bidder/Proposer:</th>
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</thead>
</table>

Each time Bidder/Proposer contacts an MBE/WBE that is not ready willing or able to perform the work you requested of the firm, for any reason, you must complete this form. Please have the MBE/WBE complete Schedule D-2 Statement of MBE/WBE on the following page.

The undersigned certifies that he/she contacted the following MBE/WBE firms to obtain bids for goods or services to be performed for the above referenced project (attach additional sheets if necessary).

<table>
<thead>
<tr>
<th>Name of Firm:</th>
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<tbody>
<tr>
<td>Address:</td>
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<td>Phone:</td>
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<tr>
<td>Contact Person:</td>
<td>Email:</td>
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</table>

Reason MBE/WBE was unavailable to work on this project or prepare a bid:

<table>
<thead>
<tr>
<th>Name of Firm:</th>
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<tbody>
<tr>
<td>Address:</td>
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<tr>
<td>Contact Person:</td>
<td>Email:</td>
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</tbody>
</table>
C. Declaration and Affirmation

I do solemnly declare and affirm under the penalties of perjury that the statements made in this Schedule D-1, including the contents of all attachments, are true and correct, and that I am authorized on behalf of the undersigned to make this Affidavit.

<table>
<thead>
<tr>
<th>Signature of Affiant:</th>
<th>Date:</th>
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<tr>
<th>State of:</th>
<th>County of:</th>
</tr>
</thead>
</table>

Subscribed and sworn to before me this _______ day of ______, 20___

______________________________
NOTARY PUBLIC (SEAL)

For MPEA Use

<table>
<thead>
<tr>
<th>Reviewed By:</th>
<th>Date:</th>
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</table>
## A. Project Information

<table>
<thead>
<tr>
<th>RFP Number:</th>
<th>RFP Title:</th>
</tr>
</thead>
</table>

## B. MBE/WBE Statement

**Name of MBE/WBE Firm:**

**Bidder/Proposer Name:**

The undersigned certifies that:

1. The above named MBE/WBE firm was offered an opportunity to bid on the above referenced project by the above named Bidder/Proposer.

2. The MBE/WBE firm is unavailable to perform the services or prepare a bid for the following reason:

## D. Declaration and Affirmation

I do solemnly declare and affirm under the penalties of perjury that the statements made in this Schedule D-1, including the contents of all attachments, are true and correct, and that I am authorized on behalf of the undersigned to make this Affidavit.

<table>
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<tbody>
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</table>

State of: ___________________________  County of ___________________________

Subscribed and sworn to before me this ________day of ______, 20__

______________________________________________________________

NOTARY PUBLIC (SEAL)

For MPEA Use

Reviewed By:

Date:
EXHIBIT 1

SCOPE OF CONTRACT AND SPECIFICATIONS
1.1 **SCOPE OF CONTRACT**

The MPEA requires air filters to support its facility operations. The successful Bidder shall provide the air filters as specified herein. The air filters vary in size, construction requirements and performance criteria. This quantity listed is an estimate and is neither a maximum nor minimum, actual usage will vary based on need.

Under the Contract of which these specifications are included, the Bidder shall furnish and deliver Air Filters of the grade, type, quality, and quantity named in the accepted Bid to the locations listed herein. Failure to meet specifications shall be grounds for termination. The furnished Air Filters shall be free from defects in materials or workmanship. Defected filters will be replaced at no extra cost to MPEA.

Packaging of the filters shall provide adequate protection against damage and deterioration during shipment and storage, and allow complete identification of the filter’s make, model, number and size. If the material has been shipped and found not to meet specifications or requirements, the material will be shipped back for full refund including freight charges, with all charges on the responsibility of the vendor.

**MPEA intends to purchase items on an as need basis over the term of the contract.**

**General Specifications:**

Bidder shall supply a representative sample for each of the following groups: Group A – Group I and each filter must be listed Underwriters Laboratory Class 2, per Standard 900 if applicable.

The following filter groups: Groups A-I shall meet performance specifications required as tested by ASHRAE 52.1-1992 Standards or ASHRAE 52.2 Standards, Table E-1 as applicable.

Performance tolerances shall conform to section 7.4 of ARI Standard 850-91. ASHRAE 52.1-1992 or ASHRAE 52.2 test results shall accompany each Bid for each filter group listed. Tests shall have been performed on a representative sample filter purchased on the open market and tested by an independently qualified ASHRAE testing laboratory. The model tested will be considered representative of the category ultimately supplied.

Each carton or bag shall be marked with:

- name or trade mark of the product
- nominal size of the filter
- filter type
- model number
- name of the manufacturer

**Group A: Disposable Panel Filters**

Specification: Filter media shall be constructed of continuous filament glass fibers bonded together with a thermosetting resin. The media shall be constructed in a progressively dense fashion from air entering to air leaving side. The media shall be glued and sealed inside a heavy-duty craft board frame. All corners shall be closed and sealed. If corners are stapled, then staples shall be taped over with filter tape. The media shall be supported, on the downstream side, with a metal grill securely fastened to the frame and having at least an 82% open area. Newer methods of media support will be considered as long as they are equal to the metal grill method of support.

Filters shall adhere to the following requirements:
1” thick filters shall have a minimum average arrestance of 70-75%, an initial resistance of .10(inches W.G.) maximum and a final resistance of .50(inches W.G.). These values are for a nominal 24”x24” filter and a test air flow rate of 1200 cfm.

2” thick filters shall have a minimum average arrestance of 80-85%, an initial resistance of .13(inches W.G.) maximum and a final resistance of .50(inches W.G.). These values are for a nominal 24”x24” filter and a test air flow rate of 1200 cfm.

Each filter shall be marked, indicating the downstream side of filter.

Note: Vendor must be able to supply custom sizes to be considered for this category.

**Group B: Pleated Filters Standard Capacity**

Specifications: Filter media shall be constructed of a blend of polyester and cotton fibers or 100% synthetic fibers. The media support grid shall allow an effective open area of 95% of the total surface area. Pleating shall be consistent across the filter. The media shall be self-supporting or bonded to an expanded, galvanized metal support grid bonded on the downstream side of the media. Four inch deep filters shall be designed with pleat stabilizers. Media shall not vibrate or wave in the airflow. Media shall be continuously bonded to the periphery of the enclosure frame. Adhesive shall not allow media to delaminate, buckle excessively or collapse from the pleat support system. The enclosure frame shall be constructed of high wet strength 28 point die cut beverage board comprised of 100% reclaimed fiber with a minimum of 35% Post-Consumer fiber.

Filters shall adhere to the following requirements:

1” pleated filters shall have a minimum average arrestance of 85-90%, an initial resistance of .35(inches W.G.) maximum and a final resistance of 1.0(inches W.G.). They shall be rated a minimum MERV 7. Minimum sq. ft. of media area per sq. ft. of face area shall be 1.6 sq. ft. These values are for a nominal 24”x24” filter and a test air flow rate of 500 fpm (2000 cfm)

2” pleated filters shall have a minimum average arrestance of 85-90%, an initial resistance of .23(inches W.G.) maximum and a final resistance of 1.0(inches W.G.). They shall be rated a minimum MERV 7. Minimum sq. ft. of media area per sq. ft. of face area shall be 1.2 sq. ft. These values are for a nominal 24”x24” filter and a test air flow rate of 500 fpm (2000 cfm).

4” pleated filters shall have a minimum average arrestance of 85-90%, an initial resistance of .22(inches W.G.) maximum and a final resistance of 1.0(inches W.G.). They shall be rated a minimum MERV 7. Minimum sq. ft. of media area per sq. ft. of face area shall be 5.9 sq. ft. These values are for a nominal 24”x24” filter and a test air flow rate of 500 fpm (2000 cfm).

Each filter shall be marked, indicating the downstream side of filter. Each filter shall also be marked with the name or trademark of filter and the nominal size of the filter.

**Group C: Ring Panel and Link Filters**

Specifications: Filters shall consist of multiple layers of media with an internal support wire and consist of 100% non-woven polyester media. Media shall be moisture resistant and non-shedding. Filters shall provide a 100% effective media face area. Filters shall be composed of two or more distinct layers of high loft synthetic media, with the densest media on the downstream side. All layers must be of different densities. Downstream side of media shall be treated with a non-toxic, non- migratory tackifier that shall retain its adhesive characteristics over the life of the filter. Alternately, the tackifier may be encapsulated between the last two layers of media.

The internal wire support frame shall be made of 9 gauge(minimum) bright basic or galvanized steel, frame welded at all connections. The entire periphery and center of the wire frame shall be thermally sealed within the filter. All panels 11-1/4” and larger must have cross wires added as part of the support. There shall be sufficient media overlap (selvedge edge) to ensure a positive seal between the filter and the holding frame. Each filter is marked, indicating the downstream side of the filter.
Filters shall adhere to the following requirements:

2-ply panels and links shall have a minimum MERV 6 rating, an initial resistance of .25(inches W.G.) maximum and a final resistance of 1.0(inches W.G.). These values are for a nominal 24”x24” panel and a test air flow rate of 1500 cfm.

3-ply panels and links shall have a minimum MERV 7 rating, an initial resistance of .46(inches W.G.) maximum and a final resistance of 1.0(inches W.G.). These values are for a nominal 24”x24” panel and a test air flow rate of 2000 cfm.

4-ply panels and links shall have a minimum MERV 8 rating, an initial resistance of .51(inches W.G.) maximum and a final resistance of 1.0(inches W.G.). These values are for a nominal 24”x24” panel and a test air flow rate of 2000 cfm.

**Group D: Unitized Cube Filters**
Specifications: Filters shall consist of four layers of media with an internal support wire and consist of 100% non-woven polyester media. Media shall be moisture resistant and non-shedding. Filters shall provide a 100% effective media face area. Filters shall be composed of four distinct layers of high loft synthetic media, with the densest media on the downstream side. All layers shall be of different densities. Downstream side of media shall be treated with a non-toxic, non-migratory tackifier that shall retain its adhesive characteristics over the life of the filter.

The internal wire support frame shall be made of 9 gauge(minimum) bright basic or galvanized steel, frame welded at all connections. The entire periphery and center of the wire frame shall be thermally sealed within the filter. There shall be sufficient media overlap (selvedge edge) to ensure a positive seal between the filter and the holding frame. Each filter is marked, indicating the downstream side of the filter.

Filters shall adhere to the following requirements: filters shall have a minimum MERV 8 rating.

**Group E: Pleated Filters High Capacity**
Specifications: The filter media consists of one continuous media pack of 100% synthetic media. Pleating is consistent across the filter. An expanded rust resistant metal backing is bonded to the downstream side of the media. The filter media is continuously bonded to the periphery of the enclosure frame to prevent air bypass. The filter frame is a two-piece construction of high wet strength, 28 point, die cut, aqua coated, beverage board, comprised of 100% reclaimed fiber with a minimum of 35% Post-Consumer fiber. The frame has diagonal cross supports on the air entering and air leaving side.

Four inch deep filters have additional beverage board finger supports. Each filter is marked, indicating the downstream side of filter.

These filters have a minimum MERV 11 rating, an initial resistance of 0.22 (inches W.G.) and a final resistance of 1.0 (inches W.G.). These values are for a nominal 24”x24” filter operating at an air flow rate of 2000 cfm (500fpm). A 24” X 24” filter has a media surface area of 28.8 sq. ft.

**Group F: Pads and Bulk Media (Rolls)**
Specifications: Filter media both 1/2” and, 1” is constructed of non-woven synthetic fibers.

1/2” media has a weight of 0.44 ounces per sq. foot. 1/2” media filters have an initial resistance of .12(inches W.G.) and a final resistance of 1.0(inches W.G.) These values are for a nominal 24”x24” pad operating at an air flow rate of 1200 cfm.

1” media has a weight of 1.0 ounce per sq. foot. 1” Pad filters have a minimum average arrestance of 85-90%, an initial resistance of .15(inches W.G.) and a final resistance of 1.0(inches W.G.) These values are for a nominal 24”x24” pad operating at an air flow rate of 1200 cfm.

**Group G: High Efficiency Four Panel V-Cell Filters**
Specifications:
The filter media is a wet laid micro-fiber media; the media does not shed and is resistant to high humidity. There are four packs of filter media. Each pack is pleated into a consistent pack. The pleats in the media pack are uniformly spaced by adhesive separators so the pleats don’t make contact with each other. The media packs are positioned in a V-Bank Design. The media packs are sealed to the filter frame with a flexible
adhesive that is applied so there is no air bypass. The single header frame is constructed of 100% reclaimed plastic, 60% of which is from post-consumer content. The frame contains metal and plastic struts for added rigidity.

These filters have a minimum MERV 11 rating. They have an initial resistance of 0.23” W.G. and a final resistance of 1.5” W.G. These values are for a 24”x24”x12” nominally sized filter operating at an air flow rate of 500 fpm. A 24”x24”x12” filter has a media surface area of 100 sq. ft.

**Group H: Carbon Pad Filters**
Specifications: Carbon pads shall be 24 x 24 x 1 nominal inches in size. They consist of granular activated carbon in the concentration of 300 grams per square foot of filter area contained in a mesh enclosure.

**Group I: Custom Filter**
Specifications: 1” one-ply polyester media. Filter has a 54” square center with (4) 54” X 26” sewn ends. Filter has four Velcro tabs. Media is constructed of non-woven synthetic fibers. The media has a weight of 1.0 ounce per sq. foot.

1.2 DELIVERY LOCATIONS
Delivery shall be F.O.B. Receiving Room:

<table>
<thead>
<tr>
<th>North Building</th>
<th>South Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>450 East 23rd Street</td>
<td>2301 South Mines Drive</td>
</tr>
<tr>
<td>Chicago, Illinois 60616</td>
<td>Chicago, Illinois 60616</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>*Lakeside Center</th>
<th>West Building</th>
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<tbody>
<tr>
<td>2301 South Lake Shore Dr.</td>
<td>2301 South Indiana</td>
</tr>
<tr>
<td>Chicago, Illinois 60616</td>
<td>Chicago, Illinois 60616</td>
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*NOTE:* The Receiving Room at Lakeside Center has an entrance clearance of 11’2”. Deliveries that cannot clear this height will be refused.

MPEA reserves the right to add other receiving locations within its properties as it deems necessary.

1.3 SHIPMENT
Purchase orders shall be issued periodically specifying the services and quantities required. Shipment shall be made in accordance with the quantities specified on each specific purchase order. It is not the MPEA’s intention that the goods and services required be ordered and delivered at one time, but rather throughout the term of the contract.

Delivery shall be made in accordance with the requirements of the User Department and all requests will be issued in the form of a Purchase Order. Any delivery other than what is requested will not be accepted.

1.4 INSPECTION
Final inspection by owner will be made at the point of delivery of products.

1.5 REPRESENTATION AND WARRANTY
The Successful Bidder represents that goods provided pursuant to this Invitation for Bid and the subsequent Contract (“Goods”) a) shall be new and of good quality and workmanship, b) shall be merchantable, c) shall be free from faults, deficiencies and defects, both latent and patent, d) shall be delivered free of the rightful claim of any person by way of infringement or the like and free of any.

1.6 PRICING
The Successful Bidder must provide the unit price of each item listed, and the extended price based on the estimated quantities provided. Prices quoted on the Bid Form A are delivered prices. No shipping, handling, or delivery charges of any kind shall be honored by the MPEA.

MPEA will not accept substitutions for the brand specified in Bid Form A.
1.7 ECONOMIC ADJUSTMENT CLAUSE: AIR FILTERS

In the event the contractor’s costs for the goods covered by a purchase order (issued as the result of this Invitation for Bid) should increase by more than one percent (1%) and above during the period of time in which the purchase order is in effect, the contractor shall, upon submission of written proof of such increase to the MPEA, be entitled to adjust the price by an amount sufficient to compensate the contractor completely and precisely for such increase. The claim for such adjustment must include a certification from the contractor’s supplier verifying its cost at the time of the Bid award and at the time of the requested increase. The increase will be allowed only on the cost to the contractor, no increase or change in the contractor’s profit will be approved. MPEA reserves the right to ask for invoices, published price lists, or any other evidence establishing contractor’s costs to support the increase.

In the event such costs should decrease by more than one percent (1%) and above during the period of time that such purchase order is in effect, the MPEA reserves the right to adjust the price downward to compensate it completely and precisely for such decrease in the same manner as described above. The vendor must notify MPEA of any such decrease.

In all cases the contractor must file a claim for such adjustments prior to the delivery of the goods. All claims for adjustment shall be made in writing to the MPEA’s Procurement Department and accompanied by both an unaltered, published and dated copy of the product manufacturer’s national price listing in effect the first day/month/year of this contract and a dated copy of a subsequent national price list reflecting the percentage of increase requested.

1.8 AVAILABILITY

In the event Bidder is unable to fill a specific purchase order (in full or in part), the MPEA reserves the right to purchase same from available sources. MPEA also reserve the right to substitute or cancel certain items should a change in the requirements warrant.

1.9 RETURN POLICY

The Successful Bidder will be responsible for any mis-shipments or damaged shipments and shall make arrangements with its common carrier or personnel to pick-up unacceptable items upon notification by MPEA, all without additional charge to MPEA. MPEA shall not be subject to restocking charges.

1.10 BACK ORDERS

Contractor must notify MPEA within five (5) business days when an item is on back order. Electronic or written notification of anticipated ship date must be sent to MPEA for any back orders that cannot be filled within ten (10) business days. MPEA will have the option of accepting or canceling the backorder or may submit a request for a substitute item. MPEA shall not be charged for expenses incurred due to the cancellation of backorders.

1.11 DISCONTINUED EQUIPMENT AND SUPPLIES

Contractor must notify MPEA within five (5) business days of placing an order of any discontinued equipment and supplies. An alternate product may be accepted if the alternate is comparable to the item ordered. Approval must be obtained from MPEA prior to delivery.

1.12 MANUFACTURER

In cases where an item is identified by a manufacturer's name, trade name, catalog number, or reference, it is understood that the Bidder proposes to furnish the item so identified and does not propose to furnish an "equal" unless the proposed "equal" is definitely indicated therein by the Bidder.

Reference to a specific manufacturer, trade name or catalog is intended to be descriptive, but not restrictive unless the item is marked “No Substitute”, and only to indicate to the prospective Bidder articles that will be satisfactory. Bids on the other makes and catalogs will be considered provided each Bidder clearly states on the face of his/her Bid exactly what he/she proposes to furnish, or forwards with his/her Bid, a cut, illustration, or other descriptive matter which will clearly indicate the character of the article covered by his/her Bid.
MPEA hereby reserves the right to approve as an equal, or to reject as not being an equal, an article the Bidder proposes to furnish which contains major or minor variations from Specifications required but which may comply substantially therein

1.13 RELATED ITEMS
MPEA reserves the right to purchase related items from the Successful Bidder at a rate not greater than the rate offered to the State of Illinois or any other unit of local government.

1.14 CONTRACT TERM
The AIR FILTERS Contract begins on the Effective Date and shall remain in effect for two (2) years. MPEA shall have the option to renew this Agreement under the same terms and conditions for an additional period(s) not to exceed two (2) years in total.

1.15 REPORTS/REPORTING CAPABILITIES
Successful Bidder must have the ability to supply detailed reporting of all items supplied to MPEA under this contract.

1.16 DIVISIBILITY AND MULTIPLE AWARDS
MPEA reserves the right to award this Agreement to one or more Bidders as it deems to be in its best interest.

1.17 INVOICING
Successful Bidder must address all invoices to the order originator and to the following:

MPEA
Accounts Payable Department
301 East Cermak Road 5th Fl.
Chicago, Illinois 60616
ATTN: Muzzette White

All electronic invoices must reference or include the contract number (“O1”) and order number (“O2”) and be submitted via e-mail to: accounts-payable@mpea.com