

# Metropolitan Pier and Exposition Authority Purchase of Paint and Paint Supplies

Invitation For Bids (“IFB”)

#2024-23-M



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**McCORMICK**  
SQUARE • PLACE • MPEA

Metropolitan Pier and Exposition Authority  
Invitation For Bids  
IFB #2024-23-M

NOTE:

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 [mpeaprourement@mpea.com](mailto:mpeaprourement@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: Wednesday, June 12, 2024**

**QUESTIONS DUE:** No later than **Thursday, June 20, 2024**  
to: [mpeaprourement@mpea.com](mailto:mpeaprourement@mpea.com) by 12:00 Noon CST

**BIDS DUE:** No later than **Monday, July 8, 2024**  
to: [mpeaprourement@mpea.com](mailto:mpeaprourement@mpea.com) by 12:00 Noon CST

Hard copy Bids will not be accepted at this time.  
All Bids must be submitted electronically to:  
[mpeaprourement@mpea.com](mailto:mpeaprourement@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 23<sup>rd</sup> Street and Martin Luther King Drive in the City of Chicago.

**II. DEFINITIONS**

**2.1 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

“**WBE**” means Women Owned Business Enterprise

“**Responsive**” Responsiveness is 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

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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.

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**III. INSTRUCTIONS 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/>

Click on the "+" by 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.** At this time, MPEA is requesting that an electronic copy (converted or scanned to PDF) of the bid be submitted to [mpeaprourement@mpea.com](mailto:mpeaprourement@mpea.com) or via a secure file sharing platform if the file is too large to email.

All Bids must be received no later than Monday, July 8, 2024, by 12:00 pm CST. Bids received after this time will be non-responsive and ineligible for consideration for Contract #2024-23-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.

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The Bid Package must include the following:  
(Failure to include any of the Required Documents may render bids non-responsive)

1. Required Form A - Bid Form
  2. Required Form B - Statement of Bidder's Business Organization
  3. Required Form C - 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. Required Form D - 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. Required Form E - Form of Transmittal Letter
  6. Required Form F - Disclosure of Lobbyists
  7. Required Form G – Notifications of Exceptions
  8. Required Form H – Insurance Requirements
  9. The MPEA has an overall program goal of 25% MBE and 5% WBE participations on all contractual expenditures. Bidders are required to complete The Minority and Women-Owned Business Enterprise Compliance Plan.
- B.** The Bidder shall be in compliance with the Illinois State Officials and Employees Ethics Act (5 ILCS 430/) and remain in compliance for the duration of the Contract. Non-compliance constitutes grounds for immediate unilateral termination of the Contract

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.

- C.** 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

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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.
- D.** 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.
- E.** ANY NON-CONFORMING BID OR BID TIME STAMPED AFTER THE DUE DATE AND TIME SHALL BE DEEMED NON-RESPONSIVE AND INELIGIBLE FOR CONSIDERATION.
- F.** Written modifications (via email – [mpeaprourement@mpea.com](mailto:mpeaprourement@mpea.com)) of Bids shall be considered only if received prior to the time stated for receipt of Bids. The email must be labeled "MODIFICATIONS TO SEALED BID", NO TELEPHONE OR ORAL MODIFICATIONS SHALL BE ACCEPTED OR CONSIDERED.
- G.** 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 TELEPHONE REQUEST TO WITHDRAW A BID SHALL BE ACCEPTED OR CONSIDERED.



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**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 three (3) 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](http://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.**

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**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

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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 coverages 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.

**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.

**3.19 PROTESTS**

Any and all protests or challenges with respect to the selection of the Successful Bidder and this IFB, any of the procedures or requirements stated herein, or any other terms and conditions related to the transactions stated or contemplated herein must be asserted in writing to:

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Metropolitan Pier and Exposition Authority  
Attn: Director of Procurement  
301 E. Cermak Rd., Chicago, IL 60616  
[mpeaprocurement@mpea.com](mailto:mpeaprocurement@mpea.com)

All protests or challenges concerning the process, ambiguities, or defects of the IFB must be submitted within seven (7) calendar days after publication of the IFB. All protests or challenges concerning the selection of the Successful Bidder must be asserted within seven (7) calendar days after the notification of award of the Successful Bidder. Protests shall contain a statement of reason(s) for the protest identifying any alleged violation and any specific relief sought. Failure to file any action, protest or challenges within the time frames set forth above shall constitute a full and absolute waiver to take action against, protest or challenge the IFB process or selection of the Successful Bidder.

**(Remainder of page blank)**

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**REQUIRED FORM A**

**BID FORM**

**BIDS SUBMITTED BY:**

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TO: The Metropolitan Pier and Exposition Authority  
[mpeaprourement@mpea.com](mailto:mpeaprourement@mpea.com)

**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. Further, the Bidder acknowledges receipt and review of addenda numbers \_\_\_\_\_ (indicate "None" if no addenda issued).

B. The undersigned hereby agrees to enter 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 outlines in the Bid Form (Exhibit 2).

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**BID FORM**

BIDDER NAME: \_\_\_\_\_

**BIDDER PROPOSAL AND QUALIFICATIONS**

All bidders must provide the requested information below, failure to do so will render a bid non-responsive. Attache additional pages as needed.

1. Has Bidder been in the business of supplying the variety and volume of specific goods and services requested herein to entities or building complexes of similar size to McCormick Place for at least five (5) years? (Y/N) \_\_\_\_\_ If so, how many years? \_\_\_\_
2. Provide information regarding inventory management system, stock on hand and time frame for acquiring goods and services needed.
3. Where is your office and distribution point that would serve MPEA located? Note that an answering service in lieu of office or distribution points is not acceptable.

Location of facility where inventory is maintained:

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-Mail Address \_\_\_\_\_

4. List all other distribution point locations that would be used to support this contract. Indicate whether your company owns this location, and if not, the entity that does own it and the nature of the relationship between Bidder and that entity.
5. List all will-call pick up locations and business hours.
6. Confirm that Bidder is able to provide delivery within three (3) days from the issuance of a purchase order, and if not the typical time period for various categories.
7. Provide information regarding protocol for emergency and after hours contact, provide information regarding what time is considered "after hours"/emergency and if there are an additional fee associated with contacting Bidder at these times. Successful bidder must provide and keep current the name and contact information for such contact.

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8. Provide the names, contact information and resumes of all key personnel/account representative(s) that would service this contract. Contractor must be able to provide technical support as requested by the Authority, including but not limited to familiarity with the materials being supplied and what materials/products may be substituted if any items are discontinued or not currently available.

In addition to the above information, Bidder must also complete the pricing **Bid Form** provided in an Excel format for convenience. Bidders are responsible to confirming pricing outlined in their submitted bid.

Note: Bidders must complete every line item in all seven (7) categories of the Excel form.

Pricing must be **all inclusive** (taxes, delivery charges, etc.)

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**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: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Location of facility where inventory is maintained:

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-Mail Address \_\_\_\_\_



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**SIGNATURES**

(If an Individual)

Signature of Bidder

\_\_\_\_\_

Business Address \_\_\_\_\_

\_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
(SEAL)

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**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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)

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**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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
(SEAL)

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**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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
NOTARY PUBLIC

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**REQUIRED FORM B**  
STATEMENT OF BUSINESS ORGANIZATION

BIDDER NAME \_\_\_\_\_

NAME OF PROJECT: PURCHASE OF PAINT AND PAINT SUPPLIES  
BID NUMBER: #2024-23-M

*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 \_\_\_\_\_

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- (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)

| Name | Percentage Ownership |
|------|----------------------|
|      |                      |
|      |                      |
|      |                      |
|      |                      |
|      |                      |

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(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)

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| Name | Percentage Ownership |
|------|----------------------|
|      |                      |
|      |                      |
|      |                      |
|      |                      |
|      |                      |

**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.**

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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 \_\_\_\_\_, 2024

\_\_\_\_\_  
 NOTARY PUBLIC

(SEAL)



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**REQUIRED FORM C**  
STATEMENT OF QUALIFICATIONS

BIDDER NAME \_\_\_\_\_

NAME OF PROJECT: PURCHASE OF PAINT AND PAINT SUPPLIES  
BID NUMBER: #2024-23-M

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:

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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.

| <u>Firm</u> | <u>Location</u> | <u>Contract Value</u> |
|-------------|-----------------|-----------------------|
| (1) _____   | _____           | _____                 |
| (2) _____   | _____           | _____                 |
| (3) _____   | _____           | _____                 |

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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.

| <u>Firm</u> | <u>Location</u> | <u>Contract Value</u> |
|-------------|-----------------|-----------------------|
| (1) _____   | _____           | _____                 |
| (2) _____   | _____           | _____                 |
| (3) _____   | _____           | _____                 |

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 \_\_\_\_\_

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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 \_\_\_\_\_

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

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

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

If yes to either question, provide details. \_\_\_\_\_

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11. Has Bidder ever been terminated for cause? \_\_\_\_\_ If yes, provide details. \_\_\_\_\_

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12. Has Bidder ever defaulted on a contract? \_\_\_\_\_ If yes, provide details.

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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. \_\_\_\_\_

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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.

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

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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.

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(Signature)

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**REQUIRED FORM D**  
**BIDDER CERTIFICATIONS**

BIDDER NAME \_\_\_\_\_

NAME OF PROJECT: PURCHASE OF PAINT AND PAINT SUPPLIES  
BID NUMBER: #2024-23-M

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).



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**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: PURCHASE OF PAINT AND PAINT SUPPLIES, IFB #2024-23-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") #2024-23-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# 2024-23-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.



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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.)

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**REQUIRED FORM F**  
**DISCLOSURE OF LOBBYISTS**

**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]:

| Name  | Business Address | Fees<br>(indicate whether paid or estimated) |
|-------|------------------|--|
| _____ | _____            | _____  |
| _____ | _____            | _____  |
| _____ | _____            | _____  |
| _____ | _____            | _____  |

**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

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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: \_\_\_\_\_

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**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 #2024-23-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 #2024-23-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: \_\_\_\_\_

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**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**

| <b><u>Coverage</u></b>                          | <b><u>Limit</u></b> |
|---|---------------------|
| General Aggregate                               | \$2,000,000.00      |
| Products Liability/Completed<br>Oper. Aggregate | \$2,000,000.00      |
| Each Occurrence                                 | \$1,000,000.00      |
| Personal & Advertising Injury                   | \$1,000,000.00      |
| Contractual Liability                           |                     |

The policy must include coverage for Mis delivery of Liquid Products

**b. Workers' Compensation and Employer's Liability**

| <b><u>Coverage</u></b>     | <b><u>Limit</u></b> |
|----------------------------|---------------------|
| Workers' Compensation      | Statutory           |
| Employer's Liability       |                     |
| Each Accident              | \$ 1,000,000.00     |
| Per Employee - Disease     | \$ 1,000,000.00     |
| Annual Aggregate - Disease | \$ 1,000,000.00     |

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

**c. Automobile Liability**

| <b><u>Coverage</u></b>                                     | <b><u>Limit</u></b> |
|--|---------------------|
| Bodily Injury and Property Damage<br>Combined - Occurrence | \$1,000,000.00      |



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15. At its discretion, the MPEA Risk Management Department has the right to modify and/or delete these insurance requirements.

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**SCOPE OF SERVICES**

Contractor must be able to provide all goods and services required by MPEA as described herein and the Bid Form in all eight categories including but not limited to:

***Paint, Primer, Coatings, Sealants, Paint Sprayers and Sprayer Maintenance Supplies, Strippers, Cleaners and thinners, Varnish, Painters Tools, Drywall Repair Supplies and Compounds, Protective Clothes, Plastics and Masking Tape.***

Contractor must provide a knowledgeable account manager that is able to recommend compatible alternatives if any of the requested items are discontinued by the manufacturer. Contractor must be available for immediate consultation and be able to accommodate and coordinate timely delivery of materials.

The contractor will provide paint and paint supplies as requested by the MPEA and deliver to the specified locations on each order. The material furnished shall be free from defects in materials or workmanship. Defective materials will be replaced by Contractor at no extra cost to MPEA within 10 days of notice.

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

**Category 1:** Paints, Primers, Coatings and Sealants

All Paints, Primers and Coatings must be Sherwin Williams, Benjamin Moore or Pittsburg Paints.

**Category 2:** Sprayers, Paint Spraying Supplies, Aerosols

**Category 3:** Strippers, Cleaners and Thinners

**Category 4:** Painting Tools, Brushes, Roller Frames and Supplies

**Category 5:** Drywall Repair, Filler, Taping, Sanding Supplies

**Category 6:** Varnish

**Category 7:** Drop Clothes, Protective Plastics, Making Tape



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**DELIVERY LOCATIONS**

Delivery shall be F.O.B Receiving Room:

North Building  
450 East 23<sup>rd</sup> Street  
Chicago, Illinois 60616

South Building  
2301 South Mines Drive  
Chicago, Illinois 60616

\*Lakeside Center  
2301 South Lake Shore Dr.  
Chicago, Illinois 60616

West Building  
2301 South Indiana  
Chicago, Illinois 60616

\*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.

**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.

**INSPECTION**

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

**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.

**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 (Contract Exhibit 2) are delivered prices. No additional shipping, handling, or delivery charges of any kind shall be honored by the MPEA.**

MPEA will **not** accept substitutions for any brands specified in Bid Form.

**ECONOMIC ADJUSTMENT CLAUSE: PAINTING MATERIALS**

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

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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.

#### **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.

#### **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.

#### **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.

#### **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.

#### **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

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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.

**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.

**CONTRACT TERM**

The Contract begins on the Effective Date and shall remain in effect for three (3) years. MPEA shall have the option to renew this Contract under the same terms and conditions for an additional period(s) not to exceed two (2) years in total.

**REPORTS/REPORTING CAPABILITIES**

Successful Bidder must have the ability to supply detailed reporting of all items supplied to MPEA under this Contract.

**DIVISIBILITY AND MULTIPLE AWARDS**

MPEA reserves the right to award a Contract to one or more Bidders as it deems to be in its best interest.

**INVOICING**

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

MPEA  
Operations Department  
301 East Cermak Road 5th Fl.  
Chicago, Illinois 60616  
ATTN: Alichia Johnson

All electronic invoices must reference or include the contract number ("O1") and order number ("O2") and be submitted via e-mail to: [ajohnson@mccormickplace.com](mailto:ajohnson@mccormickplace.com).