



**DEPARTMENT OF PROCUREMENT SERVICES
NON-COMPETITIVE REVIEW BOARD (NCRB) APPLICATION**

Complete this cover form and the **Non-Competitive Procurement Application Worksheet** in detail. Refer to the page entitled **"Instructions for Non-Competitive Procurement Application"** for completing this application in accordance with its policy regarding NCRB. Complete "other" subject area if additional information is needed. Subject areas must be fully completed and responses merely referencing attachments will not be accepted and will be immediately rejected.

Department	Originator Name	Telephone	Date	Signature of Application Author
67-Buildings	Grant Ullrich	312-744-7579	4/22/2019	
Contract Liaison	Email Contract Liaison	Telephone		
Marlene Hopkins	marlene.hopkins@cityofchicago.org	312-743-9024		

List Name of NCRB Attendees/Department
Marlene Hopkins, Managing Deputy, Buildings
Grant Ullrich, Deputy Commissioner, Buildings

Request NCRB review be conducted for the product(s) and/or service(s) described herein.

Company: International Code Council, Inc.

Contact Person:	Phone:	Email:
Sara Yerkes Senior Vice President, Government Relations	(202) 370-1800 x 6247	syerkes@iccsafe.org

Project Description: Contract with International Code Council for license to use copyrighted model codes and related publications to develop and implement Chicago Building Code amendments, publication agreement, and for technical and administrative support to facilitate ordinance development and implementation processes

This is a request for:

New Contract

Amendment / Modification

Contract Type

Blanket Agreement Term: ____ (# of mo)

Standard Agreement

Type of Modification

Time Extension Vendor Limit Increase Scope Change

Contract Number: 75072

Specification Number: 683606

Modification Number: _____

Department Request Approval	Recommended Approval
 DEPARTMENT HEAD OR DESIGNEE	 BOARD CHAIRPERSON
<u>4-24-2019</u> DATE	<u>MAY 08 2019</u> DATE
JUDITH FRYDLAND PRINT NAME	STEVEN M. LOBODA PRINT NAME

(FOR NCRB USE ONLY)

Recommend Approval/Date: 5-8-19

Return to Department/Date: _____

Rejected/Date: _____

Approved Rejected

CHIEF PROCUREMENT OFFICER

15 May 2019
DATE



**DEPARTMENT OF PROCUREMENT SERVICES
NON-COMPETITIVE REVIEW BOARD (NCRB) APPLICATION
JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT WORKSHEET**

All applicable information on this worksheet must be addressed using each question found on the "Instructions for Non-Competitive Procurement Application" in this application.

Justification for Non-Competitive Procurement Worksheet

PROCUREMENT HISTORY

1. DESCRIBE THE REQUIREMENT AND HOW IT EVOLVED FROM INITIAL PLANNING TO ITS PRESENT STATUS.

The Department of Buildings is engaged in a multi-year effort to update Chicago's construction codes to better align with up-to-date model codes and standards used throughout the United States. Primary among these standards are the International Codes ("I-Codes"), published by the International Codes Council, Inc. (ICC). The Department anticipates that the city council will pass an ordinance incorporating significant portions of the 2018 International Building Code, International Existing Building Code, and International Energy Conservation Code into the Municipal Code on April 10, 2019, and may pass subsequent related ordinances in 2019 and 2020. As anticipated in the initial NCRB application in Jan 2018, based on the adoption of I-Code-based requirements, the Department is now seeking to expand the scope of its contract with ICC to cover publication and implementation support services.

If the Ordinance is adopted in its current form, the Department must implement the Ordinance beginning December 1, 2019. Accordingly, time is of the essence in amending the existing contract to cover training and publication.

2. IS THIS A FIRST TIME REQUIREMENT OR A CONTINUATION OF PREVIOUS PROCUREMENT FROM THE SAME SOURCE? IF SO, EXPLAIN THE PROCUREMENT HISTORY.

No. As explained above, the Department anticipated there might be a future request to contract for additional services with ICC if the code development covered by the initial contract was successful. (Previous attempts to adopt ordinances based on the I-Codes between 1997-2004 and 2008-2011 were not always successful.) Because the city council is likely to adopt a 776-page substitute ordinance incorporating significant portions of the I-Codes on April 10, 2019, the Department is now seeking that additional authority. As noted above, because the Department must be prepared to enforce the ordinance by December 1, 2019, time is of the essence with this contract modification.

3. EXPLAIN ATTEMPTS MADE TO COMPETITIVELY BID THE REQUIREMENT.

Because the I-Codes are the basis of the building codes enforced in every major jurisdiction in the United States, the Department did not consider other sources. Because the I-Codes are protected by copyright law, ICC is the sole source of a development and/or publication license. Training materials supporting implementation of the I-Codes also incorporate ICC-copyrighted material, and therefore are primarily or solely available from ICC.

4. DESCRIBE IN DETAIL ALL RESEARCH DONE TO FIND OTHER SOURCES; LIST OTHER CITIES, COMPANIES IN THE INDUSTRY, PROFESSIONAL ORGANIZATIONS CONTACTED. LIST PERIODICALS AND OTHER PUBLICATIONS USED AS REFERENCES.

In 2017, a survey was conducted to confirm that the I-Codes are the basis of the building code enforced in the 25 largest cities in the United States (other than Chicago). In many cases the I-Codes are adopted at the state level. Because of ICC's copyright in the I-Codes, ICC is the sole source of a publication agreement, and the primary source of implementation and training materials based on the I-Codes. All other providers of training on the I-Codes must license content from ICC. New York City, which transitioned from an out-of-date local code to the I-Codes in 2007, has contracted with ICC for a similar scope of services. NYC Contract ID: CT181020151410849.

5. EXPLAIN FUTURE PROCUREMENT OBJECTIVES. IS THIS A ONE-TIME REQUEST OR WILL FUTURE REQUESTS BE MADE FOR DOING BUSINESS WITH THE SAME SOURCE?

The Department anticipates that it will exercise its option for a 1-year extension under the current contract (through July 9, 2021). Because the Department will have ongoing needs to work with ICC on publication, once the scope of ongoing services can be better defined, the Department anticipates working with DPS in 2020 to develop a contract scope for services beyond the end of the current contract. Because ICC model codes are updated on a 3-year cycle



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and many jurisdictions update local requirement based on alternating editions of the model codes, many jurisdictions enter into 6-year contracts with ICC.

6. EXPLAIN WHETHER OR NOT FUTURE COMPETITIVE BIDDING IS POSSIBLE. IF NOT, EXPLAIN IN DETAIL.
Future competitive bidding will not be possible for the use of ICC-copyrighted materials.

ESTIMATED COST

1. WHAT IS THE ESTIMATED COST FOR THIS REQUIREMENT OR FOR EACH CONTRACT, IF MULTIPLE AWARDS ARE CONTEMPLATED? WHAT IS THE FUNDING SOURCE?

The estimated cost for the duration of this contract, covering code-development, implementation and training support is \$550,000.

This contract will be funded from FY18, FY19, and FY20 corporate funds.

2. WHAT IS THE ESTIMATED COST BY FISCAL YEAR?

The actual contract expenditures in FY2018 were \$8,385.00

The estimated cost for 2019 is \$291,615.00.

The estimated cost for the remainder of the contract term is \$250,000.00.

3. EXPLAIN THE BASIS FOR ESTIMATING THE COST AND WHAT ASSUMPTIONS WERE MADE AND/OR DATA USED (I.E., BUDGETED AMOUNT, PREVIOUS CONTRACT PRICE, CURRENT CATALOG OR COST PROPOSAL FROM FIRMS SOLICITED, ENGINEERING OR IN-HOUSE ESTIMATE, ETC.)

This cost estimate is based on the scope of services already performed, anticipated scope of services needed to implement the ordinance expected to pass in April 2019 on the schedule provided for in the ordinance, and draft additional ordinances to complete the proposed scope during the remaining term of the contract, and negotiated rates from the vendor. The hourly rates are commercially reasonable for the type of professional services and subject matter expertise to be provided.

4. EXPLAIN WHETHER THE PROPOSED CONTRACTOR OR THE CITY HAS A SUBSTANTIAL DOLLAR INVESTMENT IN ORIGINAL DESIGN, TOOLING OR OTHER FACTORS WHICH WOULD BE DUPLICATED AT CITY EXPENSE IF ANOTHER SOURCE WAS CONSIDERED. DESCRIBE COST SAVINGS OR OTHER MEASURABLE BENEFITS TO THE CITY WHICH MAY BE ACHIEVED.

Yes. The ICC model codes are copyrighted consensus-based codes which reflect input from a wide range of stakeholders and public safety professionals on how to safely regulate the latest construction technologies. It would be impossible for the city to cost-effectively duplicate the consensus gathering process of the ICC code hearings, nor would the city then benefit from aligning its standards with those in place in the rest of the United States.

5. EXPLAIN WHAT NEGOTIATION OF PRICE HAS OCCURRED OR WILL OCCUR. DETAIL WHY THE ESTIMATED COST IS DEEMED REASONABLE.

The Department has carefully reviewed utilization under previous contracts with ICC and this contract to date and evaluated its needs for this project in order to accurately estimate the technical and administrative support needs for the amended scope. The proposed consultant hourly rates are consistent with industry standards for similar professional services and the proposed individual's levels of experience and subject matter expertise.

SCHEDULE REQUIREMENTS

1. EXPLAIN HOW THE SCHEDULE WAS DEVELOPED AND AT WHAT POINT THE SPECIFIC DATES WERE KNOWN.

In 2017, the Department made comprehensively updating the core provisions of the building code its top priority for 2018. Due to delays in the procurement process, the proposed work was not able to begin until July 2018. This work resulted in an ordinance that was introduced in March 2019 and is expected to pass in April 2019. The implementation schedule in the proposed ordinance provides that the ordinance will phase in between June 2019 and August 2020. In



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order to successfully implement the ordinance on this schedule, the Department needs to begin training staff in October 2019.

During the course of this project, the Department developed a tentative schedule for future phases of code modernization to take place from late 2019 through the end of the contract term.

2. IS LACK OF DRAWINGS AND/OR SPECIFICATIONS A CONSTRAINING FACTOR TO COMPETITIVE BIDDING? IF SO, WHY IS THE PROPOSED CONTRACTOR THE ONLY PERSON OR FIRM ABLE TO PERFORM UNDER THESE CIRCUMSTANCES? WHY ARE THE DRAWINGS AND SPECIFICATIONS LACKING? WHAT IS THE LEAD TIME REQUIRED TO GET DRAWINGS AND SPECIFICATIONS SUITABLE FOR COMPETITION? IF LACK OF DRAWINGS AND SPECIFICATIONS IS NOT A CONSTRAINING FACTOR TO COMPETITIVE BIDDING, EXPLAIN WHY ONLY ONE PERSON OR FIRM CAN MEET THE REQUIRED SCHEDULE.

No.

3. OUTLINE THE REQUIRED SCHEDULE BY DELIVERY OR COMPLETION DATES AND EXPLAIN THE REASONS WHY THE SCHEDULE IS CRITICAL.

The Department must begin staff retraining by October 2019 in order to meet the ordinance-imposed implementation dates beginning December 1, 2019 and continuing through August 2020.

4. DESCRIBE IN DETAIL WHAT IMPACT DELAYS FOR COMPETITIVE BIDDING WOULD HAVE ON CITY OPERATIONS, PROGRAMS, COSTS AND BUDGETED FUNDS.

Due to ICC's copyright in the model codes, competitive procurement is not possible.

EXCLUSIVE OR UNIQUE CAPABILITY

1. IF CONTEMPLATING HIRING A PERSON OR FIRM AS A PROFESSIONAL SERVICE CONSULTANT, EXPLAIN IN DETAIL WHAT PROFESSIONAL SKILLS, EXPERTISE, QUALIFICATIONS, AND/OR OTHER FACTORS MAKE THIS PERSON OR FIRM EXCLUSIVELY OR UNIQUELY QUALIFIED FOR THE PROJECT. ATTACH A COPY OF THE COST PROPOSAL, SCOPE OF SERVICES, AND TEMPORARY CONSULTING SERVICES FORM.

The ICC is the exclusive source of its copyrighted model codes and training materials incorporating provisions of the model codes.

2. DOES THE PROPOSED FIRM HAVE PERSONNEL CONSIDERED UNQUESTIONABLY PREDOMINANT IN THE PARTICULAR FIELD?

Yes. ICC's model codes are the basis of construction regulation in every major jurisdiction in the United States other than the City of Chicago.

3. WHAT PRIOR EXPERIENCES OF A HIGHLY SPECIALIZED NATURE DOES THE PERSON OR FIRM EXCLUSIVELY POSSESS THAT IS VITAL TO THE JOB, PROJECT OR PROGRAM?

ICC has overseen the development of the consensus-based model code used in the vast majority of jurisdictions in the United States since the mid-1990s. ICC was formed from the merger of several regional model code organizations. ICC possesses unrivaled resources and subject matter expertise on the technical basis for specific provisions of the ICC model codes. ICC staff provide hundreds of training programs to thousands of participants each year.

4. WHAT TECHNICAL FACILITIES OR TEST EQUIPMENT DOES THE PERSON OR FIRM EXCLUSIVELY POSSESS OF A HIGHLY SPECIALIZED NATURE WHICH IS VITAL TO THE JOB?

Not applicable.

5. WHAT OTHER CAPABILITIES AND/OR CAPACITY DOES THE PROPOSED FIRM POSSESS WHICH IS NECESSARY FOR THE SPECIFIC JOB, PROJECT OR PROGRAM WHICH MAKES THEM THE ONLY SOURCE WHO CAN PERFORM THE WORK WITHIN THE REQUIRED TIME SCHEDULE WITHOUT UNREASONABLE COSTS TO THE CITY?



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See above.

6. IF PROCURING PRODUCTS OR EQUIPMENT, DESCRIBE THE INTENDED USE AND EXPLAIN ANY EXCLUSIVE OR UNIQUE CAPABILITIES, FEATURES AND/OR FUNCTIONS THE ITEMS HAVE WHICH NO OTHER BRANDS OR MODELS, POSSESS. IS COMPATIBILITY WITH EXISTING EQUIPMENT CRITICAL FROM AN OPERATIONAL STANDPOINT? IF SO, PROVIDE DETAILED EXPLANATION?

Not applicable.

7. IS COMPETITION PRECLUDED BECAUSE OF THE EXISTENCE OF PATENT RIGHTS, COPYRIGHTS, TRADE SECRETS, TECHNICAL DATA, OR OTHER PROPRIETARY DATA (ATTACH DOCUMENTATION VERIFYING SUCH)?

Yes. ICC's model codes and training materials are copyrighted.

8. IF PROCURING REPLACEMENT PARTS AND/OR MAINTENANCE SERVICES, EXPLAIN WHETHER OR NOT REPLACEMENT PARTS AND/OR SERVICES CAN BE OBTAINED FROM ANY OTHER SOURCES? IF NOT, IS THE PROPOSED FIRM THE ONLY AUTHORIZED OR EXCLUSIVE DEALER/DISTRIBUTOR AND/OR SERVICE CENTER? IF SO, ATTACH LETTER FROM MANUFACTURER ON COMPANY LETTERHEAD.

Not applicable.

MBE/WBE COMPLIANCE PLAN

The Department of Buildings is requesting an amended contract-specific goal of 30% MBE and 2% WBE participation for this contract. Since the nature of this contract only requires limited subcontractors to provide the scope of services contemplated, it is considered not to be reasonably practical to require International Code Council to seek additional direct or indirect M/WBE participation.

ICC has identified a single subcontractor, Koo LLC, which is a Chicago-based MBE- and WBE-certified architectural firm to provide local project management, administrative, and technical support services for approximately . ICC is currently evaluating WBE-certified catering service providers to offer food services as part of training programs. To the extent external printing services are required, ICC is committed to evaluating M/WBE vendors.

OTHER

1. EXPLAIN OTHER RELATED CONSIDERATIONS AND ATTACH ALL APPLICABLE SUPPORTING DOCUMENTS, I.E., AN APPROVED "ITGB FORM" OR "REQUEST FOR INDIVIDUAL HIRE FORM".

Not applicable.



DEPARTMENT OF BUILDINGS
CITY OF CHICAGO

MEMORANDUM

To: Judith Frydland
Commissioner of Buildings

From: Grant Ullrich GEU
Deputy Commissioner

Subject: Proposed Scope of Services and Other Details for New Non-Competitive Bid Contract with International Code Council, Inc. for Model Code Licensing and Chicago Building Code Modernization Support Services

Date: April 22, 2019

In order to successfully implement the 776-page Phase 2 Construction Codes Modernization Ordinance expected to be adopted by the city council on April 10, 2019 and summarized in the attached booklet, as well as meet the Department's commitment to pursue modernization of the plumbing and mechanical codes, among other items, in 2020, I recommend requesting authority to amend contract number 75072 with the International Code Council, Inc. ("ICC"), to cover additional services as follows:

SCOPE OF SERVICES

In addition to the eight services covered in the existing contract, ICC will provide the following additional services under the amended contract:

- 9) Based on ordinances incorporating provisions of the International Codes (including the National Electrical Code), develop and/or revise, on an hourly or task-order basis: (a) plan review processes and supporting documents; (b) inspection processes and supporting documents; (c) training materials for plan reviewers; (d) training materials for inspectors; (e) training materials for self-certification architects and structural peer reviewers; and (f) informational materials for the public.
- 10) Assist the Department with developing and offering both internal and external training programs at locations within one mile of the Department's fixed work sites (121 North LaSalle and 2045 West Washington), including food and beverages for participants where consistent with ICC's ordinary training practices.

- 11) Enter into a publication agreement concerning ordinances developed and adopted pursuant to this contract and provide the city with copies of code publications at fixed discounted rates.
- 12) Assist the Department with gathering requirements and establishing parameters for future phases of code modernization on an hourly or task-order basis, including by amending the existing ordinance-development license agreement to cover the 2018 *International Fuel Gas Code*, 2018 *International Plumbing Code* and 2018 *International Mechanical Code*.

ESTIMATED COST

Based on the Department's prior experience with similar efforts, and the hourly rates for administrative and technical support services negotiated with ICC, it is reasonable to estimate a cost not to exceed \$550,000.00 for the amended scope and existing duration (with optional 12-month extension).

M/WBE GOAL AND COMPLIANCE PLAN

As currently structured, the contract has a project-specific goal of 50% MBE participation and 0% WBE participation. Under the proposed revised scope, ICC will be directly providing services and materials equal to approximately 65% of the overall contract. There is no opportunity or commercial reason to subcontract the provision of these services and materials. Based on expenditures to date and anticipated future needs, the existing MBE subcontractor-provided services are expected to be approximately 29% of the overall contract value. The vendor anticipates that approximately half of miscellaneous subcontracting opportunities that make up the remainder of the contract value (for catering, facility rental, and possibly printing) may be performed by qualified MBE or WBE-certified firms. Accordingly, I recommend the department concur in the vendor's request for a revised goal of 30% MBE and 2% WBE.

Prepared by:



Grant Ullrich, Deputy Commissioner

cc: Marlene Hopkins



International Code Council
500 New Jersey Avenue, NW
Sixth Floor
Washington, DC 20001
t: 888.ICC.SAFE (422.7233)
t: 202.370.1800
f: 202.783.2348
www.iccsafe.org

Schedule of Compensation

Fees for the International Code Council's (ICC) services shall be determined by the service or amount of time devoted by personnel, including ICC staff and contractors, multiplied by hourly rates, not to exceed the maximum amounts specified below. ICC staff and contractor service rates and hourly rates are set forth below.

The ICC will provide a detailed monthly invoice to the City of Chicago containing each individual's time during the previous month. Time billed shall be accounted for in one-tenth of an hour increments, or every six minutes. Payments shall be due within 60 days of receipt of the billing invoice.

Task	Maximum Rate
Project Coordinator	\$100/hour
Project Manager	\$235/hour
ICC Coordination and Project Support	\$150/hour
ICC Design/Development/Customization Training and Support Materials	\$150/hour
ICC Technical Advice / Research	\$275/hour
Structural Engineer	\$275/hour
Fire Protection Advisor	\$275/hour
Services	Maximum Rate
On-site Transition Advisor (40-hour week)	\$4,000/week
Training program (base fee)	\$3,000/full day \$2,000/half day
Training room	\$700 (full or half day)

Participant materials	\$30/participant
Participant food/beverage	\$45/participant (full day) \$25/participant (half day)
Replacement pages for code publications	\$30/page (first 50 pages per year at no cost)
Publications	Maximum Price/copy **
Administrative Provisions of the Chicago Construction Codes	\$27.00
Chicago Building Code including ICC A117.1-2009	\$102.00
Chicago Energy Conservation Code	\$32.40
Chicago Building Rehabilitation Code	\$51.60
Chicago Minimum Requirements for Existing Buildings	\$28.80
Accessibility-related provisions of the Chicago Construction Codes	\$100.00
Chicago Fire Prevention Code	\$77.40
Chicago Fuel Gas Code	\$58.80
Chicago Mechanical Code	\$58.80
Chicago Plumbing Code	\$58.80

** Prices exclusive of applicable taxes and shipping/delivery charges.

Revised: April 22, 2019



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Sixth Floor
Washington, DC 20001
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f: 202.783.2348
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April 22, 2019

Commissioner Judith Frydland
City of Chicago Department of Buildings
121 North LaSalle Street, Room 906
Chicago, Illinois 60602

Dear Commissioner Frydland:

In connection with the proposed scope change to the contract between the International Code Council, Inc. ("ICC") and the City of Chicago, ICC respectfully requests a modification of the project-specific MBE/WBE participation goal for the contract, consistent with the proposed scope change.

Under the original contract scope, approximately half of the contract value (\$89,375) was for services and materials to be provided or performed by ICC and half of the contract value was for services to be provided directly by a subcontractor with expertise in architectural design services. As you know, ICC selected Koo & Associates, a certified MBE firm, as its subcontractor. The Department of Procurement Services, upon your recommendation, approved a project-specific goal of 50% MBE and 0% WBE as a project-specific goal for the original contract scope. To date, ICC has significantly exceeded that goal.

Under the proposed scope change, approximately sixty-five percent of the anticipated contract value (\$357,500) is for services or materials to be provided or performed by ICC, twenty-nine percent (\$160,000) is for services or materials to be provided or performed by a subcontractor with architectural expertise, and the remainder of the contract value is for goods and services with subcontracting opportunities, such as catering, facilities rental or printing, on an as-needed basis. ICC intends to continue using Koo & Associates as its subcontractor with architectural expertise, and ICC is committed to considering MBE or WBE-certified firms for all other subcontracting opportunities that arise under this contract. ICC reasonably believes that approximately half of the additional subcontracting opportunities can be met with qualified MBE or WBE-certified subcontractors.

Accordingly, ICC requests a modified project-specific goal of 30% MBE and 2% WBE participation on this contract.

Sincerely,

A handwritten signature in black ink that reads "Sara C. Yerkes". The signature is written in a cursive, flowing style.

Sara C. Yerkes
Senior Vice President
Government Relations



COPY

**DEPARTMENT OF BUILDINGS
CITY OF CHICAGO**

MEMORANDUM

To: Monica Jimenez
First Deputy Procurement Officer, Compliance

From: Judith Frydland
Commissioner of Buildings

Subject: Amended M/WBE goals for contract number 75072 with International Code Council, Inc. for model code licensing and Chicago Building Code modernization support services

Date: April 2, 2019 (revised April 22, 2019)

In 2018, your office approved a contract-specific goal of 50% MBE and 0% WBE participation for this contract. To date, the vendor exceeded that goal, and 86% of contract expenditures have gone to the MBE subcontractor. (That contractor is also a certified WBE.)

The Department of Buildings is now seeking to increase the original contract scope and limit. In developing the revised scope, the Department and vendor have determined that approximately 65% of the amended contract value will be for services and materials provided directly by the vendor, without subcontracting opportunities, as described more fully in the attached request for revised project-specific goals from the vendor. For the remaining 35% of the revised contract value, 30% will be for services provided by the MBE-certified contractor identified in the original contract. For the remaining miscellaneous subcontracting opportunities, the vendor believes a 2% project-specific WBE goal is reasonable.

The Department concurs in the vendor's request for revised project-specific M/WBE goals for this contract and respectfully requests your approval.

If you have any questions or need additional information regarding this recommendation, please contact Deputy Commissioner Grant Ullrich at (312) 744-7579.

attachment

cc: Marlene Hopkins
Grant Ullrich



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/01/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Paradigm Risk Management, Inc. 1016 West Jackson Blvd Chicago, IL 60607	CONTACT NAME: Kevin Greer PHONE (A/C, No, Ext): 312-332-6900 E-MAIL ADDRESS: Kevin_Greer@prm-ins.com FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE INSURER A: Hartford Fire Insurance Company INSURER B: Trumbull Insurance Company INSURER C: Hartford Casualty Insurance Company INSURER D: Axis Insurance Company INSURER E: INSURER F:
INSURED International Code Council, Inc. 4051 Flossmoor Road Country Club Hills, IL 60478	NAIC #

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			83 UUN EB4382	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ N/A GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			83 UUN EB4382	01/01/2019	01/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			83 RHU EB4776	01/01/2019	01/01/2020	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A		83 WE AC4H66	01/01/2019	01/01/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Professional Liability			P-001-000066542-01	01/01/2019	01/01/2020	\$10,000,000 Each Occurrence \$10,000,000 Annual Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder is included as Additional Insured as their interests may appear (does not include Workers' Compensation or Professional Liability)

CERTIFICATE HOLDER City of Chicago Department of Procurement City Hall, Room 403 121 N LaSalle St Chicago, IL 60602	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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April 1, 2019

Justification for Non-Competitive Procurement

The International Code Council (ICC), a non-profit organization, has developed a uniform, consistent and correlated set of model codes based on the best and most recent fire and building science, as well as the input and consensus of member municipal, state, and federal government agencies. These model code are created through the effort of thousands of code enforcement officials, technical experts, construction industry professionals, and building material and equipment manufacturers, who volunteer their time and expertise to the study of the code and related issues. In order to address industry innovation and keep the model codes current, the ICC's code development process is on-going, with a new draft developed, reviewed, and accepted every three years. The ICC recently finalized the 2018 version of the model codes.

The ICC owns the copyright for the model codes, which is therefore proprietary and available exclusively through the ICC. The ICC retains the proprietary rights to publish its copyrighted materials. In addition, an extensive library of proprietary materials, specially designed for use in support of the code adoption and implementation process, is available exclusively from the ICC.

Respectfully Yours,

A handwritten signature in black ink that reads "Sara C. Yerkes". The signature is written in a cursive, flowing style.


Sara C. Yerkes
Senior Vice President
Government Relations



DEPARTMENT OF BUILDINGS
CITY OF CHICAGO

MEMORANDUM

To: Shannon Andrews
Chief Procurement Officer

From: Judith Frydland
Commissioner of Buildings 

Subject: Request to amend or modify non-competitive bid contract number 75072 with International Code Council, Inc. for model code licensing and Chicago Building Code modernization support services

Requisition # 209782 / Specification # 683606

Date: April 24, 2019 (revised May 1, 2019)

The Department of Buildings hereby requests approval to amend non-competitive bid contract number 75072 with International Code Council, Inc. (“ICC”) for model code licensing and Chicago Building Code modernization support services, as described more fully below and in the accompanying materials.

I appreciate your urgent attention to this request, which is necessary to successfully implement SO2019-1452 by developing and providing training for city employees and external audiences on the ordinance’s provisions in the Fall of 2019 prior to the effective date of **December 1, 2019**.

SO2019-1452, adopted by the city council on April 10, 2019, is the first comprehensive revision to the Chicago Building Code in 70 years. This major achievement was accomplished under the original scope of this contract. Now that city council has adopted the ordinance contemplated in the original application to the Non-Competitive Review Board in January 2018, and set an effective date of December 1, 2019, additional services from ICC are urgently needed to successfully implement the ordinance as provided by law, as well as to continue with modernization of the city’s requirements for plumbing, mechanical, and fuel gas systems.

I am attaching the following items in support of this request, based on the NCRB Policy and Procedures Memorandum dated February 8, 2018:

- DPS Non-Competitive Review Board (NCRB) Application
- DPS Project Checklist
- Amended Scope of Work, prepared by the Department of Buildings
- Letter from ICC detailing why it is the exclusive provider of these services

(with ICC's certificates of copyright registration attached)

- Memo requesting amended contract-specific M/WBE Goals
- ICC's insurance certificate
- ICC's 2017 IRS Form 990 (ICC is a 501(c)(6) entity)
- Letter from ICC setting forth proposed rates.

The key features of the requested amendment are as follows:

Duration:	No change
Scope:	Amend scope to cover additional services, including training and publication agreement covering ordinances developed under scope of contract
MBE/WBE goals:	Amend contract-specific MBE/WBE goals based on revised scope
Vendor Limit:	Increase by \$371,625 (Total \$550,000)
Funding Strip:	018-0100-067-2005-0140-P22000
Project Manager:	Grant Ullrich, Deputy Commissioner (312) 744-7579

If you have any questions or need additional information regarding this request, please contact Grant Ullrich at (312) 744-7579. Thank you for your assistance in this matter.

cc: Marlene Hopkins
Grant Ullrich

attachments

Attach required forms for each procurement type and detailed scope of services and/or specifications and forward original documents to the Chief Procurement Officer; City Hall, Room 806.

Date:
May 2, 2019

Department Name:
Department of Buildings

Requisition No: 209782 **Specification No:** 683606

PO No: 75072 **Modification No:**

Contract Liaison:
Marlene Hopkins

Telephone:
312-743-9024

Email:
Marlene.Hopkins@cityofchicago.org

Project / Program Manager:
Grant Ullrich

Telephone:
312-744-7579

Email:
grant.ullrich@cityofchicago.org

For Blanket Agreements, the lead department must consult with other departments who may want to participate in the Blanket Agreement. If grant funded, attach copy of the approved grant application and other terms and conditions of the funding source.

Note:

1) **Funding:** Attach information if multiple funding lines

2) **Individual Contract Services:** Include approval form signed by all parties

3) **ITGB:** IT project valued at \$100,000.00 or more, attach approval transmittal sheet.

***Contract Liaison Signature**

[Signature]

***By signing this form, I attest that all information provided is true and accurate.**

Project Title:
MODEL CODE LICENSING AND CHICAGO BUILDING CODE MODERNIZATION SUPPORT SERVICES

Project Description: AMENDED: Contract with International Code Council for license to use copyrighted model codes and related publications to develop and implement Chicago Building Code amendments, publication agreement, and for technical and administrative support to facilitate ordinance development and implementation processes

Funding:

Corporate Bond Enterprise Grant Other:

IDOT/Transit IDOT/Highway FHWA FTA FAA

LINE	FY	FUND	DEPT	ORGN	APPR	ACTV	PROJECT	RPTG	ESTDOLLAR AMOUNT
	019	0100	067	2005	0140	P22000			\$371,625

Check One:

New Contract Request

**By signing below, I attest the estimates provided for this contract are true and accurate.*

***Project / Program Manager Signature**

[Signature]

***Commissioner/Authorized Designee Signature**

[Signature]

Purchase Order Type:

Blanket/Purchase Order (DUR)

Master Consultant Agreement (Task Order)

Standard/One-Time Purchase

Special Approvals Required:

Emergency

Non-Competitive Review Board (NCRB)

Request for Individual Contract Services

Information Technology Governance Board (ITGB)

IDOT Concurrence

Purchase Order Information:

Contract Term (No. of Months): _____

Extension Options (Rate of Recurrence): _____

Estimated Spend/Value: \$ _____

Grant Commitment / Expiration Date: _____

Pre-Bid/Submittal Conference: Yes No

Mandatory Site Visit

Procurement Method:

Bid RFP RFQ RFI

Small Order

Contract Type:

Architect Engineering Commodity Construction JOC SBI

Professional Services Revenue Generating Vehicle & Heavy Equipment

Work Service Joint Procurement Reference Contract

Modification or Amendment

Modification Information:

PO Start Date: no change

PO End Date: no change

Amount (Increase/Reduction): + \$371,625

MBE/WBE/DBE Analysis: (Attach MBE/WBE/DBE Goal Setting Memo)

Full Compliance Contract Specific Goals

No Stated Goals Waiver Request

Safety Enhancing Vehicle Equipment (MCC 2-92-597) Yes ___ No

Modification/Amendment Type:

Time Extension Scope Change/Price Increase /Additional Line Item(s)

Vendor Limit Increase Requisition Encumbrance Adjustment

Other (specify): _____

Risk Management / EDS / IDOT

Insurance Requirements (included) Yes No

EDS Certification of Filing (included) Yes No

IDOT Concurrence (required) Yes No

Vendor Information

Name: International Code Council, Inc.

Contact: Sara Yerkes, SVP Gov't Relations

Address: 500 New Jersey Ave, NW, 6th Flr., Washington, D.C. 20001

E-mail: SYerkes@iccsafe.org

Phone: (202) 370-1800 ext. 6247



CERTIFICATE OF FILING FOR
CITY OF CHICAGO ECONOMIC DISCLOSURE STATEMENT

EDS Number: 121784

Date of This Filing:04/25/2018 09:06 AM

Certificate Printed on: 05/21/2019

Original Filing Date:01/17/2018 02:59 PM

Disclosing Party: International Code Council, Inc Title:Vice President, Government Relations

Filed by: Mr. Justin Wiley

Matter: MODEL CODE LICENSING
AND CHICAGO BUILDING CODE
MODERNIZATION SUPPORT SERVICES

Applicant: International Code Council, Inc

Specification #: 683606

Contract #: 75072

The Economic Disclosure Statement referenced above has been electronically filed with the City. Please provide a copy of this Certificate of Filing to your city contact with other required documents pertaining to the Matter. For additional guidance as to when to provide this Certificate and other required documents, please follow instructions provided to you about the Matter or consult with your City contact.

A copy of the EDS may be viewed and printed by visiting <http://webapps1.cityofchicago.org/EDSWeb> and entering the EDS number into the EDS Search. Prior to contract award, the filing is accessible online only to the disclosing party and the City, but is still subject to the Illinois Freedom of Information Act. The filing is visible online to the public after contract award.



CITY OF CHICAGO
ECONOMIC DISCLOSURE STATEMENT and AFFIDAVIT
Related to Contract/Amendment/Solicitation
EDS # 121784

SECTION I -- GENERAL INFORMATION

A. Legal name of the Disclosing Party submitting the EDS:

International Code Council, Inc

Enter d/b/a if applicable:

The Disclosing Party submitting this EDS is:

the Applicant

B. Business address of the Disclosing Party:

500 New Jersey Ave, NW
6th floor
Washington, DC 20001
United States

C. Telephone:

202-370-1800

Fax:

202-783-2348

D. Name of contact person:

Mr. Justin Wiley

F. Brief description of contract, transaction or other undertaking (referred to below as the "Matter") to which this EDS pertains:

MODEL CODE LICENSING AND CHICAGO BUILDING CODE MODERNIZATION
SUPPORT SERVICES

Which City agency or department is requesting this EDS?

DEPT OF PROCUREMENT SERVICES

Specification Number

683606

Contract (PO) Number

75072

Revision Number

Release Number

User Department Project Number

SECTION II -- DISCLOSURE OF OWNERSHIP INTERESTS

A. NATURE OF THE DISCLOSING PARTY

1. Indicate the nature of the Disclosing Party:

Not-for-profit corporation

Is the Disclosing Party also a 501(c)(3) organization?

No

Is the Disclosing Party incorporated or organized in the State of Illinois?

No

State or foreign country of incorporation or organization:

California

Registered to do business in the State of Illinois as a foreign entity?

Yes

B. DISCLOSING PARTY IS A LEGAL ENTITY:

1.a.1 Does the Disclosing Party have any directors?

Yes

1.a.3 List below the full names and titles of all executive officers and all directors, if any, of the entity. Do not include any directors who have no power to select the entity's officers.

Officer/Director: Mr. Dominic Sims
Title: Chief Executive Officer
Role: Officer

Officer/Director: Mr. John Belcik
Title: Chief Financial/Operating Officer
Role: Officer

Officer/Director: Mr. Mark Johnson
Title: Executive Vice President
Role: Officer

Officer/Director: Mr. Jay Elbettar
Title:
Role: Director

Officer/Director: Mr. William Bryant
Title:
Role: Director

Officer/Director: Mr. Greg Wheeler
Title:
Role: Director

Officer/Director: Mr. Dwayne Garriss
Title:
Role: Director

Officer/Director: Mr. William Jeffrey Bechtold
Title:
Role: Director

Officer/Director: Mr. D. Kris Bridges

Title:
Role: Director

Officer/Director: Mr. Alan Bradley Boswell
Title:
Role: Director

Officer/Director: Mr. Michael P. Boso
Title:
Role: Director

Officer/Director: Mr. Jim H. Brown
Title:
Role: Director

Officer/Director: Ms. Cindy Davis
Title:
Role: Director

Officer/Director: Ms. Shirley Ellis
Title:
Role: Director

Officer/Director: Mr. Jerry R. Mallory
Title:
Role: Director

Officer/Director: Mr. Thomas Wesley Peterson
Title:
Role: Director

Officer/Director: Mr. M. Donny Phipps
Title:
Role: Director

Officer/Director: Mr. David J. Spencer
Title:
Role: Director

Officer/Director: Ms. Brenda A. Thompson
Title:
Role: Director

Officer/Director: Mr. Stuart D. Tom

Title:

Role: Director

Officer/Director: Mr. Michael Wich

Title:

Role: Director

1.a.5 Are there any members of the not-for-profit Disclosing Party which are legal entities?

No

SECTION III -- INCOME OR COMPENSATION TO, OR OWNERSHIP BY, CITY ELECTED OFFICIALS

A. Has the Disclosing Party provided any income or compensation to any City elected official during the 12-month period preceding the date of this EDS?

No

B. Does the Disclosing Party reasonably expect to provide any income or compensation to any City elected official during the 12-month period following the date of this EDS?

No

D. Does any City elected official or, to the best of the Disclosing Party's knowledge after reasonable inquiry, any City elected official's spouse or domestic partner, have a financial interest (as defined in Chapter 2-156 of the Municipal Code ("MCC")) in the Disclosing Party?

No

SECTION IV -- DISCLOSURE OF SUBCONTRACTORS AND OTHER RETAINED PARTIES

The Disclosing Party must disclose the name and business address of each subcontractor, attorney, lobbyist (as defined in MCC Chapter 2-156), accountant, consultant and any other person or entity whom the Disclosing Party has retained or expects to retain in connection with the Matter, as well as the nature of the relationship, and the total amount of the fees paid or estimated to be paid. The Disclosing Party is not required to disclose employees who are paid solely through the Disclosing Party's regular payroll.

If the Disclosing Party is uncertain whether a disclosure is required under this Section, the Disclosing Party must either ask the City whether disclosure is required or make the disclosure.

1. Has the Disclosing Party retained or does it anticipate retaining any legal entities in connection with the Matter?

Yes

2. List below the names of all legal entities which are retained parties.

Name: G&R Public Law and Strategies
Anticipated/Retained: Retained
Business Address: 20 South Clark
Ste 1620
Chicago, IL 60603 United States
Relationship: Attorney
Lobbyist
Fees (\$\$ or %): 157,500
Estimated/Paid: Paid

Name: KOO, LLC
Anticipated/Retained: Retained
Business Address: 53 West Jackson Blvd
Ste. 215
Chicago, IL 60604 United States
Relationship: Subcontractor - MWDBE
Fees (\$\$ or %): 89,375
Estimated/Paid: Estimated

3. Has the Disclosing Party retained or does it anticipate retaining any persons in connection with the Matter?

No

SECTION V -- CERTIFICATIONS

A. COURT-ORDERED CHILD SUPPORT COMPLIANCE

Under MCC Section 2-92-415, substantial owners of business entities that contract with the City must remain in compliance with their child support obligations throughout the contract's term.

Has any person who directly or indirectly owns 10% or more of the Disclosing Party been declared in arrearage of any child support obligations by any Illinois court of competent jurisdiction?

Not applicable because no person directly or indirectly owns 10% or more of the Disclosing Party

B. FURTHER CERTIFICATIONS

1. [This certification applies only if the Matter is a contract being handled by the City's Department of Procurement Services.] In the 5-year period preceding the date of this EDS, neither the Disclosing Party nor any Affiliated Entity has engaged, in connection with the performance of any public contract, the services of an integrity monitor, independent private sector inspector general, or integrity compliance consultant (i.e. an individual or entity with legal, auditing, investigative, or other similar skills, designated by a public agency to help the agency monitor the activity of specified agency vendors as well as help the vendors reform their business practices so they can be considered for agency contracts in the future, or continue with a contract in progress).

I certify the above to be true

2. The Disclosing Party and its Affiliated Entities are not delinquent in the payment of any fine, fee, tax or other source of indebtedness owed to the City of Chicago, including, but not limited to, water and sewer charges, license fees, parking tickets, property taxes and sales taxes, nor is the Disclosing Party delinquent in the payment of any tax administered by the Illinois Department of Revenue.

I certify the above to be true

3. The Disclosing Party and, if the Disclosing Party is a legal entity, all of those persons or entities identified in Section II(B)(1) of this EDS:

- a. are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
- b. have not, during the 5 years before the date of this EDS, been convicted of a criminal offense, adjudged guilty, or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft;

- forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
- c. are not presently indicted for, or criminally or civilly charged by, a governmental entity (federal, state or local) with committing any of the offenses set forth in subparagraph (b) above;
 - d. have not, during the 5 years before the date of this EDS, had one or more public transactions (federal, state or local) terminated for cause or default; and
 - e. have not, during the 5 years before the date of this EDS, been convicted, adjudged guilty, or found liable in a civil proceeding, or in any criminal or civil action, including actions concerning environmental violations, instituted by the City or by the federal government, any state, or any other unit of local government.

I certify the above to be true

4. The Disclosing Party understands and shall comply with the applicable requirements of MCC [Chapter 2-56 \(Inspector General\)](#) and [Chapter 2-156 \(Governmental Ethics\)](#).

I certify the above to be true

5. Neither the Disclosing Party, nor any [Contractor](#), nor any [Affiliated Entity](#) of either the Disclosing Party or any [Contractor](#), nor any [Agents](#) have, during the 5 years before the date of this EDS, or, with respect to a [Contractor](#), an [Affiliated Entity](#), or an [Affiliated Entity](#) of a [Contractor](#) during the 5 years before the date of such [Contractor's](#) or [Affiliated Entity's](#) contract or engagement in connection with the Matter:

- a. bribed or attempted to bribe, or been convicted or adjudged guilty of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- b. agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted or adjudged guilty of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- c. made an admission of such conduct described in subparagraph (a) or (b) above that is a matter of record, but have not been prosecuted for such conduct; or
- d. violated the provisions referenced in [MCC Subsection 2-92-320\(a\)\(4\)\(Contracts Requiring a Base Wage\)](#); [\(a\)\(5\)\(Debarment Regulations\)](#); or [\(a\)\(6\)\(Minimum Wage Ordinance\)](#).

I certify the above to be true

6. Neither the Disclosing Party, nor any [Affiliated Entity](#) or [Contractor](#), or any of their employees, officials, [agents](#) or partners, is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of

- bid-rigging in violation of [720 ILCS 5/33E-3](#);
- bid-rotating in violation of [720 ILCS 5/33E-4](#); or
- any similar offense of any state or of the United States of America that contains the same elements as the offense of bid-rigging or bid-rotating.

I certify the above to be true

7. Neither the Disclosing Party nor any [Affiliated Entity](#) is listed on a Sanctions List maintained by the United States Department of Commerce, State, or Treasury, or any successor federal agency.

I certify the above to be true

8. [FOR APPLICANT ONLY]

- Neither the Applicant nor any "controlling person" [[see MCC Chapter 1-23, Article I](#) for applicability and defined terms] of the Applicant is currently indicted or charged with, or has admitted guilt of, or has ever been convicted of, or placed under supervision for, any criminal offense involving actual, attempted, or conspiracy to commit bribery, theft, fraud, forgery, perjury, dishonesty or deceit against an officer or employee of the City or any "sister agency" ; and
- the Applicant understands and acknowledges that compliance with Article I is a continuing requirement for doing business with the City.

NOTE: If [MCC Chapter 1-23, Article I](#) applies to the Applicant, that Article's permanent compliance timeframe supersedes 5-year compliance timeframes in this Section V.

I certify the above to be true

9. [FOR APPLICANT ONLY] The Applicant and its Affiliated Entities will not use, nor permit their subcontractors to use, any facility listed as having an active exclusion by the U.S. EPA on the [federal System for Award Management](#) ("SAM")

I certify the above to be true

10. [FOR APPLICANT ONLY] The Applicant will obtain from any contractors/subcontractors hired or to be hired in connection with the Matter certifications equal in form and substance to those in Certifications (2) and (9) above and will not, without the prior written consent of the City, use any such contractor/subcontractor that does not provide such certifications or that the

Applicant has reason to believe has not provided or cannot provide truthful certifications.

I certify the above to be true

11. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all current employees of the Disclosing Party who were, at any time during the 12-month period preceding the date of this EDS, an employee, or elected or appointed official, of the City of Chicago.

None

12. To the best of the Disclosing Party's knowledge after reasonable inquiry, the following is a complete list of all gifts that the Disclosing Party has given or caused to be given, at any time during the 12-month period preceding the execution date of this EDS, to an employee, or elected or appointed official, of the City of Chicago. For purposes of this statement, a "gift" does not include: (i) anything made generally available to City employees or to the general public, or (ii) food or drink provided in the course of official City business and having a retail value of less than \$25 per recipient, or (iii) a political contribution otherwise duly reported as required by law.

None

C. CERTIFICATION OF STATUS AS FINANCIAL INSTITUTION

The Disclosing Party certifies, as defined in MCC Section 2-32-455(b), the Disclosing Party

is not a "financial institution"

D. CERTIFICATION REGARDING FINANCIAL INTEREST IN CITY BUSINESS

Any words or terms defined in MCC Chapter 2-156 have the same meanings if used in this Part D.

1. In accordance with MCC Section 2-156-110: To the best of the Disclosing Party's knowledge after reasonable inquiry, does any official or employee of the City have a financial interest in his or her own name or in the name of any other person or entity in the Matter?

No

E. CERTIFICATION REGARDING SLAVERY ERA BUSINESS

If the Disclosing Party cannot make this verification, the Disclosing Party must disclose all required information in the space provided below or in an attachment in the "Additional Info" tab. Failure to comply with these disclosure requirements may

make any contract entered into with the City in connection with the Matter voidable by the City.

The Disclosing Party verifies that the Disclosing Party has searched any and all records of the Disclosing Party and any and all predecessor entities regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era (including insurance policies issued to slaveholders that provided coverage for damage to or injury or death of their slaves), and the Disclosing Party has found no such records.

I can make the above verification

SECTION VI -- CERTIFICATIONS FOR FEDERALLY FUNDED MATTERS

Is the Matter federally funded? For the purposes of this Section VI, tax credits allocated by the City and proceeds of debt obligations of the City are not federal funding.

No

SECTION VII - FURTHER ACKNOWLEDGMENTS AND CERTIFICATION

The Disclosing Party understands and agrees that:

- A. The certifications, disclosures, and acknowledgments contained in this EDS will become part of any contract or other agreement between the Applicant and the City in connection with the Matter, whether procurement, City assistance, or other City action, and are material inducements to the City's execution of any contract or taking other action with respect to the Matter. The Disclosing Party understands that it must comply with all statutes, ordinances, and regulations on which this EDS is based.
- B. The City's Governmental Ethics Ordinance, [MCC Chapter 2-156](#), imposes certain duties and obligations on persons or entities seeking City contracts, work, business, or transactions. The full text of this ordinance and a training program is available on line at www.cityofchicago.org/Ethics, and may also be obtained from the City's Board of Ethics, 740 N. Sedgwick St., Suite 500, Chicago, IL 60610, (312) 744-9660. The Disclosing Party must comply fully with this ordinance.

I acknowledge and consent to the above

The Disclosing Party understands and agrees that:

- C. If the City determines that any information provided in this EDS is false, incomplete or inaccurate, any contract or other agreement in connection with which it is submitted may be rescinded or be void or voidable, and the City may pursue any remedies under the contract or agreement (if not rescinded or void), at law, or in equity, including terminating the Disclosing Party's participation in the Matter and/or declining to allow the Disclosing Party to participate in other City transactions. Remedies at law for a false statement of material fact may include incarceration and an award to the City of treble damages.
- D. It is the City's policy to make this document available to the public on its Internet site and/or upon request. Some or all of the information provided in, and appended to, this EDS may be made publicly available on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the Disclosing Party waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS and also authorizes the City to verify the accuracy of any information submitted in this EDS.
- E. The information provided in this EDS must be kept current. In the event of changes, the Disclosing Party must supplement this EDS up to the time the City takes action on the Matter. If the Matter is a contract being handled by the City's Department of Procurement Services, the Disclosing Party must update this EDS as the contract requires. NOTE: With respect to Matters subject to MCC Article I of Chapter 1-23 (imposing PERMANENT INELIGIBILITY for certain specified offenses), the information provided herein regarding eligibility must be kept current for a longer period, as required by MCC Chapter 1-23 and Section 2-154-020.

I acknowledge and consent to the above

APPENDIX A - FAMILIAL RELATIONSHIPS WITH ELECTED CITY OFFICIALS AND DEPARTMENT HEADS

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5%. It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Under MCC Section 2-154-015, the Disclosing Party must disclose whether such Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently has a "familial relationship" with any elected city official or department head. A "familial relationship" exists if, as of the date this EDS is signed, the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof is related to the mayor, any alderman, the city clerk, the city treasurer or any city department head as spouse or domestic partner or as any of the following, whether by blood or adoption: parent, child, brother or sister, aunt or uncle, niece

or nephew, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepfather or stepmother, stepson or stepdaughter, stepbrother or stepsister or half-brother or half-sister.

"Applicable Party" means (1) all corporate officers of the Disclosing Party, if the Disclosing Party is a corporation; all partners of the Disclosing Party, if the Disclosing Party is a general partnership; all general partners and limited partners of the Disclosing Party, if the Disclosing Party is a limited partnership; all managers, managing members and members of the Disclosing Party, if the Disclosing Party is a limited liability company; (2) all principal officers of the Disclosing Party; and (3) any person having more than a 7.5% ownership interest in the Disclosing Party. "Principal officers" means the president, chief operating officer, executive director, chief financial officer, treasurer or secretary of a legal entity or any person exercising similar authority.

Does the Disclosing Party or any "Applicable Party" or any Spouse or Domestic Partner thereof currently have a "familial relationship" with an elected city official or department head?

No

APPENDIX B - BUILDING CODE SCOFFLAW/PROBLEM LANDLORD CERTIFICATION

This Appendix is to be completed only by (a) the Applicant, and (b) any legal entity which has a direct ownership interest in the Applicant exceeding 7.5% (an "Owner"). It is not to be completed by any legal entity which has only an indirect ownership interest in the Applicant.

Pursuant to MCC Section 2-154-010, is the Applicant or any Owner identified as a building code scofflaw or problem landlord pursuant to MCC Section 2-92-416??

No

ADDITIONAL INFO

Please add any additional explanatory information here. If explanation is longer than 1000 characters, you may add an attachment below. Please note that your EDS, including all attachments, becomes available for public viewing upon contract award. Your attachments will be viewable "as is" without manual redaction by the City. You are responsible for redacting any non-public information from your documents before uploading.

List of vendor attachments uploaded by City staff

None .

List of attachments uploaded by vendor

None .

CERTIFICATION

Under penalty of perjury, the person signing below: (1) warrants that he/she is authorized to execute this EDS, and Appendices A and B (if applicable), on behalf of the Disclosing Party, and (2) warrants that all certifications and statements contained in this EDS, and Appendices A and B (if applicable), are true, accurate and complete as of the date furnished to the City. Submission of this form constitutes making the oath associated with notarization.

/s/ 04/25/2018

Mr. Justin Wiley

Vice President, Government Relations

International Code Council, Inc

This is a printed copy of the Economic Disclosure Statement, the original of which is filed electronically with the City of Chicago. Any alterations must be made electronically, alterations on this printed copy are void and of no effect.