



REQUEST FOR QUALIFICATIONS FOR NAVY PIER CART AND ARCADE STALL OPPORTUNITIES



Managing M^c Cormick Place Complex and Navy Pier

METROPOLITAN PIER AND EXPOSITION AUTHORITY

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(if applicable)**

I. KEY INFORMATION

The Metropolitan Pier and Exposition Authority (MPEA), is seeking qualified and experienced operators for the operation and management of indoor arcade retail stalls and indoor and outdoor retail/food carts and attractions to be considered for short term [\(one year\)](#) licensing opportunities at Navy Pier. MPEA invites the submission of qualifications by way of this Request For Qualification (RFQ).

All parties interested in short term licensing opportunities must submit their qualifications in accordance with this document in order to be considered for arcade stall and cart opportunities at Navy Pier.

Responses should be submitted in four copies (including at least one original) to:

Bridget O'Connell Koconis, Director of Property Management, Navy Pier
600 East Grand Avenue (Second Floor, Administrative Offices)
Chicago, IL 60611
Phone: (312) 595-5381
Fax: (312) 595-5041
Email: BOKoconis@mpea.com

Inquiries regarding this document should be directed to the contact listed above.

MPEA will review qualification on an ongoing basis beginning in January of current year and will subsequently notify parties of their qualification status. It is only from the pool of Respondents designated as qualified that MPEA may elect to enter into license agreements. Being designated as qualified does not assure a respondent that they will be granted a short-term license at Navy Pier. All qualified Respondents not selected for licensing opportunities will remain active in Navy Pier's licensing database. When deciding which qualified candidates with whom to enter into license agreements, MPEA will consider the relative strengths of the qualified Respondent's experience, concept and financial capabilities, as well as the compatibility of the proposed concept with Navy Pier's current retail mix and other scheduled events, programs and activities.

II. SHORT-TERM LICENSING OPPORTUNITIES

Retail arcade stall, retail/food cart and attraction opportunities at Navy Pier currently exist or may in the future become available for operations with terms of one year or less (short-term).

The descriptions provided below outline Navy Pier's general retail concept. However, Respondents are encouraged to share their ideas and thoughts on specific uses that they think would be appropriate for Navy Pier other than as described below.

Short-term licensing opportunities at Navy Pier exist in the Family Pavilion, the South Arcade, on Dock Street (in season) and Pier Park (in season). The retailers should consider the family-friendly image and demographics of Navy Pier and offer merchandise that is of good value and quality as well as unique and entertaining. Food carts and kiosks should offer products that are fresh, of good quality and can be easily consumed while strolling the Pier or sitting at nearby picnic tables. Opportunities also exist for unique amusement attractions, games and rides.

III. INSTRUCTIONS TO RESPONDENTS

In accordance with the MPEA Act, 70 ICLS 210/1 et. seq., the MPEA maintains an affirmative action program which includes goals and methods for increasing participation by minorities and women in contracts to which it is a party. 70 ILCS 210/§23(a) (West 2008). MPEA encourages minority and women owned businesses to participate in this RFQ through: (1) direct ownership, management and operation of the Proposed Concept; (2) ownership, management and operation of specific locations as subtenant(s) to a Respondent; or (3) a joint venture in which minorities and women control a distinct portion of the joint venture business. Questions regarding Diversity must be directed in writing to Dale Morrison, Manager of Business Diversity at dmorrison@mpea.com.

Any fees, expenses, or commissions for real estate brokers or agents will be the responsibility of the Respondent. Communications by or between the employees of or consultants to MPEA and any potential or actual broker or agent of Respondent shall not be construed as an agreement to pay, nor will MPEA pay, any such fees, expenses or commissions.

Any Respondents utilizing the services of a broker as its primary contact with MPEA must include with the Respondent's Proposal a letter authorizing this representation and indemnifying MPEA against any payments due to brokers. (See Required Form D).

MPEA will determine, in its sole discretion, which individual, firm, partnership or company is qualified. MPEA reserves the right to reject any Respondent for any reason. MPEA evaluates to determine what meets its overall best interest. No Respondent or third party is entitled to any written justification or administrative review of MPEA's findings.

IV. SUBMITTAL REQUIREMENTS

If so desired, Respondents may submit qualifications for multiple retail store, retail/food cart or attraction concepts. Respondents are required to submit one (1) complete Response per concept. Submissions must include all of the following information:

1. A description of Respondent, its principals, business model, experience and capabilities.
2. A summary of experience of the principals and key management personnel who will be involved with the operation and management of the proposed concept(s).
3. A list of all retail arcade stalls, retail/food carts or attractions currently owned, operated or controlled by the Respondent or its principals.
4. Photographs of one or more existing operation (which may be similar to the concept proposed for Navy Pier) which are owned, operated or controlled by the Respondent or any of its principals, including the locations of such operations shown in the photographs. If none exists, photographs of retail arcade stalls, retail/food carts or attractions formerly managed or operated by the principals of the Respondent or renderings of the proposed concept should be submitted.
5. A description of the proposed retail arcade stall, retail/food cart or attraction, including merchandise mix and/or menu options, price points and target customer

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demographics. Respondents are encouraged to provide creative concepts and proposals with as much detail as possible.

6. Respondent's financial plan demonstrating that financial resources are available to open and operate the proposed retail arcade stall, retail/food cart or attraction, including details regarding Respondent's source(s) of funding.
7. A financial statement showing the condition of the Respondent's company and gross annual sales for the last fiscal year, and year-to-date, on a location-by-location basis. In the event that historical information is not available, a proforma financial statement for the proposed operation at Navy Pier should be provided.
8. Reference letters from Respondent's banking institutions, former landlords, or others who can attest to the financial strength, stability, credit and general business reputation of the Respondent.
9. A completed Required Form A: Respondents Certifications
10. A completed Required Form B: Broker Indemnification Letter.
11. A completed Required Form C: Disclosure of Ownership Interests Affidavit
12. A completed Required Form D: Disclosure of Lobbyists, if applicable.
13. A completed Required Form G: Minority and Women Owned Business Enterprise Profile, if applicable.

Please submit four copies (including at least one original) of all above information.

VI. EVALUATION CRITERIA

6.1 Experience, Proposed Concept and Financial Considerations

Experience: MPEA will evaluate the Respondents experience in the operation and management of retail arcade stalls, retail/food carts or attractions. MPEA will consider the number and type of existing retail stores, retail or food carts operations under common ownership or control. In particular, MPEA will focus on the past successes of the Respondent in operating in a multi-tenant retail mixed-use environment and in high traffic, high sales volume locations.

Proposed Plan or Concept: Consideration will be given for the uniqueness and creativity of the Proposed Concept and its perceived appeal as a draw or destination for customers as well as its potential ability to be successful within the location at Navy Pier. Merchandise mix and presentation, price points, operations, seasonality and business objectives will also be considered.

Financial Considerations: MPEA will evaluate Respondents' Qualifications based on the perceived financial strengths, stability and credit history of Respondent as well as the general business reputation of company and/or its principals.

REQUIRED FORM A: RESPONDENTS CERTIFICATIONS

Proposer certifies that it is fully authorized to enter into an Agreement with MPEA, 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 Proposer 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 Proposers.
2. Pursuant to 70 ILCS 210/25.3, neither Proposer, 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 MPEA, either directly or indirectly, regarding any money or other thing of value as a gift or bribe or means of influencing his/her vote or action in his/her official character.
3. Neither Proposer, 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.
4. Proposer 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.
5. Pursuant to 775 ILCS 5/2 105, Proposer 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.
6. Proposer will, pursuant to the Drug Free Workplace Act (30 ILCS 580), provide a drug free workplace. Proposer 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.
7. Proposer 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).

A. My name is _____.

B. I am (*Please choose one of the following and fill in the name of the Proposer*):

(i) The sole proprietor of _____
Name of Proposer

(ii) A partner in _____
Name of Proposer

(iii) I am the _____ of _____
Title Name of Proposer

This certification is attached to and is a part of the Response to a Request for Qualifications for Navy Pier Cart and Arcade Stall Opportunities submitted to MPEA on behalf of Respondent.

(Signature)

State of _____ County of _____. Subscribed and sworn to (or affirmed) before me this _____ day of _____, 200__.

NOTARY PUBLIC

(SEAL)

REQUIRED FORM B: BROKER/RESPONDENT INDEMNIFICATION LETTER

(Date)

Navy Pier
600 East Grand Avenue
Chicago, Illinois 60611
Attention: Property Management Department

Re:

To Whom It May Concern:

The undersigned state that they have entered into an agreement whereby the prospective licensee ("Respondent") of Navy Pier will be represented by a real estate brokerage firm ("Broker") in negotiations for space at Navy Pier.

The undersigned hereby agree and acknowledge that the Metropolitan Pier and Exposition Authority (MPEA) will not be responsible for any fees, expenses or commissions for brokers or their agents, and communications by or between the employees of or consultants to MPEA and any potential or actual Respondent's broker or agent shall not be construed as an agreement to pay, nor will MPEA pay, any such fees, expenses or commissions, and they further agree to hold MPEA harmless from any claims, demands, actions or judgments in connection with such broker fees, expenses or commissions.

BROKER:

RESPONDENT:

Signature

Signature

Please Print Name

Please Print Name

Company

Company

Date

Date

REQUIRED FORM C: DISCLOSURE OF OWNERSHIP INTERESTS AFFIDAVIT

Proposer must provide the following information to the MPEA. Notwithstanding the information contained in this Affidavit, General Counsel reserves the right to require any additional information which is reasonably intended to achieve full disclosure of ownership interests from the Proposer:

1. Full Name and Address of Business Entity:

2. Type of Business Entity: (Check One):

☐ Corporation ☐ Limited Liability Corporation ☐ General Partnership; ☐ Limited Partnership
☐ Not-for-Profit Corporation ☐ Joint Venture* ☐ Sole Proprietor ☐ Other

*Each Joint Venture must submit a completed Disclosure of Ownership Interests.

3. If a Business Corporation:

a. State of Incorporation: _____

b. Authorized to do business in the State of Illinois? ☐ yes ☐ no

c. Names and Titles of all officers of the Corporation (or attach separate document):

Name of Officer	Title

d. Name and address of current Directors of the Corporation:

Name of Director	Address

e. If the Corporation has fewer than 100 shareholders, indicate here or attach a list of names and addresses of all shareholders and the percentage interest of each.

f. Is the Corporation owned partially/completely by one or more Corporations? ☐ yes ☐ no

If "yes," please submit a Disclosure of Ownership Interests Affidavit for each of those corporations whose percentage of ownership interest is 7 1/2% or greater.

g. Is the Corporation owned partially/completely by one or more partnerships? ☐ yes ☐ no

If "yes," please submit a Disclosure of Ownership Interests Affidavit for each of those corporations whose percentage of ownership interest is 7 1/2% or greater.

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- h. If the Corporation has 100 or more shareholders, indicate here or attach a list of names and addresses of all shareholders owning shares equal to or in excess of 7 1/2% of the proportionate ownership of the Corporation and indicate the percentage interest of each.

Name of Shareholder	Address	Ownership Interest
		%
		%
		%

Note: Generally, with corporations having 100 or more shareholders where no shareholder owns 7 1/2% of the shares, the requirements of this Item 4 would be satisfied by the Licensee enclosing a copy of the corporation's latest published annual report and/or Form 10-K if the information is contained therein.

4. If a Limited Liability Corporation:

- a. Assumed Limited Liability Name _____
(if different than Name of Business Entity Listed Above)
- b. Authorized to do business in the State of Illinois? [] yes [] no
- c. If the Limited Liability Company is managed by a Manager(s), state the name and address of such Manager(s):

Name of Manager	Address

- d. List or Attach Separate Page Stating Names and Addresses of all Members:

Name of Member	Address

5. If a Partnerships/Joint Venture:

- d. If the Contracting Person is a Partnership or Joint Venture, state whether it is a General Partnership, a Limited Partnership of a Joint Venture and indicate the name of each General Partner or Joint Venture and the percentage of interest of each in the Partnership or Joint Venture and the Addresses of the parties listed. [] General [] Limited [] Joint Venture

Name of General Partners/Joint Ventures	Address	% Interest

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- b. Assumed Name (if different than Name of Business Entity Listed Above)
- c. If any of the General Partners or joint ventures is a corporation or another partnership holding an interest of 7 1/2% or greater in the Business Entity, then you must submit a Disclosure of Ownership Interests Affidavit for each such corporation or partnership.

6. If a Sole Proprietorship:

- a. Is the Contracting Party acting in any representative capacity on behalf of any beneficiary?
[] yes [] no (If "yes," complete items b, and c of this item 6).
- b. If the Sole Proprietorship is held by an agent(s) or a nominee(s), indicate the principal(s) for whom the agent or nominee holds such interest:
- c. If the interest of the Sole Proprietor is constructively controlled by another person or legal entity, state the name and address of such person or entity possessing such control and the relationship under which such control is being or may be exercised:

7. If a Land Trusts, Business Trusts, Estates & Other Entity:

- a. If the Contracting Party is a land trust, business trust, estate or the similar commercial or legal entity, identify any representative, person or entity holding legal title as well as each beneficiary in whose behalf title is held, including the name, address and percentage of interest of each beneficiary. (Attach a list if necessary).

8. If a Not-For-Profit Corporation:

- a. State of Incorporation: _____
- b. Authorized to do business in the State of Illinois: [] yes [] no
- c. Names of all Officers and Directors of Corporation (List Names and Titles or Attach List):

Name of Officer/Director	Title

9. If other Type of Business Entity:

- a. State type of other business entity and provide necessary information concerning name, address, ownership interest and principals. Attach additional sheets if necessary.

The undersigned, having been duly sworn, states that (he) or (she) is authorized to make this Affidavit on behalf of the person or business entity whose ownership interests are disclosed, that the information disclosed in this Affidavit and any accompanying attachments, is true and correct to the best of (his) or (her) knowledge, and that the Affiant has withheld no disclosure as to economic interest in the undertaking for which this Affidavit is made, nor reserved any information, date or plan as to the intended use or purpose for which it seeks action by the Metropolitan Pier and Exposition Authority.

By: _____
(Signature) (Print Name and Title)

State of: _____ County of: _____. Subscribed and Sworn to Before Me This ____ day of _____, 200__.

By: _____
(Notary Public Signature) (SEAL)

REQUIRED FORM D: DISCLOSURE OF LOBBYISTS

A. DEFINITIONS AND DISCLOSURE REQUIREMENTS

The Board of MPEA has determined that all bids, proposals and contracts requiring Board approval must be accompanied by a statement disclosing information about Lobbyists.

"Lobbyist" means any person who, for compensation or on behalf of any person other than himself, undertakes to influence any legislative or administrative action, or any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action. Sub Consultants/ Contractors hired by the Applicant who do not fit this definition are not considered Lobbyists. In particular, the Applicant must disclose the name of each such person, their business address, the nature of the relationship and the amount of the fees paid or estimated to be paid. All Lobbyists must be disclosed.

If the Applicant is uncertain whether a disclosure is required under this Section, the Applicant must either ask 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 that will be assisting in performance of the work without performing any work related to the contract at Navy Pier. 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 (indicate whether paid or estimated)

☐ Check here if no such person has been 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 MPEA in connection with the project or transaction that is the subject of this Disclosure of Lobbyists.

B. Some or all of the information provided on this Disclosure of Lobbyists, including any Required Forms, may be made available to the public in response to a Freedom of Information Act request, or otherwise. By completing and signing this Disclosure of Lobbyists, the Undersigned waives and releases any possible rights or claims which it may have against MPEA in connection with the public release of information contained in this Disclosure of Lobbyists and also authorizes 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 MPEA regarding outstanding procurement projects, except as provided herein. The only officials, employees or agents of 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 MPEA's Business and Workforce Diversity Department, who may be contacted regarding the Undersigned's Minority and Women's Business Enterprise participation.

D. If 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 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 MPEA.

(Signature)

(Print or type name and title of individual or legal entity)

State of _____ County of _____. Subscribed and sworn to (or affirmed) before me this _____ day of _____, 200__.

NOTARY PUBLIC

(SEAL)