



Agenda Item Executive Summary

Title: Willow Road Stormwater Tunnel – Engineering RFQ Responses

Presenter: Steven M. Saunders, Director of Public Works/Village Engineer

Agenda Date: 09/17/2013

Consent: YES NO

<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	Resolution
<input type="checkbox"/>	Bid Authorization/Award
<input checked="" type="checkbox"/>	Policy Direction
<input type="checkbox"/>	Informational Only

Item History:

July 9, 2013 Study Session

Executive Summary:

The Village has identified a major stormwater improvement project, consisting of a new storm sewer beneath Willow Road that would convey water from a roughly 900-acre drainage area on the west side of the Village eastward towards Lake Michigan. This project, known as the Willow Road Tunnel project, would combine improvements for 5 areas into a single project with a cost estimate of \$34.5 million. Preliminary engineering and a detailed feasibility study have been completed for this project, and the next step is to contract with an engineering firm to develop the preliminary engineering into detailed engineering plans, permit applications, and construction bidding documents. The engineering firm will be selected using a two-step, qualification-based process.

On July 31, 2013, the Village published a Request for Qualifications (RFQ) for Engineering Services. Specifically, the Village asked for qualifications for detailed design and permitting for the Willow Road Stormwater Tunnel and Area Drainage Improvements. The RFQ was published in the Pioneer Press, and the Village sent electronic copies to nineteen (19) firms. A non-mandatory pre-submittal meeting was held on August 14, eight (8) firms attended. On Thursday, August 29, the Village received two submittals:

1. MWH Global;
2. A team led by Christopher B. Burke Engineering, Ltd, and including Hatch Mott McDonald, W.F. Baird & Associates, Metropolitan Planning Council, and Material Service Testing;

The Project Team reviewed both submittals and found the firms to be highly qualified. Based on the responses, the Project Team recommends that each of the two submitting firms be provided a full Request for Proposal, including a detailed scope of services, to enable the firms to submit proposals. The Project Team proposes to interview each submitting firm, review their respective proposals, and prepare a recommendation for the Council's approval. The selection process will conform to the original schedule, with a recommendation to the Council in December 2013.

Recommendation / Suggested Action:

Provide policy direction:

1. Review attached Request For Qualifications document for Engineering Services - Detailed Design and Permitting for Willow Road Stormwater Tunnel and Area Drainage Improvements;
2. Review the attached submittals from the two teams;
3. Provide comments on proposed final selection process;
4. Consider authorizing staff to proceed accordingly

Attachments:

1. Agenda Report
2. Request for Qualifications for Engineering Services - Detailed Design and Permitting for Willow Road Stormwater Tunnel and Area Drainage Improvements
3. MWH Global submittal
4. Christopher B. Burke Engineering, Ltd (Hatch Mott McDonald, W.F. Baird & Associates, Metropolitan Planning Council, and Material Service Testing) submittal

*Due to document size, copies of Attachments 3 & 4 are available at Winnetka Village Hall and Winnetka Library.

ATTACHMENT #1

Agenda Report

Agenda Report

Subject: **Willow Road Stormwater Tunnel – Engineering RFQ Responses**

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: September 12, 2013

Engineering Procurement.

The Village has identified a major stormwater improvement project, consisting of a new storm sewer beneath Willow Road that would convey water from a roughly 900-acre drainage area on the west side of the Village eastward towards Lake Michigan. This project, known as the Willow Road Tunnel project, would combine improvements for 5 areas into a single project with a cost estimate of \$34.5 million. This project would provide benefits to the North Willow Road, South Willow Road, Provident Avenue, Cherry Street Outlet and the Winnetka Avenue Underpass Study areas for the 100-year design storm event. This proposed improvement consists of an 8-foot diameter storm sewer underneath Willow Road running from approximately Glendale Avenue to Lake Michigan, a distance of 7,900 feet. Approximately 3,800 feet would be constructed by tunneling, the remainder by open cut methods. The project includes construction of additional storm sewer connected to the tunnel to provide relief to 5 drainage basins affected by frequent and/or severe stormwater flooding, construction of a structure to address water quality, and construction of an outlet structure to control water velocity and prevent erosion.

Preliminary engineering and a detailed feasibility study have been completed for this project, and the next step is to contract with an engineering firm to develop the preliminary engineering into detailed engineering plans, permit applications, and construction bidding documents. The engineering firm will be selected using a two-step, qualification-based process.

On July 31, 2013, the Village published a Request for Qualifications (RFQ) for Engineering Services. Specifically, the Village asked for qualifications for detailed design and permitting for the Willow Road Stormwater Tunnel and Area Drainage Improvements. The RFQ was published in the Pioneer Press, and the Village sent electronic copies to nineteen (19) firms. A non-mandatory pre-submittal meeting was held on August 14, eight (8) firms attended.

On Thursday, August 29, the Village received two submittals:

1. MWH Global;
2. A team led by Christopher B. Burke Engineering, Ltd, and including Hatch Mott McDonald, W.F. Baird & Associates, Metropolitan Planning Council, and Material Service Testing;

The Project Team reviewed both submittals and found the firms to be highly qualified. In addition, the Project Team reached out to the firms that did not submit qualifications. Of the nineteen firms that received RFQs,

- Four submitted (one as an individual firm, three as part of a team);
- Two indicated their preference to pursue the Construction Manager (CM) role rather than the engineering role;
- Two indicated having no previous experience in the CM-At Risk delivery method;
- One indicated having no previous tunnel experience;
- Two indicated having no previous experience or relationship with the Village;
- Eight did not respond to the Village's request for additional information.

Based on the responses, the Project Team recommends that each of the two submitting firms be provided a full Request for Proposal, including a detailed scope of services, to enable the firms to submit proposals. The Project Team proposes to interview each submitting firm, review their respective proposals, and prepare a recommendation for the Council's approval.

The selection process will conform to the original schedule, with a recommendation to the Council in December 2013.

Recommendation:

Provide policy direction:

1. Review attached Request For Qualifications document for Engineering Services - Detailed Design and Permitting for Willow Road Stormwater Tunnel and Area Drainage Improvements;
2. Review the attached submittals from the two teams;
3. Provide comments on proposed final selection process;
4. Consider authorizing staff to proceed accordingly

Attachments:

1. Request for Qualifications for Engineering Services - Detailed Design and Permitting for Willow Road Stormwater Tunnel and Area Drainage Improvements
2. MWH Global submittal (contained in separate binder)
3. Christopher B. Burke Engineering, Ltd (Hatch Mott McDonald, W.F. Baird & Associates, Metropolitan Planning Council, and Material Service Testing) submittal (contained in separate binder)

ATTACHMENT #2

Request for Qualifications for Engineering Services – Detailed Design and Permitting for Willow Road Stormwater Tunnel and Area Drainage Improvements

REQUEST FOR QUALIFICATIONS

VILLAGE OF WINNETKA



ENGINEERING SERVICES DETAILED DESIGN AND PERMITTING WILLOW ROAD STORMWATER TUNNEL AND AREA DRAINAGE IMPROVEMENTS

ISSUED: July 31, 2013

RESPONSES DUE: August 28, 2013

PREPARED BY:
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Winnetka, IL 60093
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I. INTRODUCTION

The Village of Winnetka is requesting detailed qualifications from engineering firms to provide professional services for preliminary engineering, permitting, final engineering and construction oversight for the proposed Willow Road Stormwater Tunnel and for storm sewer improvements in the 5 associated drainage areas proposed to be connected to the tunnel. It is the Village's intention to proceed with consultant selection in two steps. The first is the Request for Qualifications (RFQ) as presented in this document. After review of the RFQ responses, the Village will issue a Request for Proposals (RFP) to select consultants.

II. PROJECT DESCRIPTION

The Village has identified a major stormwater improvement project, consisting of a new storm sewer beneath Willow Road that would convey water from a roughly 900-acre drainage area on the west side of the Village eastward towards Lake Michigan. This project, known as the Willow Road Tunnel project, would combine improvements for 5 areas into a single project with a cost estimate of \$34.5 million. This project would provide benefits to the North Willow Road, South Willow Road, Provident Avenue, Cherry Street Outlet and the Winnetka Avenue Underpass Study areas for the 100-year design storm event. This proposed improvement consists of an 8-foot diameter storm sewer underneath Willow Road running from approximately Glendale Avenue to Lake Michigan, a distance of some 7,900 feet. Approximately 3,800 feet would be constructed by tunneling, the remainder by open cut methods. The project includes construction of additional storm sewer connected to the tunnel to provide relief to 5 drainage basins affected by frequent and/or severe stormwater flooding, construction of a structure to address water quality, and construction of an outlet structure to control water velocity and prevent erosion.

The Village has completed a detailed feasibility analysis of the proposed project, consisting of the review of the following factors:

- Soil Borings
- Railroad Coordination
- Outfall Conditions
- Regulatory & Permitting Considerations
- Construction Costs and Methods
- Utility Conflicts

The Village has also evaluated an alternate route consisting of using Ash Street rather than Willow Road for the main run of storm sewer, and has concluded that Willow Road is the preferred route.

For project construction, the Village envisions seven phases. Phase 1 must be completed first. However after completion of Phase 1, several of the remaining phases could be constructed concurrently.

1. Outfall, Energy Dissipater, Water Quality Structure and 96-inch RCP storm sewer along Willow Road from Lake Michigan to Provident Avenue. The tunnel component is from Poplar Street to Birch Street, and is part of this first phase. It is anticipated that this phase may be contracted by the “Construction Manager At-Risk” contract delivery method.
2. 96-inch RCP on Willow Road from Provident Road to Glendale Avenue. This project will be constructed as part of a Jurisdictional Transfer from IDOT to the Village. The road plans have been prepared by others.
3. 48, 54 and 72-inch RCP storm sewer on Poplar Street, Cherry Street and Sheridan Road.
4. 84-inch RCP storm sewer on Winnetka Road, Essex Road and Sheridan Road.
5. 66-inch RCP on Birch Street.
6. 60-inch RCP on Provident Avenue and Blackthorn Road.
7. 96-inch RCP on Glendale Avenue, 60-inch RCP on Cherry and Ash Streets, 5’ x 8’ RCBC on Oak Street, and a 84-inch RCP on Hibbard Road. This phase cannot be constructed until phase 2 is complete.

III. SCOPE OF WORK

A general scope of work is outlined in the following paragraphs. It is the Village’s intention to proceed as follows:

- A. Project Management - Overall management of the work including planning, meeting, coordinating, scheduling, quality control, reporting and invoicing. The Consultant will be required to communicate with fully private entities such as Union Pacific Railroad (UPRR), public and private utilities such as North Shore Gas Company, AT&T, Comcast, and others, as well as with other federal and state governmental entities identified in the Permitting section, local entities including Winnetka Park District, Winnetka School District 36, and New Trier High School District, and the Public as needed concerning project functions, design, schedules, and other requirements. The Consultant shall provide services to document all phases of design and construction of the project.

The Village and Consultant Project Managers will meet periodically as required (typically at two-week intervals during the planning and design phase of the project). These Progress Meetings will be used to coordinate the work effort and resolve problems, and the meetings will be required throughout the duration of the design of the project.

It is the Village’s intent to you the “Construction Manager-At Risk” form of agreement for the first phase of the project (i.e., the Willow Road Tunnel). For the remaining phases, the Village plans to use the General Contractor form of agreement. To that end, the design professional shall:

1. Participate as a member of the Village's CM at Risk Prequalification Committee and CM at Risk Selection Committee.
2. When authorized by the Village, prepare for reproduction and distribution all project design documents, that are required for the solicitation and receipt of qualifications and proposals from CM at Risk firms. The Designer shall prepare all addenda (to include questions from CM at Risk firms and Designer responses), subject to the approval of the Village. The Designer shall attend a pre-proposal conference, and existing site and building tour if either or both are to be scheduled, taking note of all questions asked. Relevant questions submitted in writing shall be answered by the Designer by means of written addenda to the RFQ or RFP described below, as required.
3. As a member of the Village's CM at Risk prequalification committee, shall review and evaluate in conjunction with the Prequalification Committee, the Statements of Qualifications received from CM at Risk firms on the basis of the evaluation criteria established in the RFQ and shall make appropriate recommendations regarding the selection of qualified CM at Risk firms to receive a request for proposals from the Village.
4. As a member of the Village's CM at Risk selection committee, review and evaluate the RFP's received from prequalified CM at Risk firms on the basis of the evaluation criteria included in the RFP. The Designer shall make appropriate recommendations regarding the evaluation and ranking of RFP's and the conducting of interviews, if any. If the Selection Committee elects to conduct interviews of the CM at Risk firms, the Designer shall participate in conducting interviews.

B. Preliminary Engineering - The Consultant will review the initial concept, all technical issues, and all project requirements with the Village. Following is a listing of proposed activities:

1. Review the previous drainage investigations.
2. Identify required permits, license agreements, and easements.
3. Verify the existing master plan hydrologic and hydraulic models for the basins in this project and modify as necessary for their purposes.
4. Conduct a field survey as necessary and establish control for the project.
5. Review the existing soils and pavement reports and supplement as necessary.
6. Identify and locate utilities along the proposed alignments and locate potential conflicts.
7. Produce a report detailing the results of their studies.
8. Perform the preliminary design of the storm sewer system(s).
9. Develop a preliminary construction-phasing plan which integrates the construction of all the project work elements into a practical and feasible sequence. This includes a report on construction methods and contracting alternatives.

10. Develop a traffic control plan that is compatible with the phasing plan.
 11. Develop a mitigation plan to address potential geotechnical and environmental conflicts.
 12. Provide Design Services in a manner consistent with the CM at Risk Delivery Method for all phases of design. For the construction projects, the Village envisions using the CM at Risk for Phase 1 (i.e., the Willow Road Tunnel as described in Section II.1 above). For the remaining phases, the Village envisions using the traditional General Contractor format.
 13. Prepare plans and specifications for discrete portions of the program that can be incorporated into separate bid packages as enumerated in Section II, and identify and describe any multiple bid packages or fast-tracked construction that may be used and any separate bid packages that may be required.
- C. Permitting - The proposed project will require permits from various regulatory agencies and units of government. The Village's preliminary evaluation indicates that permits will be required from the following agencies:
1. US Army Corps of Engineers
 2. Illinois Environmental Protection Agency
 3. Illinois Department of Natural Resources
 4. Metropolitan Water Reclamation District of Greater Chicago
 5. North Cook County Soil & Water Conservation District
 6. Illinois Department of Transportation
 7. Union Pacific Railroad
- D. Final Engineering – Based on comments from the Preliminary Engineering and Permitting phases, the Consultant will prepare final construction documents suitable for bidding to include plans, specifications, cost estimates, surveys, and geotechnical investigations.
- E. Construction Oversight – Following are services required of the consultant during the construction phase of the projects:
1. Provide construction observation
 2. Respond to and track Requests for Information
 3. Review and approve shop drawings
 4. Review and recommend changes
 5. Review and approve payment applications
 6. Conduct punchlist inspections
 7. Assist in project closeout
- F. Outreach – Public outreach is required throughout the course of the project. Potential meetings include:

1. Village Council briefings
2. Public information meetings at the 65% design stage for each phase of the project
3. Public information meetings required for permits
4. Pre-construction public information meetings?

IV. SUBMITTAL REQUIREMENTS

The deadline for submittals is **4:00 p.m. on August 29, 2013**. Five (5) paper copies and one (1) electronic copy of the submittal should be delivered to:

Raymond D. Restarski, Purchasing Agent
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093
(847) 716-3504
(847) 446-1139 (fax)
rrestarski@winnetka.org

A non-mandatory, Pre-Submittal Meeting will be held at 1:00 pm. local time on August 14, 2013, in the Council Chamber, Village Hall, 510 Green Bay Road, Winnetka, IL 60093. All firms interested in responding to the RFQ are encouraged to attend. All submitters will be held responsible for any information conveyed at the meeting. Further information about the meeting is contained in the RFQ.

To be considered for this project, the Consultant must submit an informative statement of interest to the Village, which also includes the following information, organized in the following manner to facilitate review:

A. Consultant Information

1. Company offices from which the project will be staffed.
2. Identify the staff members who will be assigned to this project and the qualifications of each individual, including resumes.
3. Related experience of project personnel.
4. List similar projects completed within the last five years, by the staff members that will be assigned to this project. Include a project description, date of project completion, and the name and telephone number of a representative of the contracting jurisdiction.
5. A list of contracts completed using the CM At-Risk contracting method.
6. A completed compliance affidavit (Attachment 1)

B. Approach to Project

The Consultant will propose a scope of work based upon the preliminary scope contained herein, and describe its approach in performing the proposed scope. For the proposed scope of work, the Consultant must specifically address the Village's use of the CM at Risk delivery method. Schedule

C. Schedule

A preliminary schedule for completing the project is required. This schedule should address all work and meetings recommended by the Consultant and which clearly corresponds to the Consultant's approach to the project.

V. QUALIFICATION EVALUATION

Statements of qualifications will be evaluated by the Village according to the following criteria:

- Responsiveness to the RFQ
- Qualifications of the Project Team
- Qualifications of the Firm
- Work Plan and Project Approach using the Contracting Delivery Methods noted

The Village is placing significant importance on the consultant's qualifications and work plan as they pertain to the complexity of the project which includes:

- Multiple projects and phases
- Potential for multiple contractors with differing delivery methods
- Significant and overlapping regulatory review and permitting
- Budget and schedule controls

The consultant must clearly present their qualifications, philosophy and experience in engineering and managing similar projects with similar complexity and delivery methods.

Each submittal will be evaluated upon a scale of 1 to 10 for each of the above factors. Based on the qualification evaluation, it is the Village's intention to issue a RFP to select consultants. The Village President and Board of Trustees reserve the right to reject any and all submittals.

VI. INDEMNIFICATION

Respondents to this RFP shall understand that the successful proposer shall indemnify and hold harmless the Village of Winnetka, its agents, and its employees against any and all lawsuits, claims, demands, liabilities, losses or expenses, including court costs, and

attorney's fees, for or on account of any injury to any person or any death at any time resulting from such injury, or any damaged property, which may be alleged to have arisen out of the negligent acts, errors, or omissions of the Consultant. It is further understood that this indemnification shall not be construed to cover the negligent acts or omissions of the Village of Winnetka, its agents, or its employees. It is additionally understood that this indemnification shall not be construed to cover the negligent acts or omissions of parties unrelated to this contract.

VII. LIST OF AVAILABLE DOCUMENTS

The following documents are available for review upon request:

- Project Map
- Christopher B. Burke Engineering, Ltd. Report, June 2011
- Christopher B. Burke Engineering, Ltd. Report, October 2011
- Staff Tunnel Feasibility, September 2012
- Baird Outfall Report, June 2012
- Willow Road Jurisdictional Transfer Phase I Report

In addition, the Village will have digital copies available at the pre-submittal meeting.

VIII. ATTACHMENTS

- 1) Compliance Affidavit

ATTACHMENT 1

COMPLIANCE AFFIDAVIT

As a condition of entering into a contract with the Village of Winnetka, and under oath and penalty of perjury and possible termination of contract rights and debarment, the undersigned deposes and states that he has the authority to make any certifications required by this Affidavit on behalf of the bidder, and that all information contained in this Affidavit is true and correct in both substance and fact.

Section 1: BID RIGGING AND ROTATING

1. This bid is not made in the interest of, or on behalf of an undisclosed person, partnership, company, association, organization or corporation;
2. The bidder has not in any manner directly or indirectly sought by communication, consultation or agreement with anyone to fix the bid price of any bidder, or to fix any overhead profit or cost element of their bid price or that of any other bidder, or to secure any advantage against the Village of Winnetka or anyone interested in the proper contract;
3. This bid is genuine and not collusive or sham;
4. The prices, breakdowns of prices and all the contents quoted in this bid have not knowingly been disclosed by the bidder directly or indirectly to any other bidder or any competitor prior to the bid opening;
5. All statements contained in this bid are true;
6. No attempt has been or will be made by the bidder to induce any other person or firm to submit a false or sham bid;
7. No attempt has been or will be made by the bidder to induce any other person or firm to submit or not submit a bid for the purpose of restricting competition;
8. The undersigned on behalf of the entity making this proposal or bid certifies the bidder has never been convicted for a violation of State laws prohibiting bid rigging or rotating.

Section 2: TAX COMPLIANCE

1. The undersigned on behalf of the entity making this proposal or bid certifies that neither the undersigned nor the entity is barred from contracting with the Village of Winnetka because of any delinquency in the payment of any tax administered by the State of Illinois, Department of Revenue, unless the undersigned or the entity is contesting, in accordance with the procedures established by the appropriate revenue

act, liability of the tax or the amount of tax;

2. The undersigned or the entity making this proposal or bid understands that making a false statement regarding delinquency of taxes is a Class A Misdemeanor and in addition voids the contract and allows the municipality to recover all amounts paid to the entity under the contract in civil action.

Section 3: EQUAL EMPLOYMENT OPPORTUNITY

This EQUAL OPPORTUNITY CLAUSE is required by the Illinois Human Rights Act, 775 ILCS 5/101 et seq.

In the event of the contractor's non-compliance with any provision of the Equal Employment Opportunity Clause, the Illinois Human Rights Act, or the Rules and Regulations for Public Contracts of the Department of Human Rights, the contractor may be declared non-responsive and therefore ineligible for future contractor subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations, and the contract may be canceled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies involved as provided by statute or regulations.

During the performance of this contract, the contractor agrees:

1. That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or ancestry; and further that it will examine all job classifications to determine if minority persons or woman are underutilized and will take appropriate action to rectify any such underutilization;
2. That, if it hires additional employees in order to perform this contract, or any portion hereof, it will determine the availability (in accordance with the Department's Rules and Regulations for Public Contract's) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized;
3. That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service.
4. That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other such agreement or understanding, a notice advising such labor organization or representative of the contractor's obligation under the Illinois Human Rights Act and the Department's Rules and Regulations for Public Contract. If any such labor organization or representative fails or refuses to cooperate with the contractor in its efforts to comply with such Act and Rules and Regulations, the contractor will promptly so notify the Department and

contracting agency will recruit employees from other sources when needed to fulfill its obligation hereunder.

5. That it will submit reports as required by the Department's Rules and Regulations for Public Contracts, furnish all relevant information as may from time to time be requested by the Department or contracting agency, and in all respects comply with the Illinois Human Rights Act and the Department's Rules and Regulations for Public Contracts.
6. That it will permit access to all relevant books, records, accounts, and work sites by personnel of the contracting agency and the Department for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Departments Rules and Regulations for Public Contracts.
7. That it will include verbatim or by reference the provisions of this Equal Opportunity Clause in every subcontract it awards under which any portion of the contract obligations are undertaken or assumed, so such provisions will be binding upon such subcontractor. In the same manner as the other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by such subcontractors; and further it will promptly notify the Department in the event any subcontractor fails or refuses to comply therewith. In addition, the contractor will not utilize any subcontractor declared by the Illinois Human Rights Department to be ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

Section 4: ILLINOIS DRUG FREE WORK PLACE ACT

The undersigned will publish a statement:

1. Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or a use of a controlled substance is prohibited in the work place;
2. Specifying the actions that will be taken against employees for violating this provision;
3. Notifying the employees that, as a condition of their employment to do work under the contract with the Village of Winnetka, the employee will:
 - A. Abide by the terms of the statement;
 - B. Notify the undersigned of any criminal drug statute conviction for a violation occurring in the work place not later than five (5) days after such a conviction.
4. Establishing a drug free awareness program to inform employees about:
 - A. The dangers of drug abuse in the work place;

- B. The policy of maintaining a drug-free work place;
 - C. Any available drug counseling, rehabilitation or employee assistance programs;
 - D. The penalties that may be imposed upon an employee for drug violations.
5. The undersigned shall provide a copy of the required statement to each employee engaged in the performance of the contract with the Village of Winnetka, and shall post the statement in a prominent place in the work place.
 6. The undersigned will notify the Village of Winnetka within ten (10) days of receiving notice of an employee's conviction.
 7. Make a good faith effort to maintain a drug free work place through the implementation of these policies.
 8. The undersigned further affirms that within thirty (30) days after receiving notice of a conviction of a violation of the criminal drug statute occurring in the work place he shall:
 - A. Take appropriate action against such employee up to and including termination; or
 - B. Require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

Section 5: SEXUAL HARRASSMENT POLICY

The undersigned on behalf of the entity making this proposal or bid certifies that a written sexual harassment policy is in place pursuant to Public Act 87-1257, effective July 1, 1993, 775 ILCS 5/2-105 (A).

This Act has been amended to provide that every party to a public contract must have written sexual harassment policies that include, at a minimum, the following information:

1. The illegality of sexual harassment;
2. The definition of sexual harassment under State law;
3. A description of sexual harassment, utilizing examples;
4. The vendor's internal complaint process, including penalties;

5. The legal recourse, investigative and complaint process available through the Department of Human Rights, and the Human Rights Commission;
6. Directions on how to contact the Department and Commission;
7. Protection against retaliation as provided by 6-101 of the Act.

Section 6: VENDOR INFORMATION

1. Is the bidder a publicly traded company? (yes or no) _____
If the answer is yes, state the number of outstanding shares in each class of stock.
Provide the name of the market or exchange on which the company's stock is traded.

2. Is the bidder 50% or more owned by a publicly traded company? (yes or no) _____

If the answer to the above question is yes, name the publicly traded company or companies owning 50% or more of your stock, state the number of outstanding shares in each class of stock and provide the name of the market or exchange on which the stock of such company or companies is traded.

IT IS EXPRESSLY UNDERSTOOD THAT THE FOREGOING STATEMENTS AND REPRESENTATIONS AND PROMISES ARE MADE AS A CONDITION TO THE RIGHT OF THE BIDDER TO RECEIVE PAYMENT UNDER ANY AWARD MADE UNDER THE TERMS AND PROVISIONS OF THIS BID.

SIGNATURE: _____

NAME: _____ TITLE: _____
(print or type)

Subscribed and sworn to me this _____ day of _____, 2012, A.D.

By:
(Notary Public)

-Seal-

Attachment 3:
MWH Global Submittal

Attachment 4:
Christopher B. Burke Engineering, Ltd (Hatch Mott McDonald, W.F.
Baird & Associates, Metropolitan

Are available for inspection at the Winnetka Library (768 Oak Street)
and at Village Hall (510 Green Bay Road) in the Village Manager's
Office