



MIDLOTHIAN

PARK DISTRICT

14500 S. Kostner Ave., Midlothian, IL 60445

The Midlothian Park District is requesting proposals (“RFP”) from qualified firms to provide professional services to the District to develop a Parks and Recreation Comprehensive Plan (PRCP). The selected firm will have proven experience and knowledge in park and recreation planning, project management and effective public involvement processes and work closely with District staff and the Park Board in preparing the Plan.

The PRCP will drive District long range planning and direct decision-making and resources toward a clearly defined vision for its future, including development and redevelopment of the parks, facilities, open space and recreation system over the next five years. The planning process will consist of the following components: needs assessment, visioning, identifying and evaluating community needs, priorities and opportunities, and creating a phased implementation. The firm will create a document which summarizes the planning process, data collected, the analysis of forecasted needs and implementation strategies and present it to the Park Board for review and approval.

Background

The Park District utilizes long-range planning to define a future vision and strategic priorities as it leads the organization to the desired future of park and recreation services, recognizing the realities of the external operating environment and developing a plan to make the desired future a reality. The District conducted its last communitywide survey in 2016 and updated the PRCP in 2017.

The key factors to all District long-range planning process include the following:

- Conduct a needs assessment process to analyze community park and recreation needs and interests and identify the gaps to be addressed to meet those needs and interests.
- Assess the future vision of the organization and determine the strategic priorities to achieve that vision.
- Engage stakeholders in the planning process to build consensus and support for the effective development and implementation of long-range plans.
- Foster an awareness of the organization’s presence and impact on the community.
- Develop a “living document,” which reflects the outcome of the process and provides clear direction on actions to be taken to address strategy and provides a foundation for the development of all other planning and operating documents (e.g., budget, capital, facility and marketing plans).

- Ensure the most effective use of the organization’s resources by focusing decision making on strategic priorities.

Midlothian Park District

Midlothian Park District, incorporated in 1953, is located in southwestern Cook County, and is 24 miles southwest of downtown Chicago. The Park District serves a population of 14,325 residents living within the Village of Midlothian. The Park District is considered to be a primary government – providing a full range of recreation activities, public open space, recreational facilities, and districtwide events for its community.

The Park District is governed by an elected, five-member board, and operates under a Board-Manager form of government, with its primary purpose being to provide parks and recreational opportunities to its residents. Services provided include recreation programs, park management, capital development, and general administration. The Park District manages 12 sites on approximately 48 acres. Recreational facilities and parks operated by the Park District include nine parks, one sports complex, one recently expanded community recreation center, one outdoor splash pad, a fitness center, indoor walking track and turf field, a community gymnasium, and a number of softball/baseball fields, soccer fields, playgrounds and picnic shelters.

Scope of Work

The specific work to be undertaken by the successful firm for the PRCP process is described in this Section, and respondents should include in their proposals how they will assist the District with completing this work. The work described in this Section is considered to be the minimum required to complete this process. In submittals, firms should propose additions or edits to this scope that lend to the best process. Following the firm selection process, a meeting will be held with the successful firm to negotiate the final scope of work and a contract for services. Therefore, the District reserves the right to make revisions to the final scope of work.

Project Kick-off

The first step in the project will be to hold an onsite meeting with District staff to establish objectives for the project, including confirming roles and responsibilities and finalizing the project methodology, scope of services, timeline and format and content of deliverables.

Conduct a Needs Assessment

A key component in creating the Plan will be a needs assessment process that taps the opinions and ideas of the community, Park Board and staff and includes a comprehensive inventory of the current state of the District, including its operations, park system, facilities, programs and services. The needs assessment also entails a review of current and projected demographics, current planning standards, regional and national trends and how facilities owned by other entities factor into the park and recreation needs of the community. It will provide the data and information necessary to evaluate how park and recreation facilities meet current and future needs and whether modifications and/or additions will be required. An overview of each facet of the needs assessment is as follows:

Develop and Implement Public Involvement Strategy

The planning process must result in a shared, clearly defined vision for the District driven by input from the community. Public involvement is extremely important to the District and informs decision making processes. The successful firm will propose a public outreach strategy that describes how the community, staff and Board will be provided opportunities to participate in the development of the Plan as well as a Board workshop on the planning process. In their submittals, firms should at a minimum provide the following:

- Identify and describe a comprehensive strategy and methodology for citizen, participant and stakeholder involvement and anticipated schedule.
- Act as professional facilitators to gather specific information about services, use, preferences and any agency strengths, weaknesses, opportunities and threats.
- Provide well-organized and directed activities, techniques and formats that will ensure that a positive, open and proactive public participation process is achieved.
- Provide written summaries of the results of all public process and communication strategies.
- Develop and manage any online public involvement tools and data.
- Review current plans and related documents such as, but not limited to, the District's 2017-2022 Park and Recreation Comprehensive Plan.
- Develop and administer a District-wide statistically-valid community needs assessment survey with a return rate that accurately reflects a sampling of the community population to identify community needs and issues on the District's facilities, programs and services.
- Collect and interpret demographic characteristics and trends of the District population using information from the US Census Bureau's American Community Survey, tapestry segmentation, regional and local sources, etc.
- Compile data on participation, operations, technology, programming, programming space and land use trends.
- Compile an inventory of indoor and outdoor facilities, including capacity of each amenity found within the District as well as its functionality, accessibility, condition and convenience, etc.
- Develop Level of Service (LOS) standards to meet community needs. Standards should consider geographic distribution of indoor and outdoor facilities and their amenities as well as State and National standards.
- Provide usable and workable definitions and recommendations for designated park and open space with acreages and parameters defined as appropriate.

Determine the District's Strategic Direction and Analysis of Forecasted Needs

The firm will review needs assessment outcomes with the Board and staff and facilitate a review of the District's strategic direction to identify and affirm the long-range vision for the District. This step of the Plan process is vital for clarifying the District's organizational direction for action planning, decision making, and resource allocation. To determine the District's strategic direction, the firm will assist the District with accomplishing the following:

- Review the District’s Vision.
- Conduct a situational analysis and environmental scan utilizing the needs assessment data to determine gaps in what is being provided versus the needs and interests identified.
- Develop a list of critical issue and opportunities based on the results of the situational analysis and environmental scan.

Develop Recommendations and Implementation Strategies

To ensure that the Plan is implementable upon its adoption by the Park Board, it must include realistic, feasible and clearly-defined planning scenarios. Based on the outcomes of the needs assessment and the District’s strategic direction, the firm will be expected to develop the following:

- Prioritized recommendations to meet current and future needs through, but not limited to, construction or redevelopment of indoor and outdoor facilities, development of additional recreational amenities, park maintenance, etc.
- Recommendations for addressing operations, staffing, maintenance, technology, programming and services and funding needs to support implementation of this Plan.
- Evaluation of the feasibility, cost-effectiveness/return on investment of suggested strategies and recommendations.

Create Action Plan: Strategic, Capital and Financial

The firm must develop an action plan which includes strategies, priorities for the short term, mid-term and long term, which were developed during the previous stage in the process. The Action Plan must be phased with prioritized recommendations and a capital projects prioritization process/ranking system for future strategic investments and level-of-service/reoccurring capital needs.

Final Report and Presentation

The selected firm shall submit a draft and final report which summarizes the findings and conclusions and includes a clear demonstration that the firm has fulfilled all of the elements contained in the agreed upon scope of work. The Plan must include written goals, plans, and objectives that articulate a clear vision and “road map” for the District’s future.

The firm will make two (2) on-site presentations to report and summarize findings to the Park Board and staff. The reports must be in an easy-to-understand format with charts, graphs, maps and other data as needed to support the plan and its presentation to the appropriate audiences. The final report must be submitted as follows:

- A color version of the draft Master Plan document consisting of two (2) printed and bound color copy and an electronic copy in a format compatible with the District’s software.

- A color version of the final Master Plan document consisting of two (2) printed and bound color copy and an electronic copy in a format compatible with the District's software.

Services Provided by Staff and Progress Reporting

The Midlothian Park District will assist the firm in managing the operational aspects of the project and coordinating work with the relevant parties. Park District staff will provide overall support for project tasks and will provide all existing documentation (as requested by the consultant during final scope review) and compile contact information for stakeholders and local organizations. District staff will also schedule, coordinate the availability of staff based on their work schedules and make all necessary arrangements for meetings and interviews conducted by the consultant during the course of this project.

The firm will hold progress meetings in person or over the phone as often as necessary, but in no case less than once per month until a final plan is approved by the Park Board. The firm with Park District staff will schedule the progress meetings, as necessary, at key times during the development of the Plan.

Instructions for Submitting Proposals, Proposal Components and Evaluation Criteria

All respondents to the RFP must include the items provided in the following list. All the listed items should be addressed completely and should follow, as closely as possible, the order and format in which it is listed below. These categories and criteria will be major considerations in the evaluation and determination of the most qualified and capable firm(s). The sequence of the listing is not intended to reflect the relative weight of each category.

1. Letter of transmittal
 - a. Statement indicating an understanding of the work to be performed and interest in performing the scope of work.
 - b. Discuss consultants' availability over the next 6-12 months.
 - c. Identification of key contact person for communicating with the District on the proposal and all project-related matters.
2. Qualifications/Project Portfolio
 - a. Areas of specialization.
 - b. Practice philosophy.
 - c. Years in the business and history of the firm.
 - d. Examples of three (3) to five (5) projects the firm took a lead role in the preparation of a Parks and Recreation Comprehensive Plan and a community-wide statistically valid survey. The projects should be comparable in complexity, size, scope and discipline (as described in the Scope of Work section) and have been undertaken during the past five years.

3. Project Management
 - a. Introduction of the team (all firm staff and sub-consultants assigned to complete work on the project), including resumes for all key personnel, which provide educational background/training, experience and detailed descriptions of roles played on past projects.
 - b. Service/functional roles to be performed by each team member (including all sub-consultants).
 - c. Location of each team member.
 - d. Availability and commitment of assigned professionals who will undertake the scope of work.
 - e. Technical resources of the firm and any sub-consultants.

4. Methodology and Process to Complete all Phase of Project
 - a. Describe the vision, strategic overview and approach to the project.
 - b. Express how the components above reflect your qualifications for this project.
 - c. Discuss what parameters you will engage to develop a project that will be creative, logical, and engaging.
 - d. Include detailed descriptions of the procedures and methods you propose to use to complete all tasks within the scope of work.
 - e. Discuss tasks, timelines and anticipated deliverables for each phase of the project.
 - f. Include the proposed process and methods to assure quality and schedule control.
 - g. Explain in the proposal all supporting studies, models, and assumptions that will be developed or used as part of the study.

5. References
 - a. List at least three (3) to five (5) references we may contact (preferably from the projects provided in 2(d) of this section that have been undertaken during the past five years) with client contact information (current email and telephone).
 - b. Indicate project names and the personnel assigned to this project (including all sub-consultants) roles and involvement in each project.

6. Schedule
 - a. Provide a proposed detailed project work schedule with a start date of January 2023 (contingent upon negotiation of a final scope of work); all meetings that need to be scheduled should be built into the timeline (e.g., initial meeting with staff to review project schedule, strategic direction review, presentations of the final report, etc.)
 - b. Include time frames for each major component of the scope of work and target dates for completing each phase of the project.

Understanding and Approach of Scope of Work

Proposal shall describe the approach to the scope of work described in the Scope of Work section of this RFP, including process and schedule. Firms are encouraged to make suggestions to amend the scope of work to achieve the project goals. This criterion will be evaluated based on the proposer's understanding of the project objectives and ability to demonstrate a process that efficiently and effectively achieves the desired outcomes.

Disclosure

Proposal will disclose any professional or personal financial interest which could be a possible conflict of interest in contracting with the District. Consultant shall further disclose arrangements to derive additional compensation from various products or services, including financial. The firm must also list all current and unresolved litigations, arbitrations, or mediations of the firm in its proposal.

Evaluation and Selection of Consultant

A. Evaluation

All respondents who submit a valid and complete response will be evaluated and rated based on the following criteria:

1. Applicant's capability and history in the facilitation, leadership and development of a PRCP for other agencies of similar size, scope, and population served.
2. Ability to demonstrate, at minimum, the technical competence of the proposed project team to perform the services.
3. Past record of performance as determined from available information, including direct communication by the District with the applicant's former clients.
4. Demonstrate capability under current workload and resources available to perform the work within the project schedule.
5. Diversity of project team and the qualifications and experience each member will bring to the project.
6. Quality of the proposed service to include unique systems and approach to the development of the PRCP to avoid "cookie-cutter" results which do not represent the unique characteristics and needs of the Midlothian Park District and the community members the District serves.
7. Firm's willingness to negotiate and execute an acceptable written agreement.

B. Selection

All valid, complete and timely responses will be evaluated by District staff. After a thorough review by District staff of the proposals, a short list will be created of the firms that meet the requirements outlined in this RFP and those firms will be required to make a presentation on their qualifications and proposals to the staff. Based on these interviews, the staff will recommend to the Board Future Planning Committee the firms that are the best fit for the District and this project. A combined staff and Board Future Planning Committee will interview these

firms and provide a formal recommendation of the selected firm to the Park Board for approval, pending successful negotiations between the respondent and the District.

The Midlothian Park District will select the firm that is best qualified based on the criteria and requirements set forth in this RFP, is responsible and responsive to the requested criteria, and which provides the best overall value to the District.

The District reserves the right to reject any and all proposals, or to accept any portion of any proposal, to waive any formality, technicality or irregularity in any proposal, and to be the sole judge of the value and merit of the proposals offered. Such decisions by the District shall be final. The District reserves the right to negotiate with more than one potential respondent after the submission of all proposals. Elements and/or tasks in a proposal may be added or deleted at the discretion of the District pending negotiation of the scope of services and compensation. The District also reserves the first right-of-refusal to work with any sub-consultant proposed by the firm.

Selection Process Timeline

The timeline for selecting a firm is as follows:

Requested Clarifications regarding RFP Due to District	12:00 p.m., October 24, 2022
Deadline for Proposal Submission	12:00 p.m., November 4, 2022
Firm interviews with Staff and Board Future Planning Committee	November 2022
Potential Approval of Firm by Midlothian Park District Board	December 2022
Project Start Date	January 2023

Contact Information

Edward Jung, Executive Director
708-371-6191 ext. 101

ejung@midlothianparkdistrict.org
www.midlothianparkdistrict.org

Requested Clarifications regarding RFP due to District: Questions or requested clarifications or additional information regarding the RFP must be emailed to Edward Jung at ejung@midlothianparkdistrict.org no later than 12:00 p.m., October 24, 2022. All questions, answers, and addenda will be shared with all recipients of this RFP.

Responses due: No later than **12:00 p.m. on Friday, November 4, 2022.** Responses received later than this date and time will be rejected. It is the sole responsibility of the respondent to ensure that the District has received the proposal on time. No electronic or facsimile submittals will be accepted.

Envelopes must be marked:

Professional Services –
Parks and Recreation Comprehensive Plan RFP

Mail/Deliver Proposal to:

Midlothian Park District
Attn: Edward Jung
14500 S. Kostner Avenue
Midlothian, IL 60445

Additional Terms

The following are additional terms and conditions of this project:

A. Contract Documents

The successful firm awarded this project shall enter into an agreement with the District. This RFP, the respondent’s proposal, the negotiated agreement, and any other documents specified by the District shall form the Contract Documents.

B. Costs

This RFP does not obligate the District to pay for any costs, of any kind whatsoever that may be incurred by a respondent or any third parties, in connection with the RFP response.

C. Payment

Payment shall be made by the District to the successful firm for services properly completed upon the District’s receipt of an invoice itemizing the services performed for the period covered by the invoice. The firm will invoice the District on a monthly basis. Payments of all invoices, and any late payment penalties, shall be governed by the Local Government Prompt Payment Act (5 ILCS 505/1 *et seq.*).

D. Insurance and Indemnification

1. A qualifying firm shall provide the following evidence of insurance coverage:

- a. Commercial General and Umbrella Liability Insurance (CGL): CGL shall be provided and, if necessary, commercial umbrella insurance with a limit of not less than \$1,000,000 each occurrence. If such CGL insurance contains a general aggregate limit, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the occurrence limit.

CGL insurance shall be written on Insurance Services Office (ISO)

occurrence form CG 00 01 04 13, or a substitute form providing equivalent coverage, and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

There shall be no endorsement or modification of the CGL limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground property damage.

The District, its officers, agents, employees and volunteers shall be named as additional insured under the CGL, using ISO additional insured endorsement CG 20 10, or a substitute form providing equivalent coverage, and under the commercial umbrella, if any. This insurance shall apply as primary, non-contributory insurance with respects to any other insurance or self-insurance afforded to the District.

- b. Professional Liability Insurance: Professional liability coverage shall be provided and, if necessary, commercial umbrella liability insurance with a limit of not less than \$1,000,000 for each wrongful act arising out of the performance or failure to perform the professional services required hereunder and \$2,000,000 in the aggregate.
- c. Business Auto and Umbrella Liability Insurance: Business Auto Liability Coverage shall be provided and, if necessary, commercial umbrella liability insurance with a limit of not less than \$1,000,000 each accident. Such insurance shall cover liability arising out of any auto, including owned, hired and non-owned autos.
- d. Workers Compensation Insurance: Worker's compensation and employers' liability insurance shall be provided as statutorily required items.

If the successful consultant maintains higher limits than the minimums shown above, the District requires and shall be entitled to the higher limits maintained by the consultant.

- 2. To the fullest extent permitted by law, the successful firm shall indemnify and hold harmless the District, its officers, officials, employees, agents and volunteers from and against all claims, damages, suits, causes of action, judgments, losses, costs and expenses, including but not limited to reasonable legal fees (attorneys' and paralegals' fees and court costs), arising out of or resulting from the negligent or wrongful act or omission of the firm in the performance of the services, including but not limited to any accident, injury, sickness, disease or death, or injury to or

destruction of tangible property, including the loss of use resulting therefrom. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described herein. The successful firm shall similarly protect, indemnify and hold and save harmless the District, its officers, employees, agents and volunteers against and from any and all claims, causes of action, costs and expenses, including but not limited to reasonable legal fees incurred by reason of such firm's breach of any of its obligations under, or in default of, any provision of the agreement entered into by consultant with the District for such services.

E. RFP Responses

All RFP responses, including all supporting documentation, shall become the property of the District and will not be returned.

F. Governing Law

This RFP and the final agreement entered into by the District and successful firm shall be governed by the laws of the state of Illinois. Any suit or action arising under this RFP or the agreement shall be commenced in the Circuit Court of Cook County, Illinois. In any suit or action arising under this RFP or the agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs of litigation.

G. Entire RFP

This RFP, any addenda to it, and any attached schedules, constitute the entire RFP. The proposal of the firm awarded the agreement for this RFP will be incorporated by reference into the agreement the District enters into with the successful firm.

H. Compliance with Laws

The successful firm shall comply with all applicable federal and state laws, and local codes, ordinances, rules and regulations, including, but not limited to, all laws governing employment. Each respondent shall execute and submit the Consultant's Certification and Compliance Attachment as part of its proposal.

I. Notice of Freedom of Information Act

After award of the agreement, all responses, documents, and materials submitted by respondents pertaining to this RFP will be considered public information, subject to inspection.

By submitting a proposal or otherwise responding in any way to this RFP, each respondent acknowledges the following:

1. The Park District is subject to the Freedom of Information Act, 5 ILCS 140/1, et seq. ("FOIA"), and any and all information submitted by the respondent to the Park District is subject to disclosure to third parties in accordance with FOIA.
2. If a respondent intends for the Park District to withhold the respondent's trade secrets, commercial information, or financial information from disclosure to a third party in response to a FOIA request, the respondent must include with its proposal submittal a written notification specifically identifying such information, along with a statement that disclosure of such information will cause competitive harm to the respondent, as provided by FOIA Section 7(1)(g), 5 ILCS 140/7(1)(g). Any content not so marked by the respondent at the time of proposal submittal will be presumed to be open to public inspection. The respondent may be required to substantiate the basis for its claims at a later time.
3. Notwithstanding timely notice received from a respondent in accordance with Section 7(1)(g), the Park District reserves the right, in its sole discretion and subject only to applicable law, to withhold or release the subject information in response to a FOIA request.

Request Additional Information

The District reserves the right to request any further additional documentation that it deems necessary for the review and award process.

Cancellation of RFP

The District reserves the right to cancel this request for professional services at any time, to elect not to award the services listed, to reject any or all of the responses, to waive an informality or irregularity in any response received, and is the sole judge of the merits of the respective responses received. The District shall have no liability or responsibility to any firm in the event of cancellation of this RFP.

Modification and Withdrawal of Proposals

A proposal may not be modified, withdrawn or canceled for a period of ninety (90) days after the time and date designated for receipt of proposal. A firm may withdraw or modify a submitted proposal before the time and date designated for receipt by providing a written notice to the party receiving proposals on behalf of the District as noted herein.

CONSULTANT COMPLIANCE AND CERTIFICATION ATTACHMENT

Note: The following certifications form an integral part of the Agreement between the Midlothian Park District and the Consultant for Parks and Recreation Master Plan services (the "Project"). Breach by the Consultant of any of the certifications may result in immediate termination of the Consultant's services by the Park District.

The Undersigned Consultant hereby certifies, affirms and agrees as follows:

- A. Consultant has carefully read and understands the contents, purpose and legal effect of this document as stated above and hereafter in this document. The certifications contained herein are true, complete and correct in all respects.
- B. Consultant shall abide by and comply with, and in contracts which it has with all persons providing any of the services on this Project on its behalf shall require compliance with, all applicable Federal, State and local laws and rules and regulations included without limitation those relating to 1) fair employment practices, affirmative action, and prohibiting discrimination in employment; 2) workers' compensation; and 3) workplace safety.
- C. To the best of Consultant's knowledge, no officer or employee of Consultant has been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, or any unit of local government, nor has any officer or employee made an admission of guilt of such conduct which is a matter of record.
- D. Consultant is not barred from bidding on or entering into public contracts due to having been convicted of bid-rigging or bid rotating under paragraphs 33E-3 or 33E-4 of the Illinois Criminal Code. Consultant also certifies that no officers or employees of the Consultant have been so convicted and that Consultant is not the successor company or a new company created by the officers or owners of one so convicted. Consultant further certifies that any such conviction occurring after the date of this certification will be reported to the Midlothian Park District, immediately in writing, if it occurs during the bidding process, or otherwise prior to entering into the Agreement therewith.
- E. Pursuant to the Illinois Human Rights Act (775 ILCS 5/2-105), Consultant has a written sexual harassment policy that includes, at a minimum, the following information: (i) a statement on the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment utilizing examples; (iv) the Consultant's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Illinois Department of Human Rights and Human Rights Commission and directions on how to contact both; and (vi) protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act. Consultant further certifies that such policy shall remain in full force and effect. A

copy of the policy shall be provided to the Illinois Department of Human Rights upon request.

- F. (i) Consultant's proposal was made without any connection or common interest in the profits anticipated to be derived from the Agreement by Consultant with any persons submitting any proposal for the Agreement; (ii) the Agreement terms are in all respects fair and the Agreement will be entered into by Consultant without collusion or fraud; (iii) no official, officer or employee of the Park District has any direct or indirect financial interest in Consultant's proposal or in Consultant; (iv) the Consultant has not directly or indirectly provided, and shall not directly or indirectly provide, funds or other consideration to any person or entity (including, but not limited to, the Midlothian Park District and the Park District's employees and agents), to procure improperly special or unusual treatment with respect to this Agreement or for the purpose of otherwise improperly influencing the relationship between the Park District and the Consultant. Additionally, the Consultant shall cause all of its officers, directors, employees, (as the case may be) to comply with the restrictions contained in the preceding sentence.
- G. Consultant knows and understands the Equal Employment Opportunity Clause administered by the Illinois Department of Human Rights, which is incorporated herein by this reference, and agrees to comply with the provisions thereof. Consultant further certifies that Consultant is an "equal opportunity employer" as defined by Section 2000 (e) of Chapter 21, Title 42 of the United States Code Annotated and Executive Orders #11246 and #11375 as amended, which are incorporated herein by this reference.
- H. Consultant is not barred from contracting with the Park District because of any delinquency in the payment of any tax administered by the Illinois Department of Revenue, unless it is being contested. Consultant further certifies that it understands that making a false statement regarding delinquency to taxes is a Class A misdemeanor and, in addition, voids the Agreement and allows the Park District, a municipal entity, to recover in a civil action all amounts paid to the Consultant.
- I. If Consultant has 25 or more employees at the time of the RFP, Consultant knows, understands and acknowledges its obligations under the Illinois Drug Free Workplace Act (30 ILCS 580/1 *et seq.*) and certifies that it will provide a drug-free workplace by taking the sections required under, and otherwise implementing on a continuing basis, Section 3 of the Drug Free Workplace Act. Consultant further certifies that it has not been debarred and is not ineligible for award of this Agreement as the result of a violation of the Illinois Drug Free Workplace Act.
- J. Consultant shall comply with the requirements and provisions of the Freedom of Information Act (5 ILCS 140/1 *et seq.*) and, upon request of the Midlothian Park District's designated Freedom of Information Act Officer (FOIA Officer), Consultant shall within two (2) business days of said request, turn over to the FOIA Officer any record in the possession of the Consultant that is deemed a public record under FOIA.

