

**CHICAGO O'HARE INTERNATIONAL AIRPORT  
REQUEST FOR PROPOSALS "TO LEASE, DEVELOP, AND OPERATE FOOD AND  
BEVERAGE, SPECIALTY RETAIL, TRAVEL ESSENTIALS CONCESSIONS"**

**Issued: April 23, 2021**

**Addendum #3**

**Dated: July 9, 2021**

The following changes and revisions are incorporated into the Request for Proposal to Lease, Develop, and Operate Food and Beverage, Specialty Retail, Travel Essential Concessions ("RFP" issued by the City of Chicago's Department of Aviation ("CDA) on April 23, 2021. All other provisions and requirements as originally set forth in the RFP remain in full force and effect, unless amended by previous addenda.

**RESPONDENT MUST ACKNOWLEDGE RECEIPT OF THE ADDENDUM IN  
THE COVER LETTER SUBMITTED WITH ITS PROPOSAL**

**CLARIFICATION**

With respect to Section (D)(14)(a) and (D)(14)(b) of the RFP, Respondents are advised that the City of Chicago has issued the 2021 Notice Regarding Executive Order 2014-1, attached hereto as Attachment 1. Any requirements set forth in the Notice that may differ from the RFP shall prevail.

**Question 1:** My organization would like to submit proposals for Packages 1, 3 and 5. That said, we have multiple concepts and would like to submit 2 of these concepts for package 3 and 4 concepts for package 5. Should we submit 7 proposals total which would include 1 proposal per concept per package OR 4 proposals, 1 proposal for each concept which would apply to multiple packages? I appreciate your help and please let me know if you would like to discuss in more detail.

**A:** As indicated in Section 5.C. Submission of Multiple Proposals of the RFP, a respondent can submit only one proposal which can include multiple packages. Only one concept can be proposed for each space. Multiple package proposals can be included in the same submittal.

**Question 2:** RFP says you can submit multiple bids (from same entity) in one book. Please confirm which sections and forms need to be specific to that package and which can be submitted once. Should we structure with subtabs per section or submit complete bids separated by tabs?

**A:** It is up to the Respondent to include the required information. Repeated information may be included once and referenced for each package.

**Question 3:** How quickly do you anticipate answering questions? Will you answer them as received weekly or in large batches?

**A:** Responses to questions received will be posted in the data room once available. Respondents are advised to monitor the postings and CDA Web Alerts.

**Question 4:** RFP mentions a second phase of a concessions offering for Terminal 5. When do you anticipate releasing this and does this mean that those awarded in Phase 1 would open prior to those awarded in Phase 2?

**A:** **At this time, timing and the sequencing of subsequent phases have not been determined.**

**Question 5:** We see "Ultimate Concession" spaces in the East development area of Terminal 5. Are these intended to be specialty retail? What about the concession space just past package 1? And the one past the food court near the last gate? Will any of these be travel essentials?

**A:** **At this time, the concepts for these spaces have not been determined.**

**Question 6:** Are there any planned concept changes to existing food in T5?

**A:** **At this time, concept changes to the existing food in T5 have not been determined.**

**Question 7:** Are there any planned concept changes to existing food in T3 near the RFP sites within the next several years?

**A:** **At this time, planned concept changes to the existing food in T3 have not been determined.**

**Question 8:** Will the CDA be putting other empty spaces in Terminals 1 and 3 out to bid in the next round?

**A:** **At this time, the CDA does not intend to solicit proposals for other concessionaire spaces.**

**Question 9:** Would the CDA consider an extension?

**A:** **The due date has changed to September 2, 2021, and has been posted in the data room as Addendum #2.**

**Question 10:** Would the CDA please consider making a bid due on a day other than a Monday or Tuesday?

**A:** **The due date has changed to September 2, 2021, as per Addendum #2.**

**Question 11:** RFP mentions that the spaces will be delivered between first and second quarter of 2022 but on the call, it was stated that it is all TBD. Please clarify.

**A:** **CDA anticipates the spaces will be delivered to the successful respondents in the first and second quarter of 2022.**

**Question 12:** RFP states that no respondent shall submit more than one proposal. We assume you mean 'per package' as we are able to submit on multiple packages.

**A:** **See Response to Question #1.**

**Question 13:** Please confirm that joint venture partners can bid with multiple firms on as many packages as will accept their participation.

**A:** **Yes, as per Section C.5. Submission of Multiple Proposals of the RFP.**

**Question 14:** Would the CDA consider extending the experience clause (3 of the last 5 years) to 6 years if the closure was COVID related?

**A:** **The experience clause remains as set forth in Section C.6.a. Experience of the RFP.**

**Question 15:** Would the CDA consider a term of 10 years for food as is common in the airport industry? Is there a reason why CDA has chosen 7 plus two options? Is this concurrent with other expirations in the terminal?

**A:** **The seven-year term is as stated in Section D.1. Term of Agreement of the RFP.**

**Question 16:** Please confirm what storage space may be available in Terminal 5 and 3 per space. Are these spaces pre- or post-security?

**A:** **There will be adequate storage space available for each package as per Section D.8. Storage and Delivery of the RFP. Storage space for the T5 locations will be post security/airside and storage space for the T3 locations will be pre security/landside.**

**Question 17:** Please confirm the cost for central distribution so that we may include this in our proforma. Are the costs fixed or variable?

**A:** **The central distribution will not be active in 2022. If a central distribution facility is implemented in the future the costs and fees will be determined at that time. It is anticipated that any fees will be based on sales.**

**Question 18:** Another airport recently did a lower percentage rent on employee sales considering the request for employee discount. Would the CDA consider this? Some items such as higher end electronics have a much lower margin.

**A:** **The Percentage Fee Rates remain as stated in Section D.2. License Fee in the RFP.**

**Question 19:** Would the CDA consider making Package 1 an Open Concept rather than burger considering the existence of Burger King, RJ Grunts and a pre-security McDonalds?

**A:** **The CDA does not intend to alter or modify the packages as set forth in the RFP.**

**Question 20:** Can you please explain the vision for the Package 1 space? It mentions that it should be all carry out. Is there no consideration for at least bar seating? The common area seating is a distance away. What is the orange marked space across the hall?

**A:** **Respondents are directed to Section E.2. Scope of Concession Spaces in the RFP which may include limited bar seating. The orange marked spaces across the hall are airline hold rooms.**

**Question 21:** On the map of the East end of T5, it shows a green unmarked space. Is this existing (please indicate brand) or planned space and if planned, what use?

**A:** **The spaces marked in dark green are future concession spaces.**

**Question 22:** The map shows Package 7 at 1,297 sf but indicates food and beverage. We assume this is an error and this is the Travel Essentials and Coffee space. Please confirm.

**A:** **The 1,297 square feet space is for Travel Essentials and Coffee.**

**Question 23:** The space designated for Specialty Retail (electronics) or duty free is quite large for just electronics. May we propose a “store within a store” concept that strongly features electronics but other boutique areas with additional complementary offerings? Especially since the CDA was willing to have other uses for duty free.

**A:** **Respondents may propose a store-within-a-store concept.**

**Question 24:** Why is duty free a designated use when the proposed airlines for this space are predominantly domestic low-cost carriers?

**A:** **The airline composition in Terminal 5 includes foreign airline carriers for, which, a duty-free option is included.**

**Question 25:** Please explain what “Coffee” means as it pertains to Travel Essentials and Coffee Package 7. Is this simply drip coffee such as “proudly serving X brand” or do you envision a full-service coffee bar with specialty drinks, tea, cocoa, espresso and other beverages? Can bakery and other food products commonly sold in a coffee shop be sold to complement the coffee?

**A:** **The “Coffee” component is explained in Section E. Concession Opportunity, Package 7 of the RFP and should include tea, drip and espresso drinks and other beverage options.**

**Question 26:** In the Travel Essentials package, please indicate what types of snacks/pre-packaged foods can be sold from the cooler.

**A:** **Products should be proposed by the submitter.**

**Question 27:** Is there a gate at the former Erwin Pearl in Terminal 3 and if yes, is it still functional and allowed for re-use?

**A:** **The reuse of the existing gate has not been determined.**

**Question 28:** RFP states that package 3 may be connected to a Delta Airlines hold room. Does this mean that some of the sides of the space should be open?

**A:** **The design is up to the Respondent and can include open walls/views to the hold room.**

**Question 29:** Are other concessions planned for the West end near Delta that are not shown here? Can you confirm what food a traveler will pass prior to reaching this area? Will these travelers always enter through the center security or is there an additional mid-point checkpoint planned like on the East side?

**A:** **Travelers will pass the locations on the map. Currently it is a centralized checkpoint.**

**Question 30:** Does the CDA plan to offer any retail in the West end near future Delta?

**A:** **At this time, the CDA does not intend to offer concessionaire spaces at the West end.**

**Question 31:** For Package 4, would the CDA consider allowing the operator to add additional “patio” seating outside of the space?

**A:** **Yes, Respondents may include “patio” seating in their submission package(s).**

**Question 32:** Are there any plans to reconfigure the security checkpoint near L or is it anticipated to always terminate in front of the package 4 site?

**A:** **There are no plans at this time to change the security checkpoint.**

**Question 33:** Can we schedule visits to the Terminal 3 former Tea locations?

**A:** **No physical tours will be provided. Virtual tours are posted in the data room.**

**Question 34:** Are items 1-15 on page 28 meant to be the tabs for the proposal? What is to go into item 15 when several of the forms are indicated to be placed in other sections? Are we to replicate all

forms here if they appear elsewhere? **Please confirm where these items** should be placed especially since this page seems to contradict Checklist Form N. Where does Form N go within the proposal?

**A: Yes, the outline on page 28 should be followed. Item 15 is the checklist of the forms and documents that must be included.**

**Question 35:** Is a table of contents to be included and if so, how does this figure into page limits?

**A: A table of contents should be provided and will not count towards the page limit.**

**Question 36:** RFP states that the Projected Sales, Net Income and Cash Flow section can only be one page. What about for the packages that contain multiple locations? Should be provide per space plus a roll up?

**A: As set forth in Section F.4. Projected Sales, Net Income and Cash Flow of the RFP, Respondents should provide one financial page per concept/location and a roll up per package.**

**Question 37:** Please confirm if the financials and sources of funds must be provided for joint venture minority partners.

**A: Yes, as set forth in Section F.11. Sources of Funds in the RFP.**

**Question 38:** Within the Exception section, it states “the Respondent may include alternative deal terms in the Exceptions section for the City to consider. These deal terms may include rental options as long as they are no less than the financial equivalent of what is proposed in the main body of this proposal”. Yet elsewhere and at the pre-proposal meeting, the CDA states that the percentage fees are within fixed ranges. Please confirm what is meant in the Exceptions section and what is allowable for Respondents to offer. If alternatives are proposed, should they be included within the proforma, which is page limited or as an alternative in the Exceptions section? May a Respondent bid contingent upon being awarded multiple packages?

**A: Respondent must provide a proposal without contingencies that meets the requirements of the RFP.**

**Question 39:** It is not likely that all financials for 2020, especially for minority partners that have to wait on K1s from other joint ventures, will be complete at the time of proposal. How should we present 2020? And what month shall be considered YTD?

**A: As per Section F.11. Financial Statements of the RFP “... for the current fiscal year-to-date and the most recent three complete fiscal years.”**

**Question 40:** For minority partners, banks will often not provide letters promising credit for potential future deals several years out. If partner does not have cash on hand, how do we address the requirement on page 35?

**A: The requirements of the RFP must be met as set forth in Section F.11. Financial Statements of the RFP.**

**Question 41:** Please explain how experience points are awarded. It was stated on the call that the respondent with the most experience will be given full points and others proportionately judged based on that standard. In this case, incumbent primes would always be given an advantage. If a Respondent meets a minimum threshold of experience, can they also receive full points or does only one respondent

get the highest point total? How does a small business compete against much larger ones in this scenario?

**A: The evaluations will be as set forth in Section G. Evaluation Criteria of the RFP.**

**Question 42:** In Proposal Form A is the CDA looking for all locations operated by the Respondent or a representative sample? For larger companies this could be many pages. We assume this is considered a table that does not count towards page count.

**A: Respondents must, at a minimum meet the requirements of Section C.6.a Experience of the RFP. Any information beyond the minimum requirement may be provided by the Respondent and will not count towards the maximum page count.**

**Question 43:** For Proposal Form A, if joint venture partners are partners on other locations (not a prime) should they prepare a chart for item 1?

**A: A separate Proposal Form A must be provided for each partner/entity as stated on Proposal Form A.**

**Question 44:** Can the requested resumes on Proposal Form A please not count towards the page count? And are you seeking actual detailed resumes or bios?

**A: It is up to the respondent as to the detail to include. Resumes will not be counted towards the page limit.**

**Question 45:** When will CDA post sales and enplanement data?

**A: All applicable data is posted in the data room.**

**Question 46:** When will the proposed lease be posted to data room?

**A: A sample Lease and License Agreement is posted in the data room.**

**Question 47:** Given the challenges and the unknown frontier as the industry recovers from the COVID-19 pandemic, thank you for the considerate and fair multi-faceted compensation structure outlined in the RFP. As we forecast expenses to create a pro forma using the drastic increase of construction costs that we've directly experienced at a few airports the last several months, as well as increased labor costs as the hospitality workforce shifts, a seven-year term (including the City's discretion for two one-year options) for new Food & Beverage locations is problematic to result in a financially viable business plan. To create exceptional, thoughtfully designed, economically feasible restaurants, would the CDA consider extending the Food & Beverage lease terms to ten years, if not 12 years (following the lead of other airports to partner with operators to create win-win deals in this new concessions environment), together with the City's discretion for two one-year options?

**A: The seven-year term is as stated in Section D.1. Term of Agreement of the RFP.**

**Question 48:** How regularly, or when, will the CDA provide responses to potential Respondent's submitted questions between today, May 13, 2021, and the Question Deadline of June 4, 2021, and/or how soon after June 4, 2021?

**A: Responses to questions received will be posted in the data room once available. Respondents are advised to monitor the postings.**

a) We don't know the time it may take for approval or denial. As a Minority / Woman owned business we hope we will receive an approval, however, if this is not the case or if approval is not received prior to the RFP proposal submission deadline of August 4th, what is the appropriate submission with RFP for "Good Faith Effort" and does this hinder our eligibility even if we have a great proposal that meets all other criteria?

**A: As per Section D.6. Airport Concession Disadvantaged Business Enterprise Participation of the RFP all ACDBE entities must be certified upon submission date.**

b) Are there organizations that assist in expediting the process in instances such as this? Do you offer any referrals?

**A: While the City does not make specific recommendations or referrals, the following link to various agencies may help.**

[https://www.chicago.gov/content/dam/city/depts/dps/Outreach/AssistAgencies\\_061121.pdf](https://www.chicago.gov/content/dam/city/depts/dps/Outreach/AssistAgencies_061121.pdf)

c) I noticed several participants posting their ACDBE Status and contact in the chat section of the meeting. Is this for potential partnerships? Is this because the ACDBE requirement for each package is 32%?

**A: Interested parties may contact others listed on the pre proposal attendance list located in the data room.**

**Question 49:** I saw that the Map of the various packages were posted to the RFP website; however, the Terminal 3 map was not included. Please upload T3 to the website. The T3 LOD was uploaded.

**A. A Terminal 3 map is included in the data room.**

**Question 50:** Please confirm that the Base Rent will not be used to determine the MAG, when calculated for the Third Year.

**A. The MAG is based on the previous year's percentage rent as stated in Section D.2. License Fee in the RFP.**

**Question 51:** When will Enplanement and Other Statical Data be available for the current RFP locations (ORD)? This is critical to understand sales potential.

**A. Enplanement and other relevant data are posted in the data room.**

**Question 52:** Can you please update everyone as to when the support documentation (Historical EPAX, Revenues, Tenant Map & Location LODs) will be posted to the RFP website? Originally, it was stated that all support documentation would be posted well in advance of the Pre-Proposal Meeting (5/11/2021).

**A: Available information is posted in the data room.**

**Question 53:** Does the \$50/sq ft rental fee include property tax, association management fee, trash handling and all other miscellaneous fees? If not, where can we find out the detailed amounts for these additional fees?

**A:** All fees are stated in Section D.2. Compensation to the City in the RFP and/or stated in the Sample Lease and License Agreement posted in the data room.

**Question 54:** Is there a pool of staff for renovating the space or the operation that is provided by CDA and we are required to use? Or can we select unionized staff for the renovation and other staff by ourselves?

**A:** All construction is the responsibility of the selected Respondent as per Sections D.5.d. City and Project Area Resident Construction Workers & e. Multi-Project Labor Agreement in the RFP.

**Question 55:** Are there any requirements on the minimum hourly wage and maximum hours posted on the staff working in the leased venue in the airport ?

**A:** Please see Section D.14. Minimum Wage and Labor in the RFP.

**Question 56:** What does the exit plan look like? For example, if we decided not to continue the rental after year one, what's the process and what will be the penalty, if any?

**A:** Termination terms are provided in the Sample Lease and License Agreement posted in the data room.

**Question 57:** We missed the virtual tour scheduled on May 11th. Are there any video or other materials available for us to access the missed information?

**A:** The virtual tour is posted in the data room.

**Question 58:** I attended the Pre-Proposal presentation on Tuesday, May 11<sup>th</sup> and have been checking back a number of times daily to see if there are updates to the 'Enplanements and Other Statistical Data' section. To date, nothing has been added and I'm inquiring as when you might anticipate added the data?

**A:** All available information is in the data room.

**Question 59:** Can a Respondent bid a space contingent upon winning another? For example, the very small bars would function best for a new entrant if they were supported by a larger location.

**A:** No, a Respondent cannot bid a space contingent upon winning another.

**Question 60:** Please clarify the 3-package limitation. Does that include ACDBE participants as a joint venture partner in multiple packages?

**A:** See page 26 of the RFP. The limitation applies to all Respondents, partners and individual entities.

**Question 61:** Can an entity bid multiple concepts for the same space? It would be an entirely different bid with financial offer, but from the same entity.

**A:** Please see the answer to Question #1.

**Question 62:** Regarding Location #19 in Package #3. The Lease Outline Drawing provided by Unison Retail Management shows what appears to be a wall or chase in front of the space along the concourse. This poses the following questions.

(a) Is the plan correct and will a wall be constructed as shown in the LOD?

**A: The space design including walls is the responsibility of the Respondent and the walls may be opened or removed.**

(b) If the wall is correct as shown, what are the proposed finishes? And will we be able to re-finish the wall to meet our concept and/or provide openings into the wall?

**A: See Question 62.(a).**

(c) What is the proposed height of the storefront at this space?

**A: This is to be determined as it is under construction.**

(d) Will there be adequate space on the roof for mechanical ventilation (exhaust and M/U air)?

**A: It is anticipated that there are no issues with the roof for penetrations.**

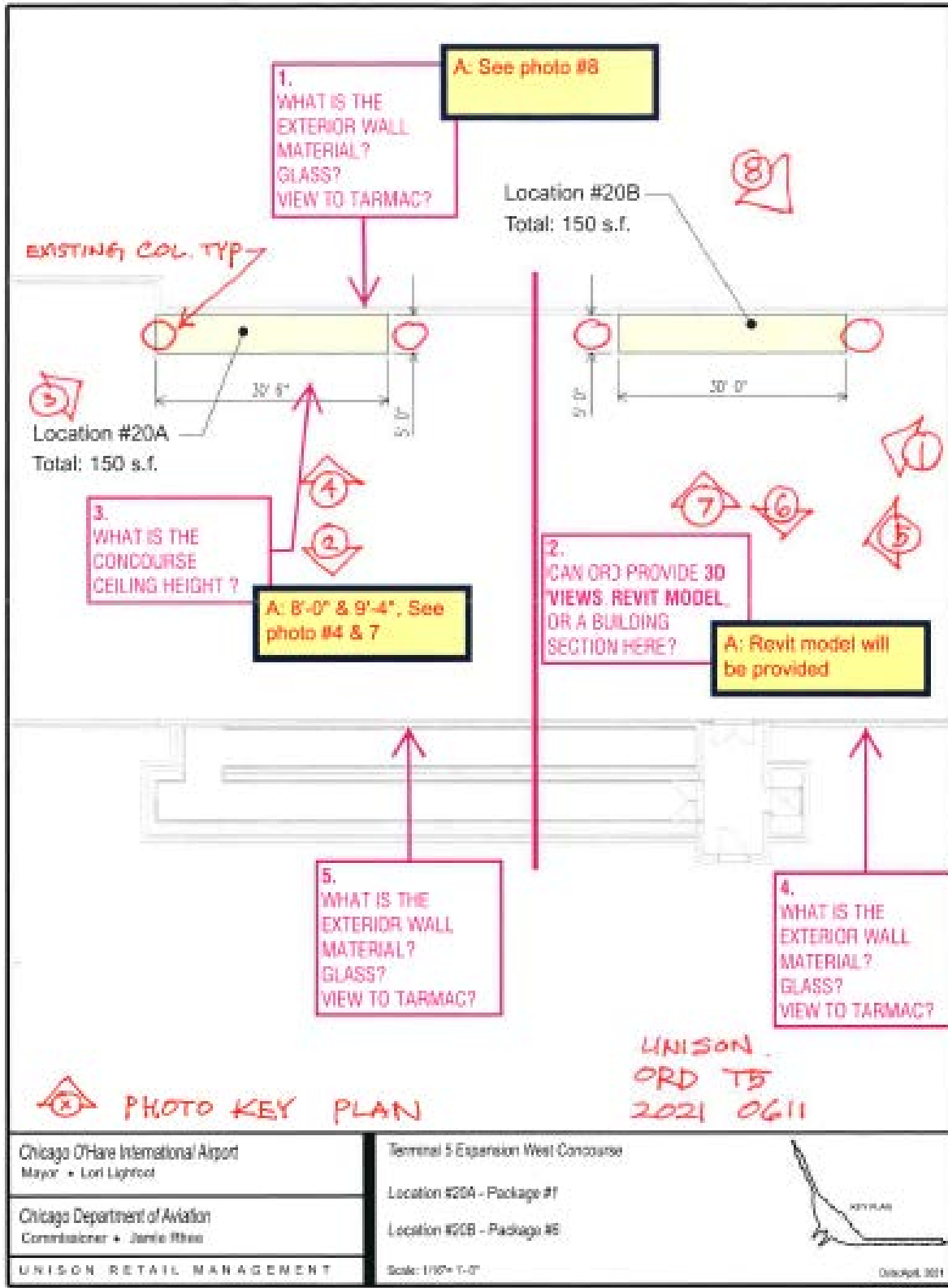
**Question 63:** Regarding Locations #20B and #1 in Package #1

(a) What is the proposed height of the storefront at these spaces?

**A: See attached drawings and photos.**

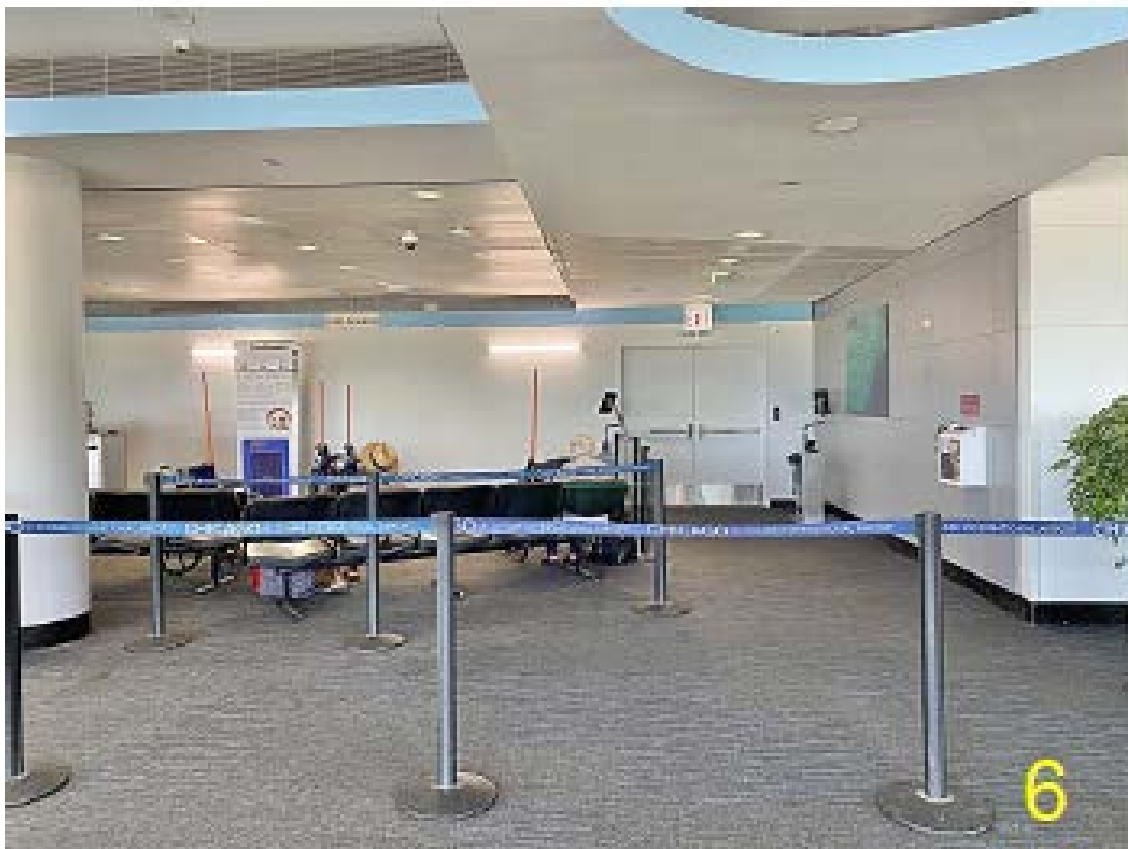
(b) For Location #1 - will there be adequate space on the roof for mechanical ventilation (exhaust and M/U air)?

**A: It is anticipated that there are no issues with the roof for penetrations.**











**Question 64:** In the Global Terminal project description shown on the City's ord21.com website, the City says the Global Terminal offers the "Ability for airlines in alliances to consolidate operations within a single terminal facility..." It further states that Star Alliance carriers (of which United Airlines is a member) and OneWorld carriers (of which American Airlines is a member) could consolidate in the Global Terminal. Currently, 19 of the 44 airlines shown on the RFP attachment Enplanements are members of either Star or OneWorld alliances. Does the City expect these carriers to move from Terminal 5 when the Global Terminal is opened?

**A:** At this time, the potential movement of carriers from Terminal 5, when the Global Terminal is opened, has not been determined.

**Question 65:** Alaska Airlines recently became a member of OneWorld alliance. Does the City still expect Alaska to move to Terminal 5? If so, when will Alaska move and where in Terminal 5 will it operate?

**A:** Alaska Airlines is anticipated to move to Terminal 5, however, at this time Alaska's gate usage has not been determined.

**Question 66:** Southwest Airlines currently operates from gates M1-M3. Will Southwest relocate within Terminal 5 when Delta moves to Terminal 5? If so, to where will Southwest relocate?

**A:** At this time, the future movement of Southwest in Terminal 5 has not been determined.

**Question 67:** JetBlue and American recently began a marketing partnership. Does the City still expect JetBlue to move to Terminal 5? If so, when will JetBlue move and where in Terminal 5 will it operate?

**A:** Yes, timing is unknown at this time.

**Question 68:** Does the City expect Spirit Airlines to move to Terminal 5? If so, when will Spirit move and where in Terminal 5 will it operate?

**A:** See enplanement data provided in the data room.

**Question 69:** What is the expected completion date of each O'Hare 21 milestone project (i.e., satellite concourses and Global Terminal)?

**A:** Updates are posted on the O'Hare 21 website at: <https://ord21.com/About/Pages/faq.aspx>

**Question 70:** Other than American Airlines, the enplanement forecast provided by the City is identical for 2024 and 2025. Please confirm the enplanement forecasts for 2024 and 2025.

**A:** The enplanement forecasts posted in the data room for 2024 and 2025 are correct as posted.

**Question 71:** A note to the enplanement forecast states 2021 data are for January through April. Are these actual enplanements for four months or annualized enplanements based on four-month actuals?

**A:** Yes, as per the table's footnotes.

**Question 72:** In the forecasted enplanements document, Delta is listed to have 1.08M enplanements in 2022 and 1.29M enplanements in 2023. However, in the notes at the bottom, Delta is noted to have 1.9M to 2.04M enplanements annually. Please clarify the discrepancy between these two enplanement forecasts.

**A:** The numbers in the table are CDA's projections. Delta's estimates in the footnotes and reflect their estimates of potential future volumes.

**Question 73:** We respectfully request that the City extend the deadline to submit questions until at least 14 days after the City posts to the Data Room all items listed in the RFP (pp. 2-3). As of June 1<sup>st</sup>, Historical Concession Sales, Future Development Plans, and the Form of Agreement have not been uploaded to the Data Room.

**A: The submission due date only has been changed to September 2, 2021 as posted in Addendum #2.**

**Question 74:** In reviewing the enplanements information provided, we notice that forecasts for many of the foreign carriers are well below previous levels through 2025. Is this an overall shift in use for the building or just conservative forecasting? Can you explain?

**A: The forecasted numbers include the impacts of COVID assumptions.**

**Question 75:** In Package 2, can we co-brand the 1,815 specialty retail location? Meaning, could we do two branded shops within the space? The space is quite large for electronics alone.

**A: Yes, and may include a store-within-a-store concept.**

**Question 76:** Please provide plans for the reconfiguration of the area commonly known as the “core” in Terminal 5.

**A: The CDA does not have this information at this time related to other areas of potential redevelopment.**

**Question 77:** Are any of the existing concessionaires planned to be relocated to any of the locations set forth in the seven packages of the RFP? If so, which concessionaires and specify the locations.

**A: No**

**Question 78:** What are the planned capital expenditure requirements for each of the locations? Does the City have guidelines setting forth required or suggested capital improvements on a dollar per square foot basis? If so, please provide the guidelines by location.

**A: Respondent is responsible for their own cost estimates. The City will provide utilities to the lease line.**

**Question 79:** Please provide historical concession sales for Terminal 5 for the five-year period from calendar year 2015 through calendar year 2019. This information is not yet presented in the data room.

**A: All available data is posted in the data room.**

**Question 80:** Are percentage fee rates planned to remain within the ranges provided for in the RFP throughout the two-one year option periods?

**A: Yes, the percentages are biddable within the ranges in the RFP and will be set over the term and any extension years.**

**Question 81:** Please clarify the compensation to the City. In years 1 and 2 compensation appears to be comprised of Base Rent of \$50 psf PLUS percentage fee rates. In year 3 it is proposed that a MAG will be established and year 3 rent will then be calculated as Base Rent PLUS the greater of MAG or the percentage fee rate. Is this correct?

**A: As set forth in Section D.2. Compensation to the City, the rent consists of base rent plus percentage rent over the term. When MAG begins the rent is the base rent plus the greater of the percentage rent or MAG.**

**Question 82:** Does joint venture agreement have to be signed?

**A: A joint venture agreement does not have to be executed for proposal submission. Joint venture intent and entities must be provided on the Business Information Statement form and the Proposal Affidavit form.**

**Question 83:** What is the Term commencement date?

**A: The term commencement date is the date of beneficial occupancy as defined in the Sample Lease and License Agreement posted in the data room.**

**Question 84:** Will a copy of the Agreement be posted for review prior to the RFP response due date? If so, what date is this expected to happen?

**A: Yes, a Sample Lease and License Agreement will be posted in the data room.**

**Question 85:** When is the second phase of the concession offering plan expected to be released and awarded?

**A: The CDA does not have an anticipated timeline for future phases.**

**Question 86:** What type of concepts are considered for the second phase of concessions?

**A: These are yet to be determined but are anticipated to complement the concepts awarded under this RFP.**

**Question 87:** What are the hours of operation by location?

**A: Typically, 2 hours before the first flight through the departure time of the last flight and will depend on the flight schedules.**

**Question 88:** What are the Common Area Maintenance fees?

**A: There are none at this time.**

**Question 89:** What are the distribution fees?

**A: Please see the answer to Question #17.**

**Question 90:** Is the airport charging fixed amount for utilities on a monthly basis on top of the variable?

**A: All utilities are separately metered and the sole responsibility of the Respondent.**

**Question 91:** What are the waste removal fees (\$/SQF) if any?

**A: All waste removal costs are the sole responsibility of the Respondent.**

**Question 92:** What is the Possessory tax if any?

**A: Any applicable governmental taxes, fees, etc. are the responsibility of the Respondent.**

**Question 93:** What is the projected living wage ordinance in the next 5 years?

**A: Wage requirement information is provided in the RFP.**

**Question 94:** What is the hospitality surcharge if any?

**A: Any applicable governmental taxes, fees, etc. are the responsibility of the Respondent.**

**Question 95:** What is the storage rent per SQF?

**A: The Storage space rent is the base rent as stated in Section D.2. Compensation to the City in the RFP.**

**Question 96:** How is the storage rent calculated?

**A: Per square foot.**

**Question 97:** What is the Loading dock fees if any?

**A: There is none at this time but any applicable taxes, fees, etc. are the responsibility of the Respondent.**

**Question 98:** What are the type of chargebacks and how are these calculated if any?

**A: There are none at this time however any applicable taxes, fees, etc. are the responsibility of the Respondent.**

**Question 99:** What is the minimum investment (\$/SQF) required if any?

**A: There is no minimum investment requirement. All design and construction must comply with Section D.5. Capital Investment and Improvements in the RFP.**

**Question 100:** What is the refurbishment obligation and minimum reinvestment (\$/SQF) if any?

**A: The midterm refurbishment shall be negotiated as part of the Lease and License Agreement which is defined in the Sample Lease and License Agreement posted in the data room.**

**Question 101:** Could you please share with us the key milestones of the project such as:

- Any major event impacting the traffic level

**A: There are no events anticipated.**

- The expected handover date of the operation to the successful bidder

**A: The expected handover date is anticipated for the 1<sup>st</sup> or 2<sup>nd</sup> quarter 2022 and is subject to construction completion.**

**Question 102:** Could you share with us the master plan and terminal design related to: existing terminal T5 and expansion of terminal 5?

**A: Terminal design specifics are not available at this time and will be addressed when awarded.**

**Question 103:** Could you please clarify what would be final airline split between terminals and the phasing plan projected when expansion is finalized?

**A: The traffic projections in the data room reflect this split with finalization anticipated in 2027 or 2028.**

**Question 104:** Could you please clarify if there will be any alliance consolidation in the terminals with respect to provided picture below?

**A: This is yet to be determined.**

**Question 105:** Could you please share with us the passenger flow within the new T5?

**A: Passengers flows are anticipated to be from the central area outward east and west.**

**Question 106:** Could you provide us the total traffic of terminal 5 forecast for the concession term? (with breakdown departure/Arrival, International/Domestic)?

**A: The currently available traffic forecast is posted in the data room.**

**Question 107:** Could you please clarify what would domestic and international % volume split be in T5 after expansion?

**A: Please see traffic data in data room.**

**Question 108:** Do you expect any major trend/change in the breakdown per airline/nationality during concession term?

**A: No**

**Question 109:** Could you please provide information about any historic data regarding dwell time in each checkpoint? (Security, Check-in, Passport Control, Security before flight)?

**A: The Concessions Department of CDA does not have this information.**

**Question 110:** Could you share with us the mapping of the gates by airlines within new T5?

**A: West gates will be utilized by Delta. All other gates are common use gates. Frontier and Southwest and foreign carriers will be staged at gates from the center outward on the east side.**

**Question 111:** What will be the security pass cost for an employee?

**A: Badging is provided at no cost by the City, unless a replacement badge is required.**

**Question 112:** Could you please give information about unit prices for Utilities and General Maintenance expenses such as Electricity, Water, Heat, Pest Control etc. ?

**A: These costs and estimates are the responsibility of the Respondent.**

**Question 113:** What will be the rent mechanism: Fixed Fee + Concession Fee or Concession Fee-MAG whichever is the higher?

**A: Base rent plus the greater of the MAG or percentage rent.**

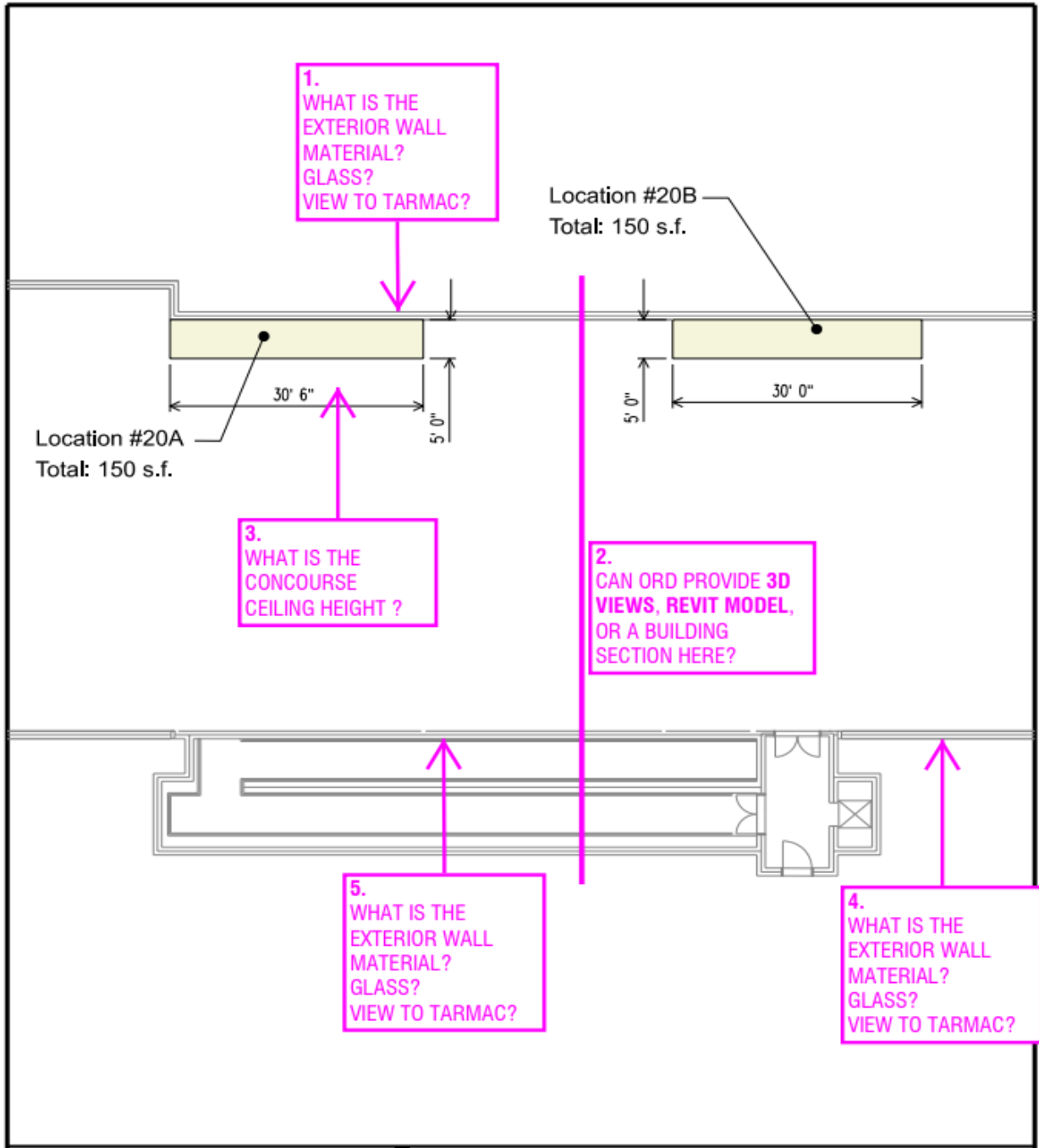
**Question 114:** Could you please provide information if there will be any lounge concession in the new T5? If yes, what is the expected timing and type of the lounge such as common-use, airline lounge?

**A: There are no common usage lounges planned for Terminal 5. The only lounges are those owned and operated by the airlines.**

**Question 115:** Is it possible to sublease part of the contract to an operator, via tenders or direct negotiation?

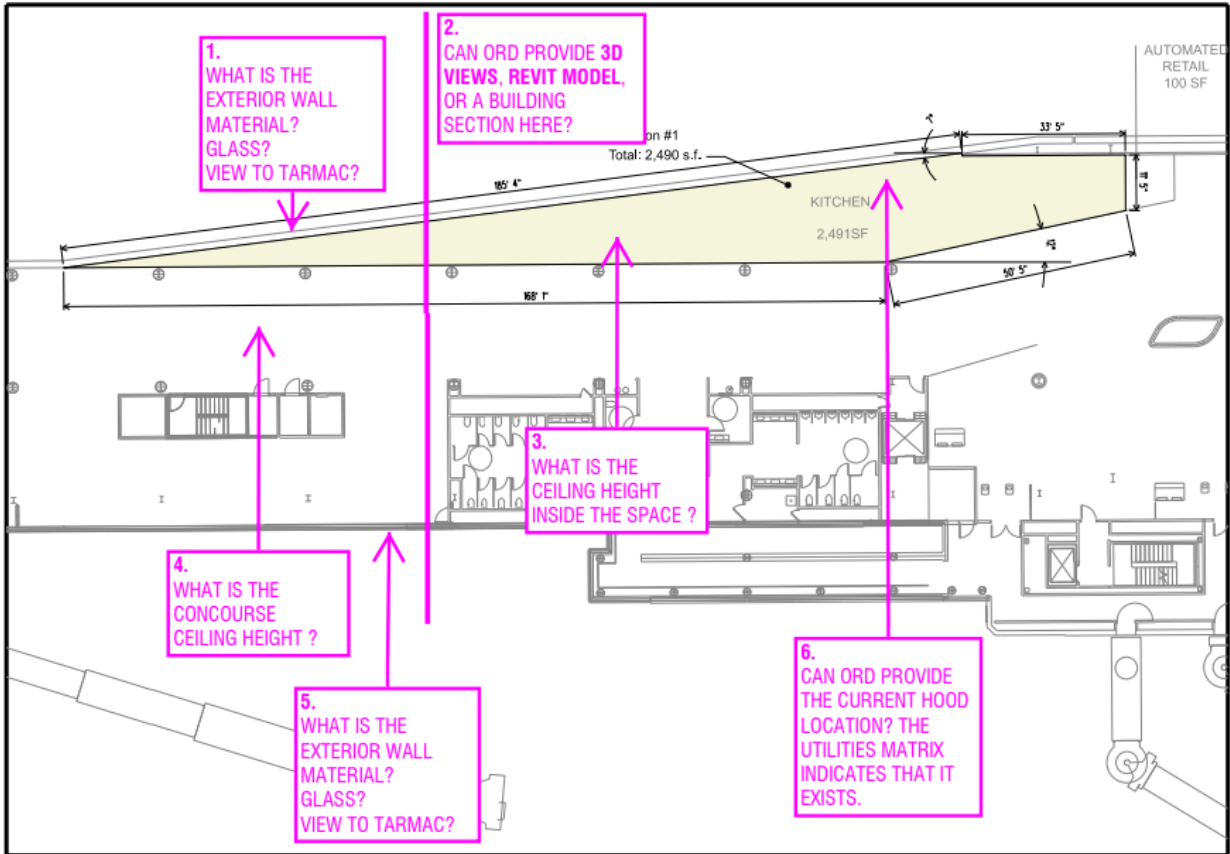
**A: All subtenant's organization structures must be included in the proposal.**

Question 116:



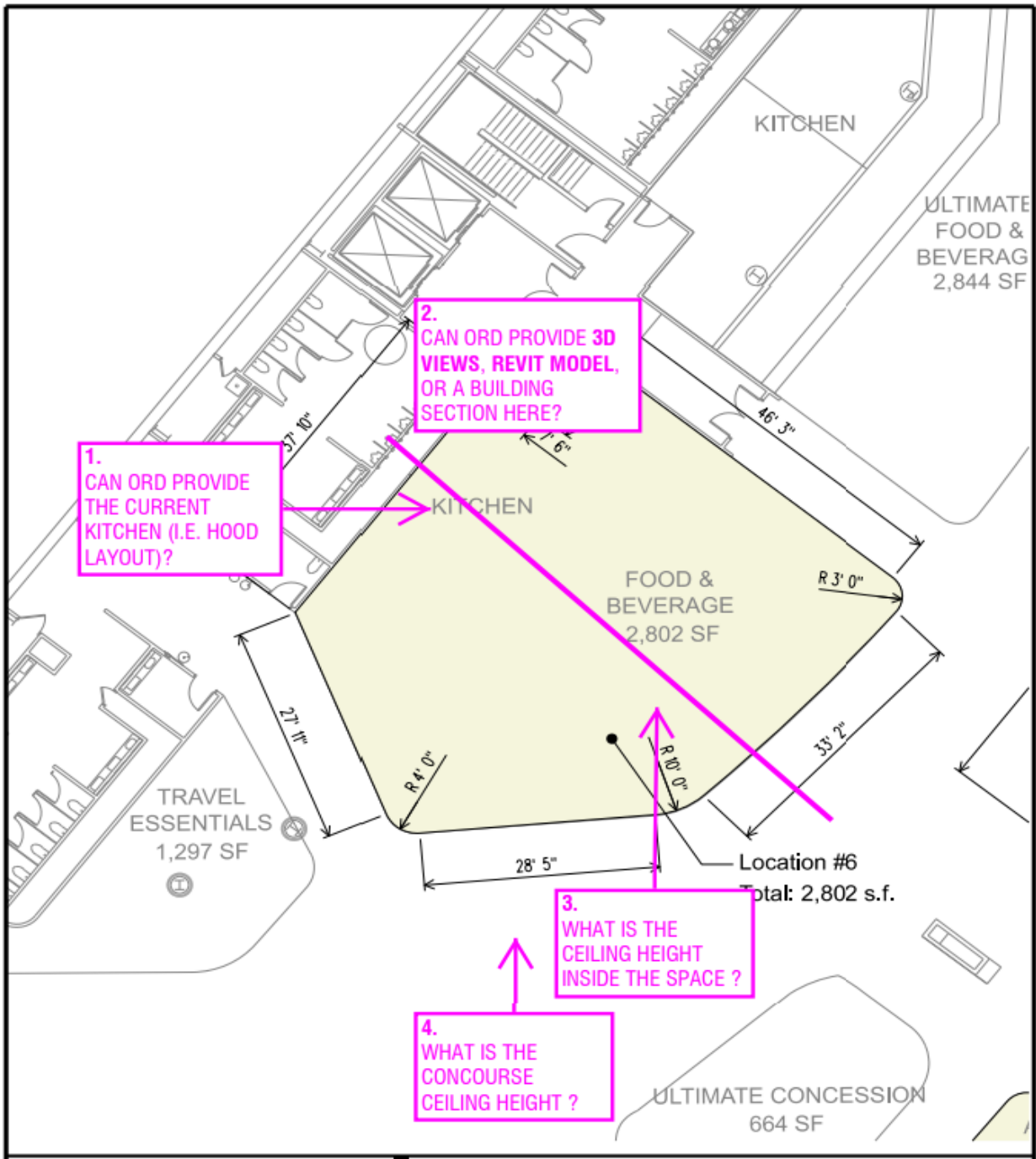
A: See question #63.

**Question 117:**



**A:** This area is under construction information is not available at this time but will post in the data room if and when available.

**Question 118:**



**A:** This area is under construction information is not available at this time but will post in the data room if and when available.

**Question 119:** If a firm is bidding on two separate packages can you combine them into one proposal response and separate them by tabs so that everything from the Respondent is one response with one space vs another?

**A: See response to question #2.**

**Question 120:** Can you respond to the RFP by combining spaces from multiple packages into one response and win the response with multiple packages into one?

**A: See response to question #2.**

**Question 121:** Will offsite storage will be available for package 3? If yes, how far is it from the unit, how many square feet would be available, and is there an opportunity to put refrigeration there?

**A: It is anticipated that ample storage space will be available proximate to each location. Refrigeration will be allowed.**

**Question 122:** Will offsite storage will be available for package 6? If yes, how far is it from the unit, how many square feet would be available, and is there an opportunity to put refrigeration there?

**A: See response to question #121.**

**Question 123:** For any storage away from the units, will employees have access at all times, or will access be limited to certain hours?

**A: Yes, during normal operating and delivery hours.**

**Question 124:** How many deliveries can we receive per week, and what are the delivery days?

**A: Delivery accommodation will be determined after the award.**

**Question 125:** If draft beer is served in package 3, can the kegs be stored remotely, and draft lines run to the unit?

**A: Yes, but lines must be located only within the leased space.**

**Question 126:** What were the total food and beverage concession sales at ORD in 2018, 2019, and 2020?

**A: This data is or will be posted in the data room.**

**Question 127:** What is the average food and beverage spend per enplanement at ORD in 2018, 2019, and 2020?

**A: This data is or will be posted in the data room.**

**Question 128:** Could we receive a sample RFP used for airport concessions in order to have the proper format and be able to submit the proposal with the most relevant information?

**A: Please see the Proposal Requirements in Section F in the RFP.**

**Question 129:** Is there any additional tax to charge a customer aside from standard sales tax required by the state and city?

**A: The current sales tax applicable to O'Hare and Midway is 11.75% as of 1-1-2020. See the IRA website for more information on taxes at:**

<https://www.illinoisrestaurants.org/events/EventDetails.aspx?id=1314020>

**Question 130:** Do products of the concession stands have to be purchased by approved vendors of the city?

**A: No, the City only approves products and prices offered not the vendors the products are purchased from.**

**Question 131:** In Proposal Form B it indicates an "Anticipated Opening Date", is there a minimum timeframe set by The City for this (Ex. Q4 2021) or is this based on our concept plan?

**A: The respondent should propose a schedule including dates based on the delivery dates stated in the RFP**

**Question 132:** Is there any service providers or external resources we can utilize to assist with the application?

**A: CDA does not make recommendations.**

**Question 133:** Will applying for all 7 packages reduce the chances of approval vs applying for only 1?

**A: See the Evaluation Criteria set forth in Section G. of the RFP.**

**Question 134:** Can we get any historical concession sales figures to project our gross receipts by concession type or is this an assumption we have to make based on the Enplanement statistical data in the data room?

**A: All sales assumptions are the responsibility of the respondent. Historic sales data is posted in the data room.**

**Question 135:** Is there statistics on the estimated traffic flow of package 7?

**A: Available information is posted in the data room.**

**Question 136:** If the company/LLC was created with the sole intention to be an establishment in the expansion of terminal 5, does current financial statements need to be provided?

**A: Financial Statements must be provided as per Section F.11 Financial Statements in the RFP.**

**Question 137:** If a bidder is submitting proposals on multiple packages can the bidder include/combine all of the packages in one larger proposal submission?

**A: See Question #2.**

**Question 138:** If a bidder is submitting proposals on multiple packages but prefers to individually brand each proposal can that bidder submit separate proposals for each package that they are bidding on?

**A: See Question #2.**

**Question 139:** Are financial statements for a joint venture partner required?

**A: See Question #136.**

**Question 140:** Are separate proposals on differing individual opportunities from the same bidder acceptable? For example, can a bidder submit a proposal for Package 1 and also for Package 3? The language below from the RFP raises this question:

*c) No respondent shall submit more than one proposal. The submission of more than one proposal under different names by any entity or individual, or an ownership interest in more than one respondent by any entity or individual (excepting any entity or individual with only a minority ownership interest or a sublease relationship in each respondent in which it has an interest) shall be cause for rejection of all such proposals without consideration. Notwithstanding the foregoing, this prohibition is not intended to preclude joint ventures, licenses, or subleases.*

**A: No, Respondents can only submit one proposal which may include multiple packages.**

**Question 141:** Please share floor plans of the spaces for concessions.

**A: This information is provided in the RFP's Data Room.**

**Question 142:** What spaces have the ability to have exhaust in the space?

**A: It is anticipated that there are no issues with roof for penetrations for any of the spaces.**

**Question 143:** What is the Storage area in SQF?

**A: See Response to Question #121.**

**Question 144:** Please provide a grey or white box detail of the spaces.

**A: This information is provided in the RFP's Data Room.**

**Question 145:** Please provide construction protocols (dos and don'ts) including security details.

**A: This information is provided in the RFP's Data Room.**

**Question 146:** Is there staging points for contractors?

**A: This will be determined during the preconstruction meeting after award.**

**Question 147:** Please provide a utilities Matrix.

**A: This information is provided in the RFP's Data Room.**

**Question 148:** What is the construction charge back for the utilities if any?

**A: Limited utility service will be provided by CDA at no cost until the operator installs its own meters and utilities.**

**Question 149:** Is there a design criteria to follow for each of the spaces?

**A: This information is provided in the RFP's Data Room.**

**Question 150:** Will there be any demo involved?

**A: Packages 4 & 5 will likely have some limited demolition. Other locations are not anticipated to but may require some demolition which will be determined during the preconstruction meeting.**

**Question 151:** Is there a construction deposit requirement?

**A: No**

**Question 152:** What is the construction schedule?

**A:** Respondents should propose all schedules based on the information provided in the RFP. Final schedules will be determined during the construction phase.

**Question 153:** Given the increase in labor and materials costs, would the CDA consider an exception to term to facilitate the two 1-year extensions?

**A:** The term duration shall remain as set forth in the RFP.

**Question 154:** Can the proposed concept plan include alternative concepts for each location - such as an A. B. C. ?

**A:** No, alternative concepts may not be proposed for a given location.

**Question 155:** Can an ACDBE be a minority owner/supplier on one proposal and majority applicant on a separate proposal/concept licensing a prime's concept?

**A:** Yes

**Question 156:** Will CDA start term and will it be permitted to have concession opening date when actual flights are open and operating in the concourse.

**A:** CDA intends to have the term commencement and opening dates coincide.

**Question 157:** Regarding the RFP document *Historic and Forecasted Enplanements*, explain the discrepancies/differences between listed Delta projections and Delta projections in the footnotes.

**A:** See Responses to Questions #70 and 71.

**Question 158:** Is it acceptable for a company to bid with a Prime and also independently?

**A:** See Response to Question #1.

**Question 159:** Will the CDA provide the consultant relevant terminal passenger traffic information for the concourse the concession will operate in?

Desired data includes passenger traffic flows in accordance with daily operations (5:30am to 10:00pm) for one calendar year, demographic information including gender and age, and any available passenger spend data on airport grounds?

**A:** This information is provided in the RFP's Data Room.

**Question 160:** Will the CDA provide per square footage utility charges per category (i.e., water, etc.); airport waste disposal charges, City of Chicago storage and delivery surcharges, and janitorial surcharges?

**A:** See Response to Question #90.

**Question 161:** Will the projections need to include any separate insurance other than insurance charges typical assigned to restaurants operating off-airport grounds?

**A:** See Insurance Requirements in Section D.9. in the RFP.

**Question 162:** How much are the per employee automobile parking charges?

**A: Remote lot parking fees are currently \$100 per month, in addition to applicable taxes, per employee parking pass.**

**Question 163:** As part of the CDA “value pricing” initiative, can the CDA provide the approved benchmark store item pricing list for product offerings similar to the concessionaires’ proposed menu?

**A: Proposals must include proposed products and prices as set forth in Section F.4. Concession Development Plan in the RFP.**

**Question 164:** What is the current approved benchmark premium percentage that can be added to the proposed meal menu price?

**A: The current premium is Value Pricing as per Section D.12. Value Pricing in the RFP and as stated in the Sample Lease and License Agreement posted in the data room.**

**Question 165:** Will we be able to tour the concession offerings in person prior to developing our concepts?

**A: No organized tours will be provided. Video tours of Package 4&5 are in the data room.**

**Question 166:** Our [sic] existing condition architectural and MEP drawings available?

**A: Not available at this time.**

**Question 167:** Please clarify item C.5 on page 6 regarding Submission of Multiple Proposals. If entity A wants to bid on Package 1 as part of a joint venture with Entity B but then Entity A also wants to bid on Package 1 as its own entity, without entity B, is that allowed?

**Yes, as long as Entity A has less than 50% interest in proposing with Entity B as per Section C.5. Submission of Multiple Proposals in the RFP.**

**A: If entity A has a minority interest in the joint venture with entity B for Package 1 or serves as a subtenant under entity B for Package 1 then only entity A can propose on its own for Package 1.**

**Question 168:** I was wondering how adamant you are in finding a burger/ bistro concept for space T5-M19 or if you would consider a Mexican restaurant concept instead. I don't want my client to go through the process if you are only considering a Burger concept for that space.

**A: See response to question #19.**

**Question 169:** In reviewing the enplanements information provided, we notice that forecasts for many of the foreign carriers are well below previous levels through 2025. Is this an overall shift in use for the building or just conservative forecasting? Can you explain?

**A: See response to question #74.**

**Question 170:** Does the 1” margin apply only to text (i.e., can photos or renderings extend to the edge of the page)?

**A: It applies to all pages.**

**Question 171:** RFP states: “If respondent chooses to submit materials boards, it does not count as a “page” for purposes of page limitations.” If the materials board is presented as an 11x17” paper page

(with photo representations of the materials) in the design section, does that page count toward the page limit?

**A: No**

**Question 173:** Related question: Can the design materials be presented on an 11x17" page like the plans and renderings, or is it limited to 8.5x11"?

**A: It can be up to 11"X17"**

1. Does the 11pt font limitation apply to the design materials page?

**A: All text**

2. Does the 11pt font limitation apply to the proposed menu?

**A: All text**

**Question 173:** Regarding this statement, "Respondents may submit proposals for one or more packages under the same cover, which will be considered a single proposal. However, the City intends to award each package individually, but reserves the right to award multiple packages to a single respondent."...what does this mean in terms of organizing our response if we submit a proposal for more than one package, i.e. Package 1 and Package 3?

**A: Proposals should be submitted in one binder whether including one or multiple packages.**

a) Do they both go in the same binder?

**A: Yes**

b) Do we present the required sections below for Package 1 and then again for Package 3, or within each of those sections do we first discuss Package 1 and then Package 3?

**A: Repeated information may be provided once and referenced where appropriate for each package.**

c) Do the page limitations apply to EACH of the packages or both together?

**A: The page limitation is distinct to each package.**

**Question 174** Reason for request: Preparation of design drawings for RFP. Looking for Cad Files of base building terminal

**A: These are not available at this time.**

**Question 175:** Terminal 3 H- Drawings of terminal on departure level showing current area around space T3HK.U.9.H.B

**A: All available drawings are provided in the data room.**

**Question 176:** Terminal 5 East - Departures level - Showing overall level, and LOD drawings for spaces #11 and #5 of the RFP.

**A: All available drawings are provided in the data room.**

ATTACHMENT #1  
2021 NOTICE REGARDING EXECUTIVE ORDER 2014-1  
EXECUTIVE ORDER 2014-1

For City of Chicago contracts advertised on or after October 1, 2014, Contractor must comply with Mayoral Executive Order 2014-1 and any applicable related regulations issued by the CPO.

As of July 1, 2021, the Minimum Wage to be paid under City contracts or concessionaire agreements pursuant to the Order is \$14.75 per hour. When applying an allowance for gratuities to the wage of City concessionaire employees in positions that customarily receive gratuities, the resulting rate is \$8.00 per hour. The Minimum Wage must be paid to:

- All employees, also including employees of City concessionaires, regularly performing work on City property or at a City jobsite.
- All employees whose regular work entails performing a service for the City under a City contract.

Each July 1st, this wage shall increase in proportion to the increase, if any, in the Consumer Price Index for All Urban Consumers most recently published by the Bureau of Labor Statistics of the United States Department of Labor.

For those contracts advertised prior to October 1, 2014, Contractor and all other Performing Parties must pay the Base Wage listed below.

Whether a City contract was awarded before or after October 1, 2014, however, if the payment of prevailing wages is required for work or services done under that contract, and the prevailing wages for Covered Employees are higher than the Minimum Wage or the Base Wage, then the Contractor must pay the prevailing wage rates.

THE CHICAGO MINIMUM WAGE ORDINANCE AND PAID SICK LEAVE ORDINANCE<sup>1</sup>

On December 2, 2014, the City Council of the City of Chicago passed a new chapter of the Municipal Code, Chapter 1-24, specifying a minimum wage of \$10.00 per hour to be paid to all workers within the City of Chicago, not just employees of City contractors, effective July 1, 2015. Every July 1 until 2019, these wages will increase. On November 13, 2019, City Council amended Chapter 1-24.

As of July 1, 2021, the minimum wage for each hour of work performed for an employer by a covered employee is as follows:

- (1) \$15.00 per hour for employers who have 21 or more employees.
- (2) \$14.00 per hour for employers who have more than 3, but fewer than 21 employees, and employers who have more than 0 but fewer than 21 employees who are domestic workers.
- (3) \$11.00 per hour for subsidized temporary youth employment programs, for subsidized transitional employment programs, for covered employees who are under 18 years of age, and those subject to Section 6 of the Minimum Wage Law.

As of July 1, 2021, the minimum wage for each hour of work performed for an employer by a tipped employee is as follows:

1 For more information, please visit the City's Department of Business Affairs and Consumer Protection website at [chicago.gov/bacp](http://chicago.gov/bacp).

- (1) \$9.00 per hour for employers who have 21 or more employees
- (2) \$8.40 per hour for employers who have more than 3, but fewer than 21 employees.
- (3) \$6.60 per hour for subsidized temporary youth employment programs, for subsidized transitional employment programs, for covered employees who are under 18 years of age, and those subject to Section 6 of the Minimum Wage Law.

The Chicago minimum wage increases annually on July 1. Updates to the Chicago minimum wage will be posted to the website of the Department of Business Affairs and Consumer Protection.

If the Contractor is required by Executive Order 2014-1 or any other law (e.g., the Prevailing Wage Act) to pay a higher rate, above the generally applicable Chicago minimum wage, that higher rate will apply.

On June 22, 2016, the City Council passed a new section of the Minimum Wage Ordinance, which requires paid sick leave and became effective July 1, 2017, codified at Section 1-24-045 of the Municipal Code of Chicago.

On October 5, 2016, the Cook County Board of Commissioners passed a new section of the Cook County Code of Ordinances, 16-4229, which has a similar paid sick leave requirement and also went into effect July 1, 2017.