

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**



IN THE MATTER OF:)
)
JUDITH MILLER,)
)
COMPLAINANT,)
)
AND)
)
PUBLIC BUILDING COMMISSION,)
)
RESPONDENT.)

CHARGE NO. 2018CP2228

EEOC NO. N/A

ALS NO.

COMPLAINT OF CIVIL RIGHTS VIOLATION

Pursuant to the Illinois Human Rights Act, 775 Ill. Comp. Stat. 5/1-101 to 5/10-104, the Complainant Judith Miller, by her attorneys, Emily Werth and Ameri R. Klafeta of the Roger Baldwin Foundation of ACLU, Inc., complains of a civil rights violation by Respondent Public Building Commission ("PBC"), as follows:

JURISDICTION

1. Ms. Miller filed charge number 2018CP2228 (the "Charge") with the Illinois Department of Human Rights ("IDHR") on March 29, 2018. A true and correct copy of the Charge is attached as **Exhibit A**. Ms. Miller alleged that the PBC discriminated against her by denying her the full and equal enjoyment of the facilities or services of a public official's office or property under the official's care and place of public accommodation based on her need to express breast milk, a common condition related to pregnancy and childbirth.

2. On April 1, 2019 the IDHR issued a Notice of Dismissal for Lack of Substantial Evidence on Ms. Miller's charge against the PBC. After requesting and receiving an extension of time, Ms. Miller timely filed a Request for Review of IDHR's dismissal with the Human Rights

Commission on August 5, 2019. On September 9, 2019, the IDHR submitted its response to Ms. Miller's Request for Review in which it recommended that the Commission vacate the dismissal of the charge and enter a finding of substantial evidence against the PBC.

3. On September 16, 2019, the Executive Director of the Commission issued an Order vacating the dismissal of Ms. Miller's charge, reinstating the charge, and remanding to the IDHR for entry of a finding of substantial evidence. The IDHR subsequently issued a Notice of Substantial Evidence, dated September 17, 2019, on Ms. Miller's charge against the PBC.

4. This Complaint is timely filed within ninety (90) days after receipt of that Notice of Substantial Evidence.

THE PARTIES

5. Ms. Miller is a resident of Cook County, Illinois. Ms. Miller reported to the Richard J. Daley Center ("Daley Center") for jury duty with the Circuit Court of Cook County on October 2, 2017. At the time, Ms. Miller was breastfeeding her approximately 11-week-old infant child.

6. The PBC is a public agency which owns and operates the Daley Center. The Daley Center occupies the city block bound by Randolph, Clark, Washington, and Dearborn Streets. It contains a 30-story building occupied by retail rental space, common and public uses, and several governmental offices, including the headquarters of the PBC and facilities for the Circuit Court of Cook County. The property also includes the Daley Center Plaza, an open-air venue used for civic or cultural events.

7. The PBC is a municipal corporation. 50 Ill. Comp. Stat. 20/14. The PBC is therefore a "public official" as defined by 775 Ill. Comp. Stat. 5/5-101(C).

FACTS

8. In approximately July of 2017, while Ms. Miller was pregnant, she was called for jury duty with the Circuit Court of Cook County. Because she was scheduled to report for jury duty shortly before her due date, Ms. Miller requested a one-time deferment, which was granted. Her new jury duty date was set for October 2, 2017.

9. Ms. Miller was excited about the possibility of serving on a jury because she has a background as a trial lawyer and is employed as an Assistant Clinical Professor of Law in the Federal Criminal Justice Clinic at the University of Chicago Law School. As a result, she has a unique perspective on the importance of juries. Ms. Miller was enthusiastic about the opportunity to perform this civic duty.

10. At about 8:35 a.m. on October 2, 2017, Ms. Miller reported to the Daley Center for her jury duty.

11. Because Ms. Miller was breastfeeding at the time of her jury duty, she needed accommodations to express (or “pump”) breast milk to feed her infant.

12. Lactation is a common physiological condition following childbirth. Not every parent who gives birth can or chooses to breastfeed, but for those who do, there is broad consensus among medical and public health experts regarding the benefits of breastfeeding.

13. At the time of Ms. Miller’s jury duty, she needed either to nurse or to pump breast milk approximately every three hours to feed her newborn infant and maintain her milk supply. Breastfeeding parents who have to be away from their infants for extended periods need to express breast milk on roughly the same schedule as the child’s nursing schedule. Failure to do so causes discomfort, pain, and engorgement of the breasts, and poses the risk of blocked milk ducts and infection, a reduction in milk supply, and ultimately, cessation of lactation.

14. Like many lactating parents, Ms. Miller relied on an electric breast pump to express milk when she needed to be away from her infant. Electric breast pumps are machines with two lines of rubber tubing and cones that fit on each nipple. Electric breast pumps often require an electrical outlet to operate. They create a rhythmic suction that mimics the pace and physical effect of breastfeeding, pulling the milk out of the breast and into attached bottles.

15. Ms. Miller required a clean, private, non-bathroom space for pumping in order to safely express breast milk. Because breast milk is food, it should be expressed and handled in a clean environment. Pumping in a toilet stall or bathroom poses a risk of contaminating the breast milk with pathogenic bacteria. Privacy is required, because pumping typically requires exposing one's breasts in order to position the equipment properly, and for many lactating parents a sense of privacy is needed to enable the physiological response required to express milk.

16. Because she knew she would require accommodations for expressing breast milk, Ms. Miller checked the website for the Circuit Court of Cook County for information about lactation space prior to the date of her jury duty. Ms. Miller found information pertaining to the availability of a lactation room for people having business with the court at the Daley Center, including individuals reporting for jury duty. A copy of this webpage is attached as **Exhibit B**.¹ The Circuit Court of Cook County's webpage stated that the lactation room at the Daley Center could not be reserved in advance, and that access to the room required calling the Office of the Chief Judge of the Circuit Court, which would provide directions to the lactation room where Daley Center "building security" would meet the person and unlock the door. The webpage did not list any

¹ Exhibit B reflects the information about lactation space on the Circuit Court of Cook County's website as of April 6, 2018. Ms. Miller avers that this policy is the same in all relevant respects as the policy that was available on the Court's website on the date that she reported for jury duty at the Daley Center in October of 2017.

secondary telephone numbers or other alternatives if the telephone at the Office of the Chief Judge's reception desk was not answered.

17. When Ms. Miller reported for jury duty on October 2, 2017, she immediately inquired at the jury service desk about where she could pump. She was referred to one of the clerks staffing the desk.

18. The clerk told Ms. Miller that if she needed to pump, she could be excused from jury duty. He stated that the only space she could use to pump was the men's restroom, because the women's restroom did not have a working electrical outlet, and Ms. Miller's breast pump required an electrical outlet to operate.

19. Ms. Miller told the clerk politely that she would like to serve her jury duty, if possible. She also informed the clerk that according to the website, there should be a lactation room available. She showed him the website on her phone.

20. In accordance with the website's instructions, the clerk called the Office of the Chief Judge. No one answered the phone, so he left a message.

21. Between approximately 8:45 a.m. and approximately 10:15 a.m., Ms. Miller checked in with the clerk about two or three more times regarding her request for access to a lactation space. Each time she spoke with him, she politely emphasized how much she would like to serve her jury duty and asked about possible pumping accommodations. Each time, he told her that he had not gotten a response from the Office of the Chief Judge.

22. During these conversations, the clerk told her that others reporting for jury duty had requested a place to pump. He stated that he was trying to get the electrical outlet replaced in the women's restroom and volunteered that he thought it was ridiculous that women had nowhere to pump except the men's restroom.

23. During these conversations, the clerk also explained that there were other rooms in the jury area that are private and usually unused, and that he thought that the court should make one of those available as a lactation room. However, he did not offer Ms. Miller access to any of those rooms.

24. At approximately 10:15 a.m., it had been well over two hours since Ms. Miller had pumped or nursed. She spoke with the clerk, who confirmed that no one from the Office of the Chief Judge had yet returned his call. Ms. Miller told him that she was out of time and could not wait any longer. She needed to pump about every three hours and did not want to wait until the last possible minute only to have to pump in the men's restroom. She was also concerned that if she were called into a courtroom, she would not have the opportunity to take a break to pump for some time and that, once she got a break, she would still not have access to a private, non-bathroom space to pump.

25. The clerk then excused Ms. Miller from jury duty on the grounds that she was a nursing mother.

26. Ms. Miller was distressed that she was denied the opportunity to complete her jury duty and potentially serve on a jury because she needed a private, non-bathroom space to express breast milk. She felt that she had been excluded from participating in an important part of public life and fulfilling her civic duty.

26. The PBC controls building management services and on-site building security at the Daley Center, which it provides by contracting with a private company. *See* Public Building Commission of Chicago and MB Real Estate Services Inc. for Property Management Services at the Richard J. Daley Center – PS2099, *available at* https://pbcchicago.com/wp-content/uploads/2019/02/CN_PBC_JLB_MBRealEstatePS2099_20181227_Executed.pdf. Per this

contract, decisions about the scope of security services for the Daley Center are solely at the discretion of the PBC. The portion of this contract that outlines the scope of services, including security services, is attached as **Exhibit C**.

27. The Frequently Asked Questions page on the Daley Center's official website states that visitors to the Circuit Court of Cook County courthouse at the Daley Center who need to access to the lactation room must contact the reception desk for the Office of Chief Judge and then will be directed to the lactation room where they will be met by "building security" who will unlock the door. A text-only copy of this webpage is attached as **Exhibit D**.

CIVIL RIGHTS VIOLATION UNDER THE ILLINOIS HUMAN RIGHTS ACT

Respondent, a Public Official, Denied Ms. Miller the Full and Equal Access and Enjoyment of Accommodations, Advantages, Facilities, or Privileges of its Office, Services, or Property Under its Care, and of a Place of Public Accommodation, Based on her Pregnancy-Related Condition of Lactation.

27. Ms. Miller hereby incorporates by reference and re-alleges the above, paragraphs 1 through 26, as though fully set forth therein.

28. The Illinois Human Rights Act ("IHRA") prohibits unlawful discrimination on the basis of pregnancy in public accommodations. 775 Ill. Comp. Stat. 5/1-103(Q); 775 Ill. Comp. Stat. 5/5-102. The IHRA defines "pregnancy" to include "medical or common conditions related to pregnancy or childbirth." 775 Ill. Comp. Stat. 5/1-103(L-5). Lactation is a common condition related to pregnancy and childbirth.

29. It is a civil rights violation under the IHRA to "[d]eny or refuse to another, as a public official, the full and equal enjoyment of the accommodations, advantage, facilities or privileges of the official's office or services or of any property under the official's care because of unlawful discrimination." 775 Ill. Comp. Stat. 5/5-102(C).

30. It is also a civil rights violation under the IHRA for any person to “[d]eny or refuse to another the full and equal enjoyment of the facilities, goods, and services of any public place of accommodation” on the basis of unlawful discrimination. 775 Ill. Comp. Stat. 5/5-102(A). The Daley Center is the site of public accommodations such as the Circuit Court of Cook County facilities, 775 Ill. Comp. Stat. 5/5102(C), and “place[s] of public gathering”. 775 Ill. Comp. Stat. 5/5-101(A)(4).

31. Unlawful discrimination on the basis of pregnancy, childbirth, or related conditions includes the refusal to provide reasonable accommodations that eliminate barriers to accessibility, when doing so will not impose undue financial or administrative burden. *Cf. In the Matter of: Jones and Chicago Transit Auth.*, ALS No. 1549 (PAP), 1986 ILHUM LEXIS 255, at *11 (Ill. Hum. Rts. Comm’n Apr. 18, 1986) (in case involving disability discrimination, applying the same duty of reasonable accommodation which exists in the employment context to public accommodations). In the employment context, the IHRA identifies “private non-bathroom space for expressing breast milk and breastfeeding” as an example of a reasonable accommodation for pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth. 775 Ill. Comp. Stat. 5/2-102(J).

32. Respondent assumed responsibility for granting access to the designated lactation room for Circuit Court of Cook County visitors at the Daley Center and made no other alternatives available. By denying Ms. Miller access to private, non-bathroom space for pumping, Respondent denied Ms. Miller the reasonable accommodations she needed to complete her jury duty as a visitor to the Daley Center. It would not have imposed undue hardship on Respondent to provide Ms. Miller with access to the designated lactation room or another private, non-bathroom space while she was present at the Daley Center.

33. By denying Ms. Miller the ability to complete her jury duty at the Daley Center unless she pumped in a men's restroom, Respondent denied Ms. Miller the full and equal enjoyment of a public official's office or services or property under a public official's care and of a place of public accommodation based on her need for reasonable accommodations to express breast milk.

34. As a result of the Respondent's violations of the IHRA, Ms. Miller suffered mental and emotional distress as well as the stigmatizing injury and deprivation of personal dignity that accompany unlawful denials of equal access to a place of public accommodation.

WHEREFORE, Ms. Miller respectfully requests the following relief:

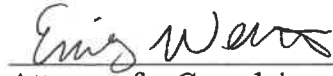
- A. The entry of an order directing the Respondent to cease and desist from unlawful discrimination on the basis of pregnancy, childbirth, or related conditions, including to cease and desist from denying lactating individuals access to private, non-bathroom space to express breast milk at offices or property under Respondent's care or control;
- B. The entry of an order directing the Respondent to extend to lactating individuals the full and equal enjoyment of the accommodations, advantages, facilities, or privileges of Respondent's office or services or of property under Respondent's care, including by providing reasonable accommodations to individuals who need to express breast milk;
- C. Actual damages, including damages for emotional distress, for the injury and loss suffered by Ms. Miller;
- D. Interest on Ms. Miller's actual damages;
- E. An order mandating that Respondent pay Ms. Miller's reasonable attorneys' fees

and costs pursuant to 775 Ill. Comp. Stat. 5/8A-104(G); and

F. Any additional relief that the Commission deems just and appropriate.

DATED: October 31, 2019

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Emily Werth", is written over a horizontal line.

Attorney for Complainant

Ameri R. Klafeta (ARDC No. 6286239)
Emily Werth (ARDC No. 6307304)
Roger Baldwin Foundation of ACLU, Inc.
180 North Michigan Avenue, Suite 600
Chicago, IL 60601
(312) 301-8740 ext. 333
ewerth@aclu-il.org

Exhibit A

**STATE OF ILLINOIS
ILLINOIS DEPARTMENT OF HUMAN RIGHTS**

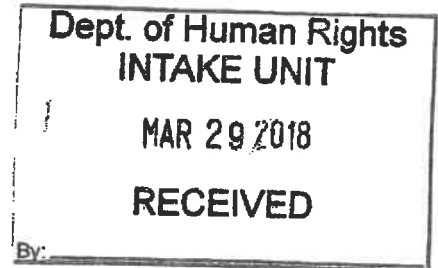
CHICAGO OFFICE
DEPARTMENT OF HUMAN RIGHTS
100 W RANDOLPH ST., SUITE 10-100
CHICAGO, ILLINOIS 60601
(312) 814-6200
(866) 740-3953 (TTY)

SPRINGFIELD OFFICE
DEPARTMENT OF HUMAN RIGHTS
222 S. COLLEGE ST., ROOM 101
SPRINGFIELD, ILLINOIS, 62704
(217) 785-5100
(866) 740-3953 (TTY)

CHARGE NO: _____
CHARGE OF DISCRIMINATION

COMPLAINANT

Judith Miller
28 Pearce Mitchell Pl.
Stanford, CA 94305
Telephone Number



I believe that I have been personally aggrieved by a civil rights violation committed on

(date/s of harm): October 2, 2017 , **by:**

RESPONDENT

Circuit Court of Cook County
50 West Washington St, Room 2600
Chicago, Illinois 60602 (Cook County)
(312) 603-6000
(See attached for other respondents)

SEE ATTACHED

I, Judith Miller on oath or affirmation state that I am Complainant herein, that I have read the foregoing charge and know the contents thereof, and that the same is true and correct to the best of my knowledge.

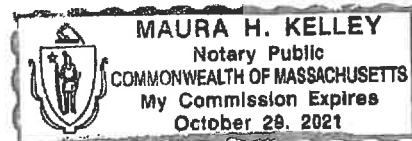
 3/28/18.
Complainant's Signature and Date

Subscribed and Sworn to

Before me this 28 day

of Stanford, CA, 2018.


Notary Public Signature



Notary Stamp

ATTACHMENT

COMPLAINANT

Judith Miller
c/o Amy Meek
150 N. Michigan Ave. Suite 600
Chicago, IL 60601
(312) 201-9740, ext. 341
ameek@aclu-il.org

RESPONDENTS

Circuit Court of Cook County
50 West Washington Street
Chicago, Illinois 60602
(312) 603-5030

Cook County Board of Commissioners
118 N. Clark Street
Chicago, Illinois 60602
(312) 443-5500

Public Building Commission of Chicago
50 West Washington Street, Room 200
Chicago, Illinois 60602
(312) 744-3090

A. ISSUES/BASIS

On October 2, 2017, Respondents denied Judith Miller the opportunity to serve on a jury for the Circuit Court of Cook County by denying her access to private, non-bathroom space to express breast milk at the Richard J. Daley Center.

Respondents failed to provide reasonable accommodations for Ms. Miller's need to express breast milk and denied her the full and equal enjoyment of the facilities or services of a public official's office and a place of public accommodation, on the basis of her need to express breast milk. Because lactation is a common condition related to pregnancy or childbirth, Respondents' actions constitute unlawful pregnancy discrimination under the Illinois Human Rights Act.

B. PRIMA FACIE ALLEGATIONS

PARTIES

1. Complainant, Judith Miller, is female. She is employed as an Assistant Clinical Professor of Law in the Federal Criminal Justice Clinic at the University of Chicago Law School.
2. Respondents, the Circuit Court of Cook County, the Cook County Board of Commissioners, and the Public Building Commission of Chicago, are public officials as defined by 75 ILCS 5/5-101(C).
3. Respondent, the Circuit Court of Cook County, is the unified state court system for Cook County and operates a courthouse at the Richard J. Daley Center ("the Daley Center"), which is located at 50 West Washington Street, Chicago, Illinois 60602.
4. Respondent, the Cook County Board of Commissioners, is the governing board of Cook County and is responsible for providing and maintaining rooms and offices for the Circuit Court of Cook County.
5. Respondent, the Public Building Commission of Chicago, is the municipal corporation that owns and operates the Daley Center. The Daley Center is a place of public gathering and a place of public accommodation.

BACKGROUND

6. In approximately July 2017, while Ms. Miller was pregnant, she was called for jury duty by the Circuit Court of Cook County. Because she was scheduled to report for jury service shortly before her due date, Ms. Miller requested a one-time deferment of jury duty, which was granted. Her new jury service date was set for October 2, 2017.
7. Ms. Miller was excited about the possibility of serving on a jury because, as a result of her background as a trial lawyer, she has a unique perspective on the importance of juries. Ms. Miller was enthusiastic about the opportunity to perform this civic duty.
8. At about 8:35 a.m. on October 2, 2017, Ms. Miller reported to the Daley Center for jury service with the Circuit Court of Cook County.
9. On Ms. Miller's assigned date for jury service, she was on maternity leave and her infant was about 11 weeks old. Because Ms. Miller was breastfeeding, she needed accommodations to express (or "pump") breast milk to feed her infant.
10. Lactation is a common physiological condition following childbirth. Not every parent who gives birth can or chooses to breastfeed, but for those who do, there is broad consensus among medical and public health experts regarding the benefits of breastfeeding.

11. At the time of Ms. Miller's assigned date for jury service, she needed to nurse or pump breast milk approximately every three hours to feed her newborn infant and maintain her milk supply. Breastfeeding parents who have to be away from their infants for extended periods need to express breast milk on roughly the same schedule as the child's nursing schedule. Failure to do so causes discomfort, pain, and engorgement of the breasts, and poses the risk of blocked milk ducts and infection, a reduction in milk supply, and ultimately, cessation of lactation.
12. Like many lactating women, Ms. Miller relied on an electric breast pump to express milk when she needed to be away from her infant. Electric breast pumps are machines with two lines of rubber tubing and cones that fit on each nipple. Electric breast pumps often require an electrical outlet to operate. They create a rhythmic suction that mimics the pace and physical effect of breastfeeding, pulling the milk out of the breast and down the tubing into attached bottles.
13. Ms. Miller required a clean, private, non-bathroom space for pumping in order to safely express breast milk. Because breast milk is food, it should be expressed and handled in a clean environment. Pumping in a toilet stall or bathroom poses a risk of contaminating the breast milk with pathogenic bacteria. Privacy is required, because pumps require exposure of the breasts in order to position the equipment properly.
14. Because she knew she would require accommodations for expressing breast milk, Ms. Miller checked the Circuit Court of Cook County website in advance of her assigned jury service date for information about such accommodations.
15. At all relevant times, the Circuit Court of Cook County website included a section (<http://www.cookcountycourt.org/ABOUTTHECOURT/CountyDepartment/CountyDivision/LactationRoom.aspx>) stating that the Daley Center had a lactation room for persons having business with the court, including persons reporting for jury service and jurors. It stated that the lactation room could not be reserved in advance and that, in order to obtain directions and access to the room, one would need to contact the Office of the Chief Judge reception desk and then meet building security who would unlock the door.

DENIALS ON OCT. 2, 2017

16. When Ms. Miller reported for jury service at about 8:35 a.m. on October 2, 2017, she immediately inquired at the jury service desk about where she could pump. She was referred to a clerk who on information and belief was an employee of the Circuit Court of Cook County.
17. The clerk told Ms. Miller that if she needed to pump, she could be excused from jury duty. He stated that the only space she could use to pump was the men's restroom, because the women's restroom did not have an electrical outlet. Ms. Miller's breast pump required an electrical outlet.

18. Ms. Miller told the clerk politely that she would like to serve her jury duty, if possible. She also informed the clerk that according to the Circuit Court of Cook County website, there should be a lactation room available. She showed him the website on her phone.
19. In accordance with the website's instructions, the clerk called the Office of the Chief Judge. No one answered the phone, so he left a message.
20. Between approximately 8:45 a.m. and approximately 10:15 a.m., Ms. Miller checked in with the clerk about two or three more times regarding her request for accommodations.
21. Each time she spoke with him, she politely emphasized how much she would like to serve her jury duty and asked about possible pumping accommodations. Each time, he told her that he had not gotten a response from the Office of the Chief Judge.
22. During these conversations, the clerk told her that others reporting for jury service had requested a place to pump. He stated that he was trying to get the electrical outlet replaced in the women's rest room and volunteered that he thought it was ridiculous that women had nowhere to pump except the men's restroom.
23. During these conversations, the clerk also explained that there were other rooms in the jury area that are private and usually unused, and that he thought that the court should make one of those available as a lactation room. However, he did not offer Ms. Miller access to any of those rooms.
24. At approximately 10:15 a.m., it had been well over two hours since Ms. Miller had pumped or nursed. She spoke with the clerk, who confirmed that no one from the Office of the Chief Judge had returned his call. She told him that she was out of time and could not wait any longer. She needed to pump about every three hours and did not want to wait until the last possible minute only to have to pump in the men's restroom. She was also concerned that if she were called into a courtroom, she would not have the opportunity to take a break to pump for some time and that, once she got a break, she would still not have access to a private, non-bathroom space to pump.
25. The clerk then excused Ms. Miller from serving on the grounds that she was a nursing mother.
26. Ms. Miller was upset and frustrated that she had been denied the opportunity to serve on a jury because she needed a private, non-restroom space to express breast milk. She felt that she had been excluded from participating in an important part of public life and fulfilling her civic duty to serve as a juror.
27. By denying Ms. Miller access to private, non-bathroom space for pumping at the Daley Center and telling her she would have to pump in a men's restroom, Respondents failed to provide Ms. Miller with reasonable accommodations for her

need to express breast milk. It would not have imposed undue hardship on Respondents to provide Ms. Miller with access to the designated lactation room or another private, non-bathroom space at the Daley Center that day. In the employment context, the Illinois Human Rights Act expressly includes "private non-bathroom space for expressing breast milk and breastfeeding" as an example of a reasonable accommodation in the employment context for pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth. 775 ILCS 5/2-102(J). Such space is also a reasonable accommodation in the context of public accommodations.

28. Respondents denied Ms. Miller the full and equal enjoyment of the facilities or services of a public official's office and a place of public accommodation by denying her the ability to serve on a jury because she needed accommodations for expressing breast milk.
29. Respondents' actions constituted discrimination on the basis of pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth in violation of the Illinois Human Rights Act.

Exhibit B

This is Google's cache of <http://www.cookcountycourt.org/ABOUTTHECOURT/CountyDepartment/CountyDivision/LactationRoom.aspx>. It is a snapshot of the page as it appeared on Apr 6, 2018 02:57:52 GMT. The current page could have changed in the meantime. [Learn more.](#)

Full version [Text-only version](#) [View source](#)

Tip: To quickly find your search term on this page, press **Ctrl+F** or **⌘-F** (Mac) and use the find bar.



Honorable Timothy C. Evans, Chief Judge

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Thursday, April 05, 2018

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Lactation Room

Hours: Monday through Friday, 8:30 a.m. to 5 p.m.
Closed on official court holidays

To use the Daley Center lactation room, contact the Office of the Chief Judge reception desk at (312) 603-6000. The receptionist will direct you to the lactation room where you will be met by building security who will unlock the door.

The lactation room is available for persons having business with the court which includes, but is not limited to, attorneys, parties, witnesses, persons reporting for jury service and jurors.

PLEASE NOTE:

- A phone is available at the Daley Center lobby information desk.
- The door to the lactation room automatically locks. If you step out of the lactation room, the door will lock, and you will need to call the Office of the Chief Judge to have the door unlocked.
- The lactation room cannot be reserved in advance of your arrival to the Daley Center.

First Municipal District Home

Administrative Orders

Bond Court

Child Care in the Courthouse

Evictions (Forcible Entry & Detainer)

Felony Preliminary Hearings

Housing Section

Judges Information

Jury Civil Section

Lactation Room

Mandatory Arbitration

Marriage and Civil Union

Misdemeanor Section

Non-Jury Civil Section

Post Judgment and Misc Remedies

Pro Se Small Claims Court

Traffic Section

Traffic Safety School

Lactation Room

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Exhibit C

EXHIBIT 1

SCOPE OF SERVICES

SECTION 1.1 INTRODUCTION

The Public Building Commission of Chicago (also known as the "PBC"), invites your firm to submit a proposal to provide cost effective, and high-quality property management services at the Richard J. Daley Center located at 50 West Washington Street, Chicago, Illinois 60602. The Richard J. Daley Center (the "Property"), is occupied by Cook County Courts system, Cook County Sheriff, States Attorney of Cook County, and PBC as government occupants along with retail rental space and common and public uses.

The Property includes a 648-foot (198m), thirty-story building containing a total of 1,465,723 square feet located on approximately 122,700 square feet of land. The Property includes the land, site improvements, the plaza, the Picasso sculpture, and has multiple lower levels, tunnels, commercial spaces (including a Starbucks on the Concourse Level), and a garage. For more details on the Property, refer to **EXHIBIT 3 – Property Description**.

SECTION 1.2 PROPERTY OFFICE

The Property Manager will maintain an office on the 12th Floor which will be designated and known as the "Office of the Building". The Property Manager will retain for the Property at all times, a building manager acceptable to the Commission who is in charge of such office and available to perform the duties of the Property Manager.

I. Inventory

The Property Manager will establish inventory controls and will keep files of warranties and guarantees of all such property equipment, including any specialty devices and equipment "AED" (e.g. operations and maintenance manuals, logs, licenses, repair history and cost, etc...). The Property Manager will update the Inventory when a change occurs and will provide a description of any such changes in the Monthly Report.

II. File Inventory

The Property Manager will establish procedures and controls to ensure that all of the documents shown on the File Inventory are maintained by the Property Manager in a safe manner in a designated office at the Property. In addition, the Property Manager must maintain key control and inventory.

SECTION 1.3 OPERATIONS AND MAINTENANCE

I. Maintenance and Capital Improvement of the Property

The Property Manager will manage, maintain and operate the Property.

The Richard J. Daley Center has public art on the plaza known as the Picasso. The Property Manager will be responsible for cleaning and general maintenance of this statue. All services conducted will be administered under the yearly capital budget.

The Property Manager will systematically inspect the Property, including electromechanical spaces, garages, plaza, basements, all ingress and egress points, and other locations as needed. Additionally, the Property Manager must provide Monthly Reports and attend meetings as requested by the Commission.

The Property Manager will continuously review the need for capital improvements to the Property and make recommendations regarding those improvements to the Commission in the Monthly Report. Upon authorization, the Property Manager will obtain bids and enter into contracts to execute the capital improvements and will manage and coordinate the work required to affect any such capital improvement, in conjunction with the Commission.

The Property Manager must provide and maintain an approved Management Manual for the Property.

The Property Manager will maintain or improve the Property's Leadership in Energy and Environmental Design ("LEED") certification/designation, and provide certified property management experience with LEED accreditation.

The Property Manager will schedule and must notify the Property occupants and other agencies, firms or visitors, of all tests, repairs, replacement and downtime of critical Property systems as appropriate. The Property Manager will monitor all tests, repairs, replacement and downtime of Property systems, and have a plan that is acceptable to the Commission for restoration of Services in the event that the Property systems cannot be restored as per schedule.

A. Custodial Services

The selected Property Manager will provide Custodial Services as further described below to ensure that civilians and employees are in a clean and fully supplied environment at all times.

The Daley Center has occurrences of peak occupancy and off-peak occupancy throughout a 24 hour period. Peak occupancy times generally occur between the hours of 8:00 a.m. and 5:00 p.m. but these hours will vary based on published schedules and irregular operations. The selected Property Manager must adjust custodial hours as occupancy times fluctuate in order to achieve the performance requirement. The selected Property Manager must schedule daily/weekly/yearly custodial services during off-peak hours and only perform required hourly and continuous tasks during peak occupancy times.

Custodial services must include:

1. Continuous custodial services and monitoring during times of high occupancy
2. Washing of outside windows four times a year for the duration of the contract (cleaner must be approved by the Commission and adhere to all airside requirements)
3. Frequent (keeping areas/surfaces free from dirt, debris, stains, and trash/recycling removal at all times) cleaning of interior and exterior surfaces such as interior and exterior glass, metal finishes, floors, sidewalks, foreign objects and debris (FOD), removal/cleaning of ramp area sidewalk along building, and any other structural cleaning which the Commission deems necessary or desirable
4. Exterior walkway snow removal and the application of snow melt from upper and lower level sidewalks, median walkways, stairwells and the Plaza area
5. Connecting covered walkway ("Pedway")
6. Supply of all consumable goods such as toilet paper, paper towels, hand soap, hand sanitizers and all corresponding dispensers, cleaning supplies, soaps, and towels. Commission reserves the right to set product standards, and to be informed in advance to review and approve product and dispenser changes
7. Refuse handling, to include the removal of refuse for the entire building, including trash, garbage and other waste. It must be properly disposed of at a centrally located dumpsite designated by the Commission. All recyclable refuse such as aluminum cans, plastic bottles, newsprint, office paper, etc. must be put in designated recycling waste receptacles and routed to exterior recycling and dumpsters. All such handling must be done in a neat, safe, sanitary, and environmentally sound manner, and in accordance with all applicable laws, ordinances, and Commission/City rules, regulations, policies and procedures
8. Maintenance of all exterior trees, green plants, artificial landscaping, and blooming flowers by a professional landscaping contractor as included in an approved submitted Landscape Plan
9. Pest control services throughout the Daley Center building. The providers of these pest control services must be properly certified and/or licensed as required by law, and provide monthly reports of findings and rectification results to the Commission. The certified contractor must monitor and exterminate rodents, roaches, ants, and various other pests for the Commission as well as provide technical support and identifying repairs necessary to mitigate pest entry and harborage. The contractor must take all necessary precautions to prevent injury to the public and property while service is being performed. Rodenticides are not permitted within the building; only mechanical means will be employed to abate pests

10. Furnish women's personal hygiene service in all women's restrooms throughout the Property. Service must include maintaining, cleaning, deodorizing, refilling, and professional removal and disposal
11. Cleaning of all art exhibits and supporting infrastructure used to display and light the exhibits in a way to ensure art is not damaged
12. Inspect, clean spills, and empty trash on the loading docks
13. Clean escalator treads and risers and elevators. Each piece of equipment will be cleaned quarterly or as needed and scheduled by Commission. This schedule is subject to change at Commission's request. In addition, clean interior and exterior of elevators
14. Inspect, clean, and maintain all water fountains, audio, electoral, and other plaza features.

Performance and Daily Reporting Requirement:

Standard of cleanliness and quality of workmanship must be acceptable to the Commission. Without limiting the foregoing, all areas must be free of debris, soil and stains at all times and response to facility emergencies will be immediate. All materials will be fully stocked and work will be performed in an expeditious and professional manner.

The selected Property Manager must report status and condition of Property on a daily basis via email identifying problems and corrective actions to Authorized Commission's Representative.

B. Maintenance and Engineering Services

These Services will be performed for/upon all building systems and equipment including, but not limited to, the following:

1. Day-to-day maintenance and engineering, to include routine maintenance, repairs and replacement of worn/damaged systems and equipment components, when such damage could be reasonably anticipated for Facilities of this type
2. Equipment monitoring, diagnostics and functionality/repair status reporting for all of the building systems, including those located on the plaza, and providing a monthly report of maintenance, repair and replacements, as well as frequencies and trends analyses to the Commission
3. Identification of, and rapid response to, emergency maintenance and repair requirements per manufacturer's specifications as they emerge. Selected Property Manager may also be directed by Department personnel to respond to emergency maintenance situations and make immediate repairs
4. Operation of a "Preventative Maintenance Program", which schedules planned maintenance actions (designed to prolong system/equipment life and ensure their proper working order). Selected Property Manager must document and prepare reports to confirm the operational status of such systems/equipment and maintenance actions performed (and/or scheduled to be performed) upon them. The scheduled task must meet manufacturer's recommendations and/or industry standards for said equipment of system
5. Provide for holiday decoration services including obtaining a contractor who will provide the materials, labor, tools, equipment, traffic control and any and all other items necessary to install, takedown, store, refurbish, replace and fabricate various different types of seasonal decorations for the Commission. A seasonal decorations plan must be submitted and approved by the Commission prior to installation
6. Selected Property Manager will provide skilled trades, personnel and equipment as required and necessary to complete the installation, maintenance, and removal of designated art exhibits and normal tenant requests
7. Coordination of all access and data requests from utility companies servicing the property

8. Coordination of all electrical power supply, distribution and compliance with the Commission's designated electrical provider (ComEd). The electrical provider is responsible for electrical power delivery; while the selected Property manager will be responsible for care and maintenance of the infrastructure that distributes electrical power throughout the property, electrical safety, compliance with standards and codes, and associated engineering services, as required, ensuring the proper operation of the property at all times. The selected Property Manager will supply diesel fuel for the electrical generator located in the Mechanical room
9. Coordination of all Heating, Ventilation, and Air Conditioning (HVAC) operations and maintenance matters with the Commission Heating and Refrigeration equipment, operated by the Commission Facilities section.
 - a. **Engineering & Maintenance to include, but not limited to:**
 - General Service
 - b. **Electrical, Mechanical & Plumbing to include, but not be limited to:**
 - HVAC
 - Air handling units
 - Fans
 - Heating Units gas and electric
 - Piping Systems
 - Pipe insulation
 - Indoor air quality testing
 - Pumps
 - Reheat coils
 - Exhaust system
 - Unit heaters
 - VAV systems
 - Water quality testing: potable and nonpotable
 - Smoke detectors, Fire detectors and alarm devices
 - Fire extinguishers
 - Fin tube radiation
 - Filters
 - Chillers
 - Cooling Systems/Coils
 - Air Compressors
 - All HVAC controls & equipment Pneumatic Controls & Equipment
 - Steam pipes feeding other buildings
 - Building Automation System.
 - ELECTRICAL
 - Signage (maintenance)

- General and emergency lighting
- Interior and exterior lighting fixtures in and on and grounds
- Building service and distribution
- Emergency stand-by generators, associated equipment, and fuel
- Motors and Controllers
- Power and Lighting Panels
- VFD drives
- UPS systems
- Flag lighting
- Art displays
- Testing of systems daily or weekly as required

PLUMBING

- Domestic water piping/pumps
- Drinking fountains
- Water fountain maintenance (Plaza)
- Potable water (drinking water) testing
- Test and Service Back Flow Devices & Equipment
- Fire protection system and equipment
- Fire suppression systems
- Fire Pumps & Controllers
- Diesel Fire Pump
- Floor, area drains & Basins
- Plumbing fixtures & sensors
- Pumps (water, sewage, storm water)
- Sanitary sewer, vent piping and drains
- Water heaters
- RPZ Backflow Preventers annual certification

c. General Maintenance in the areas of responsibility to include, but not be limited to:

- Acoustic ceiling tiles
- Carpet
- Terrazzo – maintenance and repair
- Dock levelers
- Interior & Exterior Doors and Hardware (Including all doors with an access control system)
- Door re-keying, locks door knobs/handles, inventory controlled management,

- hardware
 - Flooring and tiles
 - Ramp Barriers
 - Glass and glazing
 - Metals (interior and exterior)
 - Roofing/decking
 - Elevator, escalator and installation of safety devices and upgrades
 - Railings and handrails
 - Restroom equipment and fixtures
 - Roof (inspections and minor repair)
 - Safety treads on steps
 - Interior painting
 - Drywall; all surfaces
 - Carpentry
 - Maintenance and replacement of existing signage
 - Installation of new signage
 - Furniture
 - Privacy walls located at the Lobby security checkpoint
 - Fire alarm system maintenance and upgrades
 - Fire extinguishers – annual certification and other tests/certifications required by
 - Minor structural/concrete repair
 - All holiday decorations
 - Special events
 - Exhibit maintenance
 - Exterior landscaping
 - Trash removal on and around Plaza
 - Vestibule ped-mats & seasonal floor mats
- d. Elevator/Escalator: Maintenance includes but is not limited to full coverage preventative maintenance, routine work, preventative maintenance repairs, call-back service, emergency service, routine and periodic tests, inspection and cleaning. The selected Property Manager will be fully responsible for the preventative maintenance as specified herein for elevators, escalators and moving walkways and shall be required to continually keep the equipment in compliance applicable governing authority's local laws including maintaining any/all licenses.
- e. Computerized Maintenance Management System: In-out data, utilize, maintain, and operate a fully automated computerized maintenance system to track, manage and benchmark the performance of all provided services, and to provide comprehensive preventative maintenance, work orders, and inventory control. The selected Property Manager is responsible for updating the current Computerized Maintenance

Management System software to the most recent version throughout the contract and for integrating/transitioning the current Computerized Maintenance Management System to any future system(s).

- f. The selected Property Manager will provide information and attend all meetings as requested.
- g. The selected Property Manager will develop an infrastructure and equipment assessment within the first quarter under contract. The assessment will assist with prioritizing facility improvement and equipment repair/replacement projects. The assessment will be updated annually. This annual assessment will be provided to the Commission's Authorized Representative.

C. Performance Requirement:

The selected Property Manager will respond within ten (10) minutes for on-site staff of notification of a problem/deficiency and within two (2) hours for offsite staff (e.g. subcontractors) of notification of a problem/deficiency. If the problem/deficiency cannot be resolved immediately, the selected Property Manager will notify the Commission and repair and/or replace within twenty-four hours. If the deficiency is rare or unique, or requires Commission approval as set forth in Section 3a. below, the selected Property Manager will provide an acceptable plan and timeline to correct the deficiency.

In the event there is either an unauthorized disruption of services solely caused by acts and/or omissions of the selected Property Manager or, the selected Property Manager fails to provide services that meet the quality standards provided for herein, the Commission, at its discretion, may substitute or remove key personnel and may require the selected Property Manager to submit to the Commission for approval an action plan outlining the steps it will take in the future to prevent such service issues from arising.

D. Additional Services

1. Facility Improvement and Equipment Repair/Replacement Expense. The selected Property Manager may be asked to provide services for facility improvements and equipment repairs and replacements. The Commission reserves the right to direct the selected Property Manager to perform, or the selected Property Manager may submit a proposal to the Commission that it perform, one or more of these services. If so directed by the Commission, or if the Commission approves the selected Property Manager's request, the selected Property Manager will perform the services without the need for a written amendment to this Agreement using a competitive bid process. A written amendment will be required where performance of a service would require an increase in authorized funding and/or an extension of time or would be outside the Scope of Services described in Exhibit 1. Facility improvement and equipment repair and replacement services totaling \$100,000 or less will require a Commission approved field order. Facility improvement and equipment repair and replacement services totaling more than \$100,000 will require a fully executed Commission approved work order.
2. Customer Service Representatives. At the discretion of the Commission, the selected Property Manager may be tasked with establishing and operating a Customer Representative program. The Customer Representative program consists of a staff of multilingual personnel available 5 days per week during peak operations who are capable of assisting civilians.
3. Feminine Hygiene Disposal Systems / Diaper and Napkin Dispensers. The selected Property Manager will, if directed by the Commission to initiate this service, use a competitive bid process for the supervision, labor, parts, equipment, materials, supplies, tools, transportation and incidental goods and services necessary to maintain and service Feminine Hygiene Disposal Systems / Diaper and Napkin Dispensers in all women's restrooms.
4. Scheduler/Events Coordinator. The selected Property Manager may be tasked with providing a Scheduler which will be responsible for scheduling all events for the plaza and inside the Richard J. Daley Center, providing accurate and timely information regarding all applications

for use of any part of the building, plaza, or property, and must keep an up-to-date calendar of events accessible to the Commission's Authorized Representative at all times.

II. Property Occupants

The Property Manager must establish and maintain business relations with the occupants of the Property. The Property Manager must employ a system to receive, log and discharge requests, complaints and comments from occupants. The Property Manager must provide the Commission with copies of the logs in the Monthly Report. The Property Manager must immediately advise the Commission of all complaints or incidents. The Property Manager will immediately respond to, investigate and report to the Commission its finding on such complaints or incidents, along with the Property Manager's recommendations regarding the handling of the complaint or incident.

A. Rules, Regulations, Notices – Communication

The Property Manager will make all Property occupants aware of the rules, regulations and notices regarding the Property issued by the Property Manager or the Commission and will periodically review those with the occupants. The Property Manager will make diligent and continuing efforts to obtain complete compliance by all occupants of the Property with all rules and regulations promulgated by the Commission.

B. Move-in, Move-Out – Coordination

The Property Manager must supervise the moving in and moving out of all occupants and arrange and schedule moves to minimize the disruption of the operation of the Property and avoid any inconvenience to Property occupants. The Property Manager must inspect any property vacated and immediately report to the Commission its assessment of the condition of such property along with its recommendation of the disposition of any security deposit held as security for performance under any lease with respect to the vacated premises.

C. Miscellaneous Repairs and Maintenance – Tenants

The Property Manager must, to the extent permitted by the operating budget, perform for and provide to Property occupants (other than commercial tenants) any miscellaneous repair and maintenance services reasonably requested by such occupants from time to time. Ordinary Repairs required in and around the Property are not part of construction work and the Property Manager will oversee and supervise all such Repairs without additional compensation.

The Property Manager must perform for and provide to commercial tenants, at the expense of such commercial tenants, miscellaneous repairs and maintenance services as reasonably requested at rates customarily charged in other downtown Chicago commercial/retail buildings.

III. Public Safety and Emergency Preparedness

A. Security Services

The decision to provide, alter, continue or terminate security or security services for the Property and the scope thereof, if any, is solely that of the Commission. The Property Manager must consult the Commission concerning security or security services and must assist in the effectuation of such policies concerning security and security services as may be adopted by the Commission.

1. On-Site Security Officers

Security services for the Daley Center include the protection of all physical contents within the site's entire property boundaries, including the Plaza, lots, and open or fenced-off areas, and will also include:

- a. The prevention and detection of: intrusion, unlawful entry, theft, vandalism, abuse, fire, placing of illicit hazardous material, or trespassing
- b. The prevention, observation, or detection of any unauthorized activity
- c. The protection of all persons on site

- d. The prevention of the misappropriation or concealment of illegal goods
- e. Monitoring of vehicles and pedestrian traffic (restricting access to only authorized vehicles and personnel when stationed at a gate entranceway or secured area; or, while positioned at a fixed point position), perform "monitoring" in the sense of reacting if suspicious behavior or unusual vehicular activity warrants some investigation on the part of the security officer
- f. Performing foot patrols, when applicable, of the Property's hallways and stairways on all floors, and basements when necessary, as well as regularly patrolling the exterior Property boundaries, electromechanical spaces, plaza, garages, and other areas as required
- g. The prompt reporting to the Chicago Police Department, Cook County Sheriff, or any other appropriate law enforcement agency of any criminal or illicit activity
- h. The accurate documentation of all incidents
- i. Prompt reporting to the Authorized Commission Representative(s) by telephone, as soon as is practical, when an injury to a person or damage to property occurs on property
- j. Provide a reporting system for security guards rounds

2. On-Site Supervisors

All Supervisors assigned must have at least four (4) years of supervising experience. Supervising experience must have been derived from contracts requiring not less than 4,000 man-hours per month of security officer service.

Preferably, on-site Supervisors will have served at least two (2) years in the military and have been honorably discharged, or have served for two (2) years as a law enforcement officer, or have completed at least thirty (30) credit hours towards an Associate's Degree in Criminal Justice or, have a Degree in Business Management.

The Supervisor must develop and maintain familiarity with the site operations, develop consistent operational efficiency, and facilitate unity between all security officers. The supervisor must be responsible for the full implementation of patrols, "fixed point monitoring", accurate reporting, and on-site training programs.

3. Fixed Point Monitoring

The Daley Center requires a security officer to remain stationary or "fixed" at one station throughout a shift. Fixed point monitoring will require a security officer to sit behind a desk to guard an entranceway into the building. A fixed point guard cannot leave their position to patrol the building.

Fixed point monitoring also involves constant surveillance of a security camera monitor room (manned control room) with multiple screens and camera stations. The Respondent shall staff, monitor and operate a facility Manned Control Room that will display all cameras, provide live access to customer assistance intercoms and operate a real-time paging audio system.

Unless it is otherwise approved by the Commission for the stationary officer to execute an "occasional tour" (i.e. foot patrol) the security officer must remain fixed at the assigned station throughout his shift.

4. Subcontracted Services

The Property Manager must, if applicable, furnish the names of all subcontractors it is planning to use for security officer services. All subcontracted security personnel must comply with the qualifications which are required by the Property Manager's security personnel.

5. Uniforms and Equipment

The Property Manager will be responsible for providing, cleaning, and maintaining all security officers' uniforms. Each security officer must be provided with sufficient quantities of each uniform item to ensure that at least one whole uniform set is clean and available at all times. "Standard Uniforms" issued include:

- Shirts (white collared with long/short sleeves)
- Nameplates/Security Badge
- Long pants
- Belts
- Shoes (Black)
- Outdoor/inclement weather attire
- Communications Equipment

Unless otherwise directed, all officers must be outfitted with a radio-head-set and mouthpiece in order to minimize extraneous noise interference. The Property Manager must obtain approval regarding the type of radio system to be utilized at specific sites.

6. Computerized Guard Tour Systems

The Daley Center requires a computerized guard tour system to be provided and installed by the Property Manager.

The computerized system must be capable of recording data at designated locations within a site, each time a security guard swipes-in on a wall-mounted data recorder unit (a swipe "station") by using a hand-held computer data transmitter unit. The swipe-in and other relevant information will be collected by each data recorder located throughout a site, as the security officer makes his inspection tour, or patrol "rounds." The system must be able to generate reports as may be required to record events for sixty (60) days.

NOTE: All communication radio systems and all components of the computerized guard tour system must be Factory Mutual (FM) approved for officer tour applications, where applicable, and must be intrinsically safe for Class 1, Division 1, Groups A, B, C, and D for indoor and outdoor sites, where applicable.

Acceptable computerized tour guard systems will have the following features:

- Hand-Held Transmitter
- Swipe Station Units
- Hand-Held Transmitter Battery Charger
- Reporting Capabilities
- Reprogramming Capabilities
- Sixty (60) day memory

7. Post Orders Manual (Standard Operating Procedures Manual)

The Property Manager must provide and update a Post Orders Manual in order to provide a coherent, comprehensive, and standardized set of security-related information to be kept in a secure area at the Property. The Post Orders Manual must be a bound compilation of: the name, address and description of the Property; a site plan specific for that site, the names of officers, supervisors, and shift schedules for the Property; policies and procedures prepared by the Property Manager for the Property; samples of all reporting forms and procedures; if applicable; a written statement of the entire internal and external patrolling procedures for the Property; details of all security system components including the locations of mounted

computerized patrol-check station devices, and any other security-related controls; equipment maintenance schedules; and life safety policies and procedures.

B. Property Security

The Property Manager must monitor the building security systems and services and make reports semi-annually or more often as needed, offering suggestions for improvements, and new systems, services or procedures. Upon request of the Commission, the Property Manager will examine the Property, including the lobby and other entryways and present alternative layouts and designs to enhance the security of the Property, its occupants and visitors.

C. Standard Operating Procedures

The Property Manager must provide Standard Operating Procedures (SOP) for events and incidents at the Property that are customized for the Property and acceptable to the Commission. SOP will be written, updated as needed and maintained in the Management Manual. SOP must identify each class of event, classification criteria, escalation procedures; response provided, estimated time to provide that response and estimated time to return the Property and Services to normal operations.

SECTION 1.4 FINANCES

I. Receipts and Disbursement of Funds

A. Accounts

The Property Manager will keep and maintain separate receipt and disbursement accounts. The receipt account ("Receipt Account") will be maintained at a local bank or such bank as may be approved by the Commission. The disbursement account ("Disbursement Account") will be maintained at such banking institution as the Commission will from time to time specify upon written notice to Property Manager.

B. Receipt Account

All rents from commercial tenants and other monies received or collected by the Property Manager with respect to the Property, including tenants' security deposits, will be deposited in the Receipt Account, and invested by the Property Manager. The types of investments will be approved by the Commission. The Property Manager will transfer to the Disbursement Account such funds as may be necessary to cover checks on an as needed basis.

C. Disbursement Account

Expenditures which the Property Manager for the benefit of the Property is authorized to make will be made from the Disbursement Account. Checks drawn against the Disbursement Account for authorized expenditures will be made upon the signature of a duly authorized and bonded employee of the Property Manager.

D. Security Deposits

The Property Manager will immediately deposit any security deposits relating to the Property in the Receipt Account and keep a detailed accounting of all security deposits as received or subsequently refunded. Refunds of security deposits to commercial tenants will be made upon the signature of a duly authorized and bonded employee of the Property Manager.

E. Advances

The Commission will deposit into the Receipt Account expenditures for that month less any commercial rents or miscellaneous revenues to be received by the Property Manager. Such advances will be made in accordance with requests submitted to the Commission no later than seven (7) calendar days prior to the date such funds are required. In the event that additional funds are required at any time for payment of unanticipated expenses, operating or capital, relating to the Property, upon receipt of a request therefore on such forms may be approved by the Commission, accompanied by a statement of the necessity therefore, the Commission will advance additional funds to the Receipt Account.

F. Collections

The Property Manager must bill and collect all commercial rent (including escalation billing resulting from past or future increases in expenses or pursuant to any other rent escalation provision) and other amounts (including late payment fees) due to the Commission under the terms of any commercial lease or rental agreement currently in effect or entered into hereafter. Property Manager must collect and identify any income due to the Commission for miscellaneous services provided to occupants or the public, including, without limitation, coin operated machines of all types, such as vending machines and pay telephones. With respect to the Property, the Property Manager must promptly deposit all such amounts in the Receipt Account as defined herein. The Property Manager is not authorized to and must not compromise claims for such rent and other amounts, terminate any lease, lock out any occupant, institute suit for rent, use and occupancy, or for recovery of possessions, without the prior written approval of the Commission. The Property Manager must submit all legal expenses incurred in bringing such approved suit or proceeding to the Commission for its approval.

G. Supplies

As an expense of operation of the Property, the Property Manager will on behalf of the Commission purchase such supplies and other expendable items as are necessary to operate the Property and such supplies and other expendable items will remain the property of the Commission. When purchasing such supplies, the Property Manager will secure for and credit to the Budget for the Property any discounts, Commissions or rebates obtainable as a result of such purchases.

H. Travel

The Property Manager will have no right to reimbursement or payment of travel expenses in the performance of its duties hereunder unless the same is approved in writing in advance by the Commission.

II. Budget

A. Approval

The Commission will notify the Property Manager of approval or disapproval of the proposed Budget. If the Commission disapproves the proposed Budget, it will notify the Property Manager of the reasons for such disapproval. The Property Manager will revise the proposed Budget by July 15th of each year. The Commission will have the right to revise the Budget from time to time and will deliver written notice to the Property Manager of all such revisions.

B. Implementation

When approved by the Commission, the Property Manager will implement the Budget and will be authorized, without need for further approval by the Commission to make the expenditures and incur the obligations provided for in the Budget (except capital expenditures, which will require the separate prior written authorization of the Commission). Except in the event of an emergency, the Property Manager will not make any expenditures or incur any obligations for any transaction or group of similar transactions which will exceed the amount budgeted.

C. Revision

Subsequent to the approval of the Budget by the Commission for a particular calendar year, should either the Commission or the Property Manager determine that such Budget is not compatible with the then prevailing conditions of the Property, the Property Manager will prepare and submit to the Commission a revised Budget for the balance of the calendar year, which revised Budget will be subject to review and approval by the Commission in the same manner and with the same effect as the original Budget for such calendar year.

SECTION 1.5 REPORTS

I. Periodic Reports

The Property Manager will prepare and submit to the Commission reports and statements including the following records and statements, showing the change over the previous report where available and appropriate:

A. Monthly Report, consisting of financial and other information shall include, but not be limited to the following:

- Cash Receipts Journal
- Cash Disbursements Journal (together with such other information, including supporting invoices and vouchers, as the Commission may request)
- General Journal
- General Ledger
- Balance Sheet
- Income and Expense Summary (by cost center, if applicable)
- Trial Balance
- Check Register
- Detailed Listing of Accounts Payable, Contracts payable and Accrued Expenses
- Bank Statements and Reconciliations
- Budget Variance analysis, including commentary
- Occupancy Report/Rent Roll
- Cash Flow Summary
- Capital Expenditures
- Management Fee Computation
- Payroll Register that includes personnel, time worked, time earned and used for holidays, vacation and funeral or other leave and a description of services with respect to any affiliated or third-party contractors
- Monthly copies of contracts awarded and corresponding pay requests

B. Other, includes

- Monthly copies of the complaint log that shows at minimum, but not limited to, the type of complaint and the action taken. The complaint log should include the date, time, location, who was involved, (visitor/tenant/PBC, etc...), and any other information requested by the Commission
- Monthly report of all of maintenance, repair and replacements, as well as frequencies and trends analyses
- Records of any other comments, oral or written, received from any source, such as but not limited to occupants, visitors, employees and contractors.

C. Quarterly Report, shall include, but not be limited to the following:

- A chart of all employees and personnel of the Property Manager and third party contractors involved in the management and operation of the Property, their titles, compensation range, and whether they are bonded or covered under the Property Manager's insurance policy
- List of all Service Contracts then in effect, a description of the each contractor, service to be performed, annual cost, cost per square foot, payment frequency, commencement and termination dates, termination rights and other pertinent information

- A report of all actions by the Property Manager or on the Property that have an impact or may be perceived to have an impact on fair labor practices
- Revenue Enhancement
- Cost Reduction
- Brokerage Services

D. Semi-Annual, shall include, but not be limited to the following:

- Property Security
- Best Practices and Benchmarks

E. Annual, shall include, but not be limited to the following:

- Operating and Capital monthly budgets with corresponding back-up
- Capital Improvement Program

II. Frequency of Reports

The frequency of reporting is subject to change by the Commission. The format of the reports and statements are subject to the written approval of the Commission.

III. Maintenance of Records

The Property Manager will maintain, at the Property Manager's expense, in accordance with generally accepted real estate management accounting practices consistently applied, separate, accurate records of every receipt and disbursement with respect to every transaction concerning the Property. To the extent particular expenses or escalation items are billed separately to commercial tenants of the Property, the Property Manager will maintain the books and records for the Property in a manner which enables the Property Manager to separately account for such items on a calendar year basis and on any other fiscal period required by the Commission. The Property Manager will maintain the books and records for the Property in a safe manner and will make them available to the Commission upon request. The Property Manager agrees that, upon 48 hours' notice from the Commission, copies of all such records will be available during regular business hours for audit or inspection, by the Commission Representatives or accountants. The cost of any such audit will be a Property expense, unless it reveals negligence, willful misconduct or fraud; and in any such case, will be borne by the Property Manager.

IV. Rental and Occupancy Report

The Property Manager will render to the Commission, a written report, in a form acceptable to the Commission, of rental payments received for all commercial space in the Property as of the end of the preceding calendar month, and such other information relating to the rental or occupancy of the Property as the Commission may request.

V. Operating Reports

A. Cash Flow Report

The Property Manager will submit to the Commission a cash flow statement for the Property for the preceding calendar month as well as year-to-date totals including a comparison with the Budget and an explanation of all material variances (the "Cash Flow Report"). The Cash Flow Report will be in a form acceptable to the Commission and will include and be supported by:

- a rent roll of commercial tenants showing, by occupant, security deposits, cash collected, and prepaid or accrued rents
- a calculation of all escalations and occupant reimbursements at the initial billing rate during each calendar year, and the annual adjustments to such reimbursements to reflect the actual amount for such calendar year

- a schedule of capital improvements, if any, that have been made in the preceding calendar month or year to date, including details of expenditures and completions
- such other information as the Commission may request from time to time

B. Notices or Statements Received

- All notices or statements received by the Property Manager regarding insurance policies respecting the Property or from any governmental agency or authority which threaten or are expected to have a material effect upon the Property or the Commission will be submitted promptly to the Commission upon receipt
- The Property Manager need not submit copies of information bulletins, questionnaires, and similar materials of general distribution unless such materials are expected to have a material effect upon the Property, Services or the Commission

C. Events Affecting the Property

The Property Manager will notify the Commission promptly, investigate and make full written report as to all accidents or claims relating to the ownership, operation, and maintenance of the Property. The Property Manager will cooperate with and make any and all reports required by any insurance company in connection therewith.

SECTION 1.6 MANAGEMENT

I. Procurement Services

At the request of the Commission, any and all contracts to be awarded for the Property pursuant to the Agreement will be on the basis of competitive bidding as directed by the Commission.

- A. At the direction of the Commission and subject to the operating budget, the Property Manager must bid or negotiate the Service Contracts for the Property. Service Contracts must include a right of the Property Manager to cancel such Service Contract on not more than 30 days' notice
- B. All equipment, tools, appliances, materials, and supplies necessary for proper operation and maintenance of the Property will be procured by the Property Manager.

II. Revenue Enhancement

The Property Manager must continuously monitor the trends in property management for new opportunities in revenue enhancement, including enhancements to the covered walkway ("Pedway") and elevators, paid for in whole or in part by the advertisers. The Property Manager must develop and submit a comprehensive revenue enhancement strategy for the Property composed of its own strategies compiled with the industry trends in the quarterly Revenue Enhancement Report submitted in writing to the Commission. The strategy must address the entire concourse level, lobby, courtroom floors, public spaces, common areas, elevators and the plaza. The strategy must include:

- A. Quantitative market analysis of retail supply and demand, emerging trends, concepts to avoid due to diminishing profitability, and excesses and gaps in mixed use and retail buildings in the surrounding locations
- B. Short and long term economic opportunities in advertising, wireless connectivity, business and personal services, signage and audiovisual broadcasting
- C. Analysis of traffic patterns at the Property
- D. Examination of spaces within the Property that are not producing revenue, but may have the potential to do so
- E. Analysis of the sale of electricity as produced by steam in the Property

III. Cost Reduction

The Property Manager must continuously monitor the Property for opportunities in cost reduction, including quantitative comparisons between existing services agreements and similar service agreements at other properties. The Property Manager will develop its own strategies and compile these with industry trends and submit the information to the Commission in writing in the quarterly Cost Reduction Report.

IV. Benchmarks

The Property Manager must set benchmarks for the performance of the Property in terms of Revenue Enhancement, Cost Reduction and Commercial Development. These benchmarks must be based on current research of the best practices in property management. The performance of the Property Manager and of the Property will be measured against these benchmarks and the results summarized in the semi-annual Best Practices and Benchmarks Report submitted by the Property Manager in writing to the Commission.

V. Emergencies

In an emergency, the Property Manager will immediately notify the Commission in person or by telephone and email so that prompt arrangements may be made to address the emergency situation. The Property Manager will notify the Commission's insurance advisor as soon as possible by email but no later than 24 hours from the occurrence of an emergency situation and will cooperate in the insurance advisor's evaluation and documentation of the situation.

VI. Capital Improvement

The Property Manager will consult with and assist the Commission in analyzing the capital needs of the Property. The Property Manager will submit the results in the annual Capital Improvement Program Report, including short, medium and long term strategies.

Property Manager will be paid a management fee not to exceed 3% of the construction cost of Capital Improvement projects.

VII. Construction Management

- A. The Property Manager will act as construction manager with respect to any Construction Work for the Property. "Construction Work" means construction, reconstruction or alteration of any improvements constituting part of the Property, but will not include ordinary maintenance and Repairs made to the Property.
- B. The Property Manager's responsibilities as construction manager are comprehensive, to the end that the Property Manager agrees to supervise, oversee and administer each and every aspect of such construction. The Property Manager will be responsible for:
 - Selecting all required consultants, contractors and sub-contractors
 - Negotiating agreements for architectural design, engineering and construction services
 - Securing any and all necessary approvals and permits
 - Overseeing the administration of the construction contract, including disbursement process, lien waiver collection and financial reporting
 - Acting as project manager with respect to any such construction work, including monitoring and approval of work, preliminary acceptance of "punch list" items, final acceptance and occupancy or re-occupancy of the Property, meeting minutes and schedules
 - Monitoring and reporting progress toward the MBE/WBE participation goals set by the Commission for the Construction Work and/or cooperating fully with any outside firm hired by the Commission to perform such monitoring and reporting
 - All contracts relating to Construction Work will be subject to prior written approval by the Commission

- C. The Property Manager must take all such measures as are reasonably necessary to ensure that the Property remains free from mechanics' liens, security interests, and encumbrances in connection with the operation or maintenance of or Construction Work undertaken on the Property.
- D. The Property may have asbestos in the fireproofing of the structure. The fireproofing material is contained and not a threat to building occupancy. The Property Manager will ensure that any construction or renovations including abatement per the Daley Center abatement plan.
- E. The Property Manager will engage the services of an environmental engineer or environmental consultant, approved by the Commission, to perform a comprehensive Environmental Audit (or update the previous Environmental Audit) of the Property.
- F. Ordinary Repairs required in and around the Property are not part of construction work and the Property Manager will oversee and supervise all such Repairs without additional compensation.

SECTION 1.7 PERSONNEL

The Property Manager must make all necessary payroll deductions including, but not limited to, deductions for disability and unemployment insurance, social security, withholding taxes and other applicable taxes, wage garnishments, union dues, health and welfare, and pension benefits, and prepare, maintain and file all necessary reports and statements with respect to such taxes or deductions, pertaining to personnel employed in or about the Property.

All wages, salaries and other compensation paid to all Commission-approved on-site personnel employed exclusively at the Property are considered operating expenses of the Property to the extent the same are included in the Budget approved by the Commission or otherwise approved by the Commission in writing. The Property Manager is entitled to pay the expenses described in this section to the extent provided in the Budget, out of the Disbursement Account.

Subject to the terms hereof, the Budget, and the prior written approval of the Commission, the Property Manager must engage such contractors, sub-contractors, consultants and other persons or firms necessary to discharge the Property Manager's obligations hereunder.

SECTION 1.8 BROKERAGE SERVICES

The Property Manager must continuously monitor the Property's commercial spaces and leases and make quantitative comparisons between them and the marketplace with regard to occupancy rates, competitive pricing and the trends in leasing terms and conditions.

When requested by and with prior written approval of the Commission, the Property Manager will provide brokerage services at the Property, including renewing existing and developing new leases.

The Property Manager must review the financial statements of existing and prospective tenants. The Property Manager must include an assessment of such tenant's financial viability in any recommendation for new lease, lease option or lease renewal and/or with the quarterly report on commercial leases. The Property Manager must ensure that new leases, lease extensions or other similar forms of agreement for the Property comply with existing laws, regulations and the Commission's policies.

The Property Manager will monitor and report on the payment status of real estate taxes by the leaseholders of Property leases.

At a minimum, once each quarter, the Property Manager will submit a summary of the Brokerage Services performed in that quarter in the Brokerage Services Report.

Property Manager will be paid a Brokerage fee not to exceed 3% of the lease renewal (8% of the 1st year of new leases).

SECTION 1.9 LEGAL COUNSEL

The Property Manager may, at the Commission's expense and with the Commission's prior written consent, engage legal counsel to advise on legal matters and conduct legal proceedings arising in the performance of the Property Manager's duties herein.

SECTION 1.10 CLAIMS

The Property Manager will be responsible for claims, demands, suits, losses, damages, costs or expenses, including attorney's fee and costs, arising out of or in connection with the Property Manager's performance or non-performance of its duties and responsibilities for the maintenance, operation and management of the Property. The Property Manager must handle, manage, and control these liability claims, be responsible for payment and settlement of claims, developing claims handling procedures, submitting claims and support documents to its insurers, monitoring activity of claims, maintaining files and providing monthly reporting to the Authorized Commission Representative.

SECTION 1.11 GEPC MANAGEMENT

The Richard J. Daley Center is participating in GEPC (Guaranteed Energy Performance Contract). It includes, but is not limited to the following:

1. Notifying GEPC firm if any of the parameters used in the baseline calculations are altered. This would include such things as renovating or abandoning a space, a change in the buildings operating hours, adding additional energy conservation measures and or other significant changes to the building
2. Maintaining the energy conservation measures and equipment to the manufacturer's specifications
3. Providing access to energy use. This is currently done both remotely and through Energy Star Portfolio Manager
4. Arranging annual meetings, obtaining annual reports, verifying the reports with an independent consultant and processing a claim if the savings don't meet the guarantee. Each ECM has a separate M&V plan
5. Participate in monthly conference calls to review performance
6. Processing an annual Performance Tracking Fee
7. Processing the TELPA Loan Payments
8. Closing out the Payment Bond on the savings
9. Notifying GEPC firm if any of the Guarantee parameters change.

Exhibit D

This is Google's cache of <http://thedaleycenter.com/visitors/frequently-asked-questions/>. It is a snapshot of the page as it appeared on Oct 28, 2019 19:34:59 GMT. The current page could have changed in the meantime. [Learn more.](#)

Full version **Text-only version** [View source](#)

Tip: To quickly find your search term on this page, press **Ctrl+F** or **⌘-F** (Mac) and use the find bar.

The Daley Center

- HISTORY
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 - SUPERMAN: MAN OF STEEL
 - THE DARK KNIGHT
 - THE FUGITIVE
 - THE LAKE HOUSE
 - THE PROMOTION
 - TRANSFORMERS 3: DARK OF THE MOON
- DIRECTORY
-

FREQUENTLY ASKED QUESTIONS

Where is the Daley Center?

The Richard J. Daley Center occupies the city block bound by Randolph, Clark, Washington and Dearborn Streets. The address is 50 West Washington.

You can reach the Richard J. Daley Center at:

50 W Washington St, Chicago, IL 60602

Phone: 312-603-3054

What are the operating hours for the facility?

The Daley Center is operational from 8:00 a.m. until 6:00 p.m. The pedway is open from 6 am until 6 pm to provide underground access between the CTA and City Hall/County Building.

What should I expect when I arrive?

The Cook County Sheriff secures the building during normal business hours. Individuals entering the facility are required to pass through security check points. These check points consist of magnetometers and x-ray machines. Everyone will be expected to remove their belts and empty their pockets of all metal objects (keys, coins, cigarettes, cell phones, etc) prior to walking through the magnetometer. Purses, briefcases, and all packaged items will be passed through the x-ray machine. Cameras, pocket knives, small tools, knitting needles, mace, and recording devices are not allowed into the facility. If in doubt, leave it at home.

How can I access the building by public transportation?

The Daley Center may be reached by all public transit bus and rail routes which service the Chicago Loop. Additional information may be found at the RTA Travel Information Center at (312) 836-7000 or TDD/TTY (312) 836-4949.

Is the Daley Center handicap accessible?

Yes. We can provide assistance to those physically challenged individuals who may require it. Inquire for assistance with building security or at the information booths located in the east/west lobby.

Are children allowed inside a courtroom?

Yes. Although the Circuit Court of Cook County offers the Children's Advocacy Room, a safe and nurturing environment where children may stay while their parents or guardians attend court proceedings. Games, books, toys, arts and crafts along with other appropriate materials selected to meet a wide range of needs are offered. The Children's Advocacy Room is located in room 1309 on the 13th floor.

Are private rooms available for nursing mothers?

The Circuit Court of Cook County makes lactation rooms available to nursing mothers who must visit courthouses in the city and suburbs.

Nursing mothers who are called for jury duty can request access to a private space upon their arrival to the Jury Assembly Room in any court location. Employees of the Office of Jury Administration will direct individuals to these spaces upon request.

For nursing mothers who visit courthouses for any other purpose, private lactation room spaces are available in the following locations:

Richard J. Daley Center
50 W. Washington St., Suite 400-E
Chicago, IL 60602

To use the Daley Center lactation room, contact the Office of the Chief Judge reception desk at [\(312\) 603-6000](tel:3126036000). The receptionist will direct you to the lactation room where you will be met by building security who will unlock the door.

How can I coordinate a tour?

Tours are conducted by the Circuit Court of Cook County. Contact the Circuit Court's Office of Public Affairs at (312) 603-1928.

How can I book the plaza for an event?

The Daley Center Plaza is an open air venue that may be used for various civic or cultural events. We accept applications for use of the plaza on a first come, first serve basis. Applications must be received by the Special Events Coordinator no later than 30 days prior to an event. Certificates of insurance may be required and should meet the requirements put forth in the Guidelines. Reimbursement charges may apply to certain events. The Application for Permit and Guidelines for events on the plaza can be found under the Events section.

Where do I get a bond refund ?

www.cookcountyclerkofcourt.org – Richard J. Daley Center, Suite 1005, Chicago, IL 60602
312 603 3975

Where do I go for child support enforcement ?

www.cookcountyclerkofcourt.org – 28 North Clark Street, Room 200
Chicago, IL 60602
312 603 2000

Where is the children's advocacy room?

www.cookcountycourt.org – Richard J. Daley Center, Suite 1309, Chicago, IL 60602
312 603 6252

Where can I obtain a copy of my divorce papers ?

www.cookcountyclerkofcourt.org – Clerk of the Circuit Court
Richard J. Daley Center, Suite 802, Chicago, IL 60602

Where do I get my driver's license renewed ?

www.sos.state.il.us – Illinois Secretary of State, Thompson Center
100 West Randolph Street, Chicago, IL 60602
312 793 1010

Questions concerning jury duty :

www.cookcountycourt.org – Circuit Court of Cook County,
Office of Jury Administration, Richard J. Daley Center, Suite 1000, Chicago, IL 60602
312 603 5417

Where is the law library – What are the hours?

Richard J. Daley Center, Suite 2900, Chicago, IL 60602
312 603 5423
Hours: Mon – Fri 8:30am to 7pm, Sat. 12:30pm to 4:30pm, Sun. Closed

Where is marriage & family counseling ?

<http://www.caadsr.org/adr/CookMFCS.htm> – 69 West Washington, Suite 1000, Chicago, IL 60602
312 603-1540

Where do I get name change information?

www.cookcountyclerkofcourt.org – Clerk of the Circuit Court, Richard J. Daley Center, Suite 802, Chicago, IL 60602
312 603 5133

Where do I get an order of protection ?

www.cookcountyclerkofcourt.org – Clerk of the Circuit Court, 555 West Harrison Street, Chicago, IL 60607

Where do I get a picnic permit ?

www.fpdcc.com – Forest Preserve District of Cook County, 536 North Harlem Avenue, River Forest, IL 60305
Recreation Department, Monday – Friday 8AM-4PM

Where can I pay my real estate taxes ?

www.cookcountytreasurer.com – Cook County Treasurer's Office, 118 North Clark, Room 112, Chicago, IL 60602
312 443-5100

Where do I get a State I.D. ?

www.sos.state.il.us – Illinois Secretary of State, Thompson Center, 100 West Randolph Street, Chicago, IL 60602
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IL 60602
312 793 1010

Where can I register to vote ?

www.voterinfo.net – Cook County Voter Registration, Chicago & suburbs
312 269 7960 (Chicago) – 312 603 0906 (Suburbs)

Where can I obtain:

Birth, Death, Marriage Certificates

Business Registration

Information on Election & Voter Registration

Notary Registration

www.cookctyclerk.com – Cook County Clerk's Office, County Building
118 North Clark Street, Lower Level, Chicago, IL 60602
312 603 5656

Where can I obtain:

Business Licenses

Chicago City Vehicle Stickers

Dog Licenses

Going Out of Business Info

Residential Parking Permits

www.chicityclerk.com – Office of the City Clerk, City of Chicago – CITY HALL
121 North LaSalle Street, Chicago, IL 60602
312 744 6861

The Daley Center

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