

PROFESSIONAL SERVICES BULLETIN 21-1

STATEMENTS OF INTEREST (SOIs) are due by 4:30:00 p.m. (Central Time)

Due Date: April 28, 2021

Successful Firm(s) will be notified.

Overall results will be posted on the Illinois Chief Procurement Officer's eProcurement System at: <https://www.bidbuy.illinois.gov/>

Professional Services Bulletin

No. 21-1

April 2, 2021

ILLINOIS TOLLWAY web site: www.illinoistollway.com



Illinois Tollway
2700 Ogden Avenue, Downers Grove, IL 60515

PSB 21-1

April 2, 2021

NEW TO THIS PSB

- **Revised Selection Criteria (See Section 4.1)**
- **Revisions to Quality Assurance related services provided under Construction Engineering Services (see sections 2.9, 2.10, 2.11)**
- **Revisions to Common Mistakes list**

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PART I: THE SCHEDULE

1.1 CONTACT INFORMATION

Illinois State Toll Highway Authority (ISTHA)
2700 Ogden Avenue
Downers Grove, IL 60515

PSB 21-1 Coordinator - csstaff@getipass.com

PSB 21-1 Hotline: (630) 241-6160

PSB 21-1 Tech Support: ebuilder@getipass.com

PSB 21-1 eBuilder Training:

<http://www.onlineregistrationcenter.com/registerlist.asp?m=176&p=134&group=57&tid=222>

1.2 21-1 OFFICIAL NOTICE

This Professional Services Bulletin 21-1 (PSB **21-1**) is the official notice of needed professional services for the Illinois State Toll Highway Authority (“Illinois Tollway”, “Tollway”), as authorized by the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act, (30 ILCS 535/1, *et seq.*). This PSB contains information pertaining to the advertisement for Statements of Interest (SOI) and is part of the Chief Procurement Officer eProcurement System for the Illinois State Toll Highway Authority. PSB **21-1**, including all Exhibits and forms, is available on the Illinois Tollway’s website at: <https://www.illinoistollway.com/doing-business/construction-engineering/bids-bulletins-awards>. Additional information is also posted on the Illinois Chief Procurement Officer’s eProcurement System at: <https://www.bidbuy.illinois.gov/>. For instructions on accessing the Illinois Tollway website, PSB, and Exhibits please refer to the Table of Contents. Instructions on receiving procurement opportunities are included in the “Illinois eProcurement BidBuy Notice” section of this PSB.

1.2.1 PSB 21-1 SUMMARY

Information for the e-Builder process for PSB **21-1** can be found in the Public Folder at: <https://app.e-builder.net/public/PublicFolderView.aspx?FolderID={dc0355ee-4323-458e-91b5-547c6655b5f5}>

You will need the following before you can submit an SOI in e-Builder:

- e-Builder resources, including PSB SOI user manual, FAQ file, and videos (see Public Folder link above)
- Webinar Training (see Section 4.7 Useful Links for training webinar registration link)
- Security Key (see Section 4.4 Submittal Instructions)
- e-Builder Login ID (see Section 4.4 Submittal Instructions)
- Firm Code Name (see Section 4.4 Submittal Instructions)
- e-Builder link to PSB 21-1 SOI process: <http://www.e-builder.net>

All questions related to this PSB must be submitted electronically through the e-Builder SOI Mailbox at [PSB 21-1.01 Questions and RFIs@docs.e-builder.net](mailto:PSB_21-1.01_Questions_and_RFIs@docs.e-builder.net) no later than **April 14, 2021 at 4:30:00 pm (CT)** prior to the submittal due date of **April 28, 2021 @ 4:30:00 pm (CT)**. The subject line should read: PSB 21-1 Question. Answers will be addressed via an Addendum published on the Illinois eProcurement site, BidBuy. For e-Builder technical questions, please contact the e-Builder PSB SOI Helpdesk: ebuilder@getipass.com or e-Builder PSB SOI Hotline: (630) 241-6160.

This is not an invitation for bids. Consultants properly prequalified for the projects listed herein may indicate their desire to be considered for selection by submitting an SOI to the Illinois Tollway via the e-Builder PSB 21-1 SOI process located at the following: <http://www.e-builder.net>

The Illinois Tollway follows the Qualifications Based Selection (QBS) process mandated by Illinois statute (30 ILCS 535): Architectural, Engineering, and Land Surveying Qualifications Based Selection Act) for selecting qualified Consultants under this PSB.

PSB SOI e-Builder submittals must be received by **April 28, 2021 @ 4:30:00 P.M.** Central Time (CT). Late submittals will not be accepted by the Illinois Tollway. NOTE: You must set the Time Zone field on your e-Builder account profile page to "(UTC-06:00) Central Time (US & Canada)" so that you can submit your SOIs up until the submittal deadline.

1.3 ACCEPTANCE OF SCANNED SIGNATURES

Unless otherwise specified, the parties agree that proposals, contracts, certifications and disclosures, and other contract related documents to be entered into in connection with the resulting contract will be considered signed when the signature of a party is delivered by scanned image (e.g. .pdf or .tiff file extension name) as an attachment to the e-Builder PSB SOI process. Such scanned signature will be treated in all respects as having the same effect as an original signature.

1.4 PROFESSIONAL SERVICES BULLETIN NO. 21-1 ITEM INDEX

Item No.	Project No. / County	Description	Page
1	I-21-4733/ DuPage	Elgin O’Hare Western Access, I-490 -York Road. Phase II Engineering Services.	A-1
2	I-21-4734/ DuPage and Cook	Elgin O’Hare Western Access (EOWA), Construction Management Services Upon Request. On-call and as-needed Construction Management Services.	A-3
3	I-21-4735/ DuPage and Cook	Elgin O’Hare Western Access Geotechnical and Environmental Upon Request. On-call and as-needed Phase II Engineering Services.	A-5
4	I-21-4567 /Cook	Tri-State Tollway, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.	A-7
5	RR-21-4564 Systemwide	Systemwide, Design Upon Request. On-call and as-needed Phase II Engineering Services.	A-9
6	RR-21-4565 Systemwide	Systemwide, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.	A-11
7	RR-21-4566 Systemwide	Systemwide, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.	A-13
8	RR-21-9229 Systemwide	Systemwide, Construction Management Services Upon Request – Non-Roadway. On-call and as-needed Construction Management Services.	A-15
9	RR-21-4569 Systemwide	Systemwide, Intelligent Transportation Systems (ITS) Services Upon Request. On-call and as-needed Construction Management Services.	A-17

10	I-21-4568 Systemwide	Systemwide, Geotechnical and Environmental Services Upon Request. On-call and as-needed Phase II Engineering Services.	A-19
11	RR-21-4570 Systemwide	Systemwide, Utility Relocation Assistance Upon Request. Subsurface and Utility Assistance Services.	A-21
12	RR-21-4571 Systemwide	Systemwide, Environmental Studies Upon Request. On-call and as-needed Environmental Services.	A-23
13	I-21-4572 Systemwide	Systemwide, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.	A-26
14	RR-20-4522/ Systemwide	Systemwide, Maintenance Facilities, Construction Management Services Upon Request. On-call and as-needed Construction Management Services	A-28

Details follow for each of the foregoing fourteen (14) Project Numbers found in this PSB **21-1**.

1.5 PSB ITEM DETAILS

1.5.1 Item 01: I-21-4733, Elgin O'Hare Western Access, I-490 – York Road. Phase II Engineering Services.

This project has a 29% Disabled/Minority/Women Business Enterprise (D/M/WBE) participation goal and 3% Veteran Owned Small/Service Disabled/Veteran Owned Small Business (VOSB) participation goal.

Phase II engineering services are required for the preparation of contract plans contract specifications, and project related permits for the proposed improvements including, but not limited to, reconstruction of York Rd. between Illinois Route 19 and Devon Avenue. The Tollway is finalizing design and construction limits; therefore, the Tollway may modify project limits and scope at the time of negotiations.

The work generally encompasses roadway design and shall include but not be limited to the following:

1. Roadway reconstruction.
2. New drainage structures and modification of existing drainage system.
3. Provide erosion control for all construction zones.
4. Provide design of appropriate landscape and soil erosion/sedimentation control measures as necessary in accordance with the Tollway's Environmental Studies Manual.
5. Provide pavement markings, delineators and signage for the contract limits.
6. Provide barrier warrant analysis for all necessary locations and installation of guardrail, anchors and terminals to conform to the current American Association of State Highway and Transportation Officials (AASHTO) Guidelines and Illinois Tollway criteria.
7. Update roadway lighting as required.
8. Provide maintenance of traffic plans including those for impacts to local facilities.
9. Protection and / or relocation of utilities
10. All other appurtenant and miscellaneous items.

Construction estimate (See Section 2.3.3): Category B.

Firms must be prequalified by IDOT in the following categories:

Highways (Roads and Streets)
Special Plans (Traffic Signals)
Special Plans (Lighting)
Special Services (Surveying)

In addition, the Consultant should demonstrate experience related to design of local roadway improvements, stormwater permitting, and Illinois Department of Natural Resources permitting.

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume the duties of the Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The person who will perform the duties of the Project Engineer, that individual in charge who is directly involved in the development of the contract documents (must be an Illinois Licensed Professional Engineer).
- The person who will be responsible for roadway design related-issues (must be an Illinois Licensed Professional Engineer).
- The person(s) who will perform the Quality Control/Quality Assurance (QC/QA) review work of all

milestone submittals, who must be an Illinois Licensed Professional Engineer for roadway elements.

Schedule: Design for this project is scheduled to start in late Fall 2021. Construction of this project is scheduled for 2024-2025.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.2 Item 02: I-21-4734, Elgin O’Hare Western Access (EOWA), Construction Management Services Upon Request – On call and as-needed Construction Management Services.

This project has a 39% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations on the Tollway system. Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

1. Taft Avenue Detention Basin
2. Local Roadway Repairs
3. On call and as- needed work related to the EOWA and Tri-State Tollway corridors.

The upper limit of compensation will be set at \$3,000,000 to be authorized for use as individual projects are needed.

The Consultant will perform on-site inspection, check construction layout to verify the location and the elevation of contract work including design changes, including design changes, provide geotechnical inspection and testing, prepare records, maintain documentation, submit pay estimates and change orders and any other duties requiring the services of an engineer to complete this project on a timely basis and in accordance with Tollway specifications. The Consultant may be required to review and make comments on Pre-Final Design Plans submitted to the Tollway for constructability. The Consultant must complete and submit final measurements, calculations and final contract documents to the Tollway no later than six (6) weeks after completion of Punch List for the project.

Firms must be prequalified by IDOT in the following category:

Special Services (Construction Inspection)

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume duties as Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The Resident Engineer . .
- The Materials Coordinator. (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor’s Material QC reporting output and to manage the Construction Manager’s approved Materials QA Program. The Material Coordinator shall have passed IDOT’s Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually.)
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician. .

Schedule: This project is scheduled to start in Late Fall 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.3 Item 03: I-21-4735, Elgin O’Hare Western Access, Geotechnical and Environmental Services Upon Request. On-call and as-needed Phase II Engineering Services.

This project has a 26% D/M/WBE participation goal and 3% VOSB participation goal.

Engineering services are required to provide environmental and geotechnical services on an upon request basis for the EOWA and Tri-State Tollway Corridors. The Tollway will require environmental and geotechnical soil borings, reports and associated services for projects associated with the EOWA and Tri-State Tollway Corridors.

Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks will include, but not be limited to:

1. Elgin O’Hare Western Access (EOWA) Interchange geotechnical and environmental site assessments.
2. Local roadway geotechnical investigations.
3. On-call and as needed work on the EOWA and Tri-State corridors.

The upper limit of compensation will be set at \$5,000,000 to be authorized for use as individual projects are needed.

Firms must be prequalified by IDOT in the following categories:

**Geotechnical Services (Subsurface Explorations)
Environmental Reports: Environmental Assessments (EA)**

The Tollway will allow a prime consultant to meet the prequalification for Environmental Reports: Environmental Assessments (EA) through a subconsultant.

Environmental Site Assessments

Environmental Site Assessments are required for the evaluation and identification of impacted soils and the preparation of soil management plans and documentation required for soil disposal for various Tollway projects, and in accordance with Illinois Environmental Protection Agency (IEPA) regulations and guidance. This level of effort may require participation at all levels of project development, from the identification of recognized environmental concerns/potentially impacted properties, determination of concentrations of chemical constituents, proposal of soil management plans, through preparation of LPC-662 and LPC-663 forms. This effort may also include reviewing and revising existing Tollway contracts and coordinating with Tollway Design Services Engineers (DSE) for environmental services related to the above. This may require the preparation of contract plans and specifications for soil management, which may also include the re-packaging of existing Tollway contract plans and specifications at selected locations.

The studies shall be complete and shall include, but not be limited to the following:

1. Conduct environmental due diligence with regard to soil disposal.
2. In accordance with the Tollway’s Environmental Studies Manual, conduct database searches, site reconnaissance, Transaction Screening Analyses, Environmental Site Assessments (ESAs), and/or soil sampling.
3. Identify any Recognized Environmental Concerns (RECs) and Potentially Impacted Properties (PIPs).
4. Conduct soil sampling for PIPs, as described in the Environmental Studies Manual.

5. Based on study results and/or laboratory analysis, determine which soils can be disposed of at a Clean Construction or Demolition Debris (CCDD) facility.
6. Complete certification forms LPC-662 or -663.
7. Sign and stamp, as necessary, form LPC-663.
8. Prepare a Soils Management Memorandum.
9. Work with the Tollway, or at the Tollway's request the DSE, to identify project specific soil management protocol.
10. Conduct data collection using GPS and GIS programs that are compatible with Tollway technology.

All coordination with the resource and regulatory agencies, including but not limited to IEPA, shall be conducted through the Tollway, unless otherwise directed. The Consultant will be expected to assemble information and documents necessary for the Tollway to perform such coordination.

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume the duties of the Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The person who will perform as the Environmental Professional (must hold a bachelor's degree or above in civil, chemical, environmental engineering, or geology and must have at least three years' experience in special waste assessments and current Hazardous Waste Operations and Emergency Response (HAZWOPER) certification).
- The person(s) who will be the Environmental Inspectors
- The Geotechnical Lead shall be a full-time Illinois Licensed Professional Engineer with a minimum of five years of demonstrated experience in managing the efforts of staff and subcontractors, ensuring accuracy of geotechnical data, timely completion of services, performing the appropriate analysis, necessary interpretation and validation of soil and rock testing data, and determining the engineering properties of various subsurface materials using sound soil/rock mechanics.
- The person who will be signing the LPC-6623 must be an Illinois Licensed Professional Engineer or Professional Geologist.

Schedule: This project is scheduled to start in Late Fall 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.4 Item 04: I-21-4567, Tri-State Tollway, Construction Management Services Upon Request. On-call, and as-needed Construction Management Services.

This project has a 39% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations for various projects related to the Central Tri-State Tollway.

The Consultant will perform on-site inspection, check construction layout to verify the location and the elevation of contract work including design changes, including design changes, prepare records, maintain documentation, and submit pay estimates, change orders, and any other duties requiring the services of an engineer to complete projects on a timely basis and in accordance with Tollway specifications. The Consultant must complete and submit final measurements, calculations and final contract documents to the Tollway no later than six (6) weeks after completion of the Punch List for a project. The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format and follow the CADD Standards Manual. All CADD file documents shall be required to contain all record drawing modifications.

Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks may include, but not be limited to:

1. Landscaping and Tree Planting
2. Miscellaneous Wrap-Up Contracts
3. On-call and as-needed services for Central Tri-State.

The upper limit of compensation will be set at \$2,000,000 to be authorized for use as individual projects are needed.

Firms must be prequalified by IDOT in the following category:

Special Services (Construction Inspection)

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume duties as Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The Resident Engineer.
- The Materials Coordinator. (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor's Material QC reporting output and to manage the Construction Manager's approved Materials QA Program. The Material Coordinator shall have passed IDOT's Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually.)
- The person who will be responsible for schedule review.
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.5. Item 05: RR-21-4564 Systemwide, Design Upon Request. On-call, and as-needed Phase II Engineering Services.

This project has a 36% D/M/WBE participation goal and 3% VOSB participation goal.

Phase II engineering services are required for work tasks that may include preparation of contract plans and engineering studies and other technical services as directed by the Tollway. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

1. Sign and wall repairs
2. Clean and televise drainage system
3. Pavement and structural preservation and rehabilitation
4. Fiber installation
5. On call and as- needed work related on the Tollway system.

Survey to complete the work described above will be provided by others under a separate Tollway contract. The upper limit of compensation will be set at \$4,000,000 to be authorized for use as individual projects are needed.

The prime firm must be prequalified by IDOT in the following categories:

Highways (Freeway)
Structures (Highway Bridges: Typical)
Special Services (Electrical Engineering)

The Tollway will allow a Prime consultant to meet the prequalification for Structures (Highway Bridges: Typical) and Special Services (Electrical Engineering) through a subconsultant.

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume the duties of the Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The person who will perform the duties of the Project Engineer, that individual in charge who is directly involved in the development of the contract documents (must be an Illinois Licensed Professional Engineer).
- The person who will be responsible for roadway design related issues (must be an Illinois Licensed Professional Engineer).
- The person who will be responsible for structural design related issues (must be an Illinois Licensed Structural Engineer).
- The person who will be responsible for electrical design related issues (must be an Illinois Licensed Professional Engineer).
- The person(s) who will perform the QC/QA review work of all milestone submittals, who must be an Illinois Licensed Professional Engineer for roadway elements and an Illinois Licensed Structural Engineer for structural elements.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days

after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.6 Item 06: RR-21-4565 Systemwide, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.

This project has a 39% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations on the Tollway system. Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

Work tentatively scheduled for construction in 2021-2025:

1. Pavement repairs.
2. Structural preservation and rehabilitation.
3. Grading and drainage improvements.
4. Surety repairs.
5. On call and as-needed work related to the Tollway System.

The upper limit of compensation will be set at \$3,000,000 to be authorized for use as individual projects are needed.

The Consultant will perform on-site inspection, check construction layout to verify the location and the elevation of contract work including design changes, provide geotechnical inspection and testing, prepare records, maintain documentation, submit pay estimates and change orders, and any other duties requiring the services of an engineer to complete this project on a timely basis and in accordance with Tollway specifications. The Consultant may be required to review and make comments on Pre-Final Design Plans submitted to the Tollway for constructability. The Consultant must complete and submit final measurements, calculations and final contract documents to the Tollway no later than six (6) weeks after completion of Punch List for the project.

Firms must be prequalified by IDOT in the following category:

Special Services (Construction Inspection)

Key personnel listed on Exhibit A for this project must include:

- The person who will assume duties as Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The Resident Engineer .
- The Materials Coordinator. (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor's Material QC reporting output and to manage the Construction Manager's approved Materials QA Program. The Material Coordinator shall have passed IDOT's Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually.)
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Exhibit A must include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.7 Item 07: RR-21-4566 Systemwide, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.

This project has a 39% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations on the Tollway system. Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

Work tentatively scheduled for construction in 2022-2025:

1. Overhead sign structure replacements.
2. Sign and wall repairs.
3. Pavement preservation and rehabilitation.
4. On call and as-needed work related to the Tollway System.

The upper limit of compensation will be set at \$3,000,000 to be authorized for use on individual projects are needed.

The Consultant will perform on-site inspection, check construction layout to verify the location and the elevation of contract work including design changes, provide geotechnical inspection and testing, prepare records, maintain documentation, submit pay estimates and change orders, and any other duties requiring the services of an engineer to complete this project on a timely basis and in accordance with Tollway specifications. The Consultant may be required to review and make comments on Pre-Final Design Plans submitted to the Tollway for constructability. The Consultant must complete and submit final measurements, calculations, and final contract documents to the Tollway no later than six (6) weeks after completion of Punch List for the project.

Firms must be prequalified by IDOT in the following category:

Special Services (Construction Inspection)

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume duties as Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The Resident Engineer.
- The Materials Coordinator. (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor's Material QC reporting output and to manage the Construction Manager's approved Materials QA Program. The Material Coordinator shall have passed IDOT's Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually.)
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Exhibit A must include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician.

Schedule: This project is scheduled to start in 2022. However, the Tollway may advance work into 2021 at its discretion.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.8 Item 08: RR-21-9229 Systemwide, Construction Management Services Upon Request – Non-Roadway. On-call and as-needed Construction Management Services.

This project has a 39% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations on the Tollway system. Work orders under the blanket agreement will be negotiated and authorized by the Illinois Tollway on an as-needed basis. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

1. JOC roadway repairs.
2. Pavement marking.
3. Sign fabrication and installation.
4. On call and as-needed work related to the Tollway System.

The upper limit of compensation will be set at \$3,000,000 to be authorized for use as individual projects are needed.

The Consultant will perform on-site inspection, check construction layout to verify the location and the elevation of contract work including design changes, provide geotechnical inspection and testing, prepare records, maintain documentation, submit pay estimates and change orders, and any other duties requiring the services of an engineer to complete this project on a timely basis and in accordance with Tollway specifications. The Consultant may be required to review and make comments on Pre-Final Design Plans submitted to the Tollway for constructability. The Consultant must complete and submit final measurements, calculations, and final contract documents to the Tollway no later than six (6) weeks after completion of Punch List for the project.

Firms must be prequalified by IDOT in the following category:

Special Services (Construction Inspection)

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume duties as Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The Resident Engineer .
- The Materials Coordinator. (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor’s Material QC reporting output and to manage the Construction Manager’s approved Materials QA Program. The Material Coordinator shall have passed IDOT’s Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually.)
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Exhibit A must include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.9 Item 09: RR-21-4569 Systemwide, Intelligent Transportation Systems (ITS) Services Upon Request. On-call and as-needed Construction Management Services.

This project has a 37% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations on the Tollway system.

Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

1. CCTV camera installation.
2. Weigh-in-motion repairs/ replacement.
3. ITS preservation and rehabilitation.
4. On call and as-needed work related to the Tollway System.

The Consultant will perform on-site inspection, check construction layout to verify the location and the elevation of contract work including design changes, prepare records, maintain documentation, and submit pay estimates and change orders, and any other duties requiring the services of an engineer to complete projects on a timely basis and in accordance with Tollway specifications. The Consultant must complete and submit final measurements, calculations, and final contract documents to the Tollway no later than six (6) weeks after completion of Punch List for the project. The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format and follow the CADD Standards Manual. All CADD file documents shall be required to contain all record drawing modifications.

The upper limit of compensation will be set at \$3,500,000 to be authorized for use as individual projects are needed.

Firms must be prequalified by IDOT in the following categories:

- Special Services (Construction Inspection)**
- Special Services (Electrical Engineering)**

The Tollway will allow a prime firm to meet the prequalification for Special Services (Electrical Engineering) through a subconsultant.

In addition, the prime firm, or their subconsultant, must demonstrate a minimum of five (5) years' experience in Intelligent Transportation Systems (ITS) as related to transportation projects.

The Tollway requires that the prime firm, or their subconsultant, provide a project team with the following positions:

- The person who will assume duties as Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The person who will be responsible for structural design related issues (must be an Illinois Licensed Structural Engineer).
- The person who will be responsible for roadway design related issues (must be an Illinois Licensed Professional Engineer).

- The person who will be responsible for electrical design-related issues (must be an Illinois Licensed Professional Engineer).
- The Resident Engineer.
- The Materials Coordinator. (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor's Material QC reporting output and to manage the Construction Manager's approved Materials QA Program. The Material Coordinator shall have passed IDOT's Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually.)
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Exhibit A must include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.10 Item 10: I-21-4568 Systemwide, Geotechnical and Environmental Services Upon Request. On-call and as-needed Phase II Engineering Services.

This project has a 26% D/M/WBE participation goal and 3% VOSB participation goal.

Engineering services are required to provide geotechnical and environmental services on an upon request basis for the entire Tollway system. The Tollway will require environmental and geotechnical soil borings, reports and associated services.

Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks will include, but not be limited to:

1. Systemwide geotechnical and environmental site assessments.
2. Local roadway geotechnical and environmental site assessments.
3. On call and as-needed work related on the Tollway system.

The project will have an upper limit of compensation at \$3,000,000 to be authorized for use as individual projects are needed.

Firms must be prequalified by IDOT in the following categories:

**Geotechnical Services (Subsurface Explorations)
Environmental Reports: Environmental Assessments (EA)**

The Tollway will allow a prime consultant to meet the prequalification for Environmental Reports: Environmental Assessments (EA), through a subconsultant.

Environmental Site Assessments

Environmental Site Assessments are required for the evaluation and identification of impacted soils and the preparation of soil management plans and documentation required for soil disposal for various Tollway projects, and in accordance with Illinois Environmental Protection Agency (IEPA) regulations and guidance. This level of effort may require participation at all levels of project development, from the identification of recognized environmental concerns/potentially impacted properties, determination of concentrations of chemical constituents, proposal of soil management plans, through preparation of LPC-662 and LPC-663 certification forms. This effort may also include reviewing and proposing revisions to existing Tollway contracts and coordinating with other Tollway DSEs for environmental services related to the above. This may require the preparation of contract plans and specifications for soil management, which may also include the re-packaging of proposed Tollway contract plans and specifications at selected locations.

The environmental studies shall be complete and shall include, but not be limited to the following:

1. Conduct environmental due diligence with regard to soil disposal.
2. In accordance with the Tollway's Environmental Studies Manual, conduct database searches, site reconnaissance, Transaction Screening Analyses, Environmental Site Assessments (ESAs), and/or soil sampling.
3. Identify any Recognized Environmental Concerns (RECs) and Potentially Impacted Properties (PIPs).
4. Conduct soil sampling for PIPs, as described in the Environmental Studies Manual.
5. Based on study results and/or laboratory analysis, determine which soils can be disposed of at a Clean Construction or Demolition Debris (CCDD) facility.
6. Complete forms LPC-662 or -663.

7. Sign and stamp, as necessary, form LPC-663.
8. Prepare a Soils Management Memorandum.
9. Work with the Tollway, or at the Tollway's request the DSE, to identify project specific soil management protocol.
10. Conduct data collection using GPS and GIS programs that are compatible with Tollway technology.

All coordination with the resource and regulatory agencies, including, but not limited to, IEPA, shall be conducted through the Tollway, unless otherwise directed. The Consultant will be expected to assemble information and documents necessary for the Tollway to perform such coordination.

Key personnel listed on **Exhibit A** for this project must include:

- The person who will assume the duties of the Project Manager for all aspects of the work documents (must be an Illinois Licensed Professional Engineer).
- The person who will perform as the Environmental Specialist (must hold a bachelor's degree or above in civil, chemical, environmental engineering, or geology; have at least three years' experience in special waste assessments and current HAZWOPER certification).
- The person(s) who will be the Environmental Inspectors.
- The Geotechnical Lead shall be a full-time Illinois Licensed Professional Engineer with a minimum of five years of demonstrated experience in managing the efforts of staff and subcontractors, ensuring accuracy of geotechnical data, timely completion of services, performing the appropriate analysis, necessary interpretation and validation of soil and rock testing data, and determining the engineering properties of various subsurface materials using sound soil/rock mechanics.
- The person who will be signing the LPC-663 must be an Illinois Licensed Professional Engineer or Professional Geologist.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.11 Item 11: RR-21-4570 Systemwide, Utility Relocation Assistance Upon Request. Subsurface and Utility Assistance Services.

This project has a 24% D/M/WBE participation goal and 3% VOSB participation goal.

Engineering services are required to provide utility location and identification assistance services on an upon request basis for the entire Tollway system. Existing utility facilities located within or adjacent to the project may need to be abandoned, protected, adjusted, or relocated. The Tollway will require the adjustment of utility facilities within its Rights of Way (ROW) or adjacent thereto to avoid conflicts with construction work. Utility relocation for highway construction projects requires that special problems be addressed and properly managed to avoid costly delays during the construction process.

The Consultant will present a common and consistent point of coordination between the Tollway's Utility Group, utility companies and the project design team. The consultant will monitor information flow and review the development and content of current or future construction projects as they relate to the design of utility work. Consultant support is needed to minimize the time to construction for utility work and avoid delays during the improvement projects.

The selected engineering consultant will help develop and refine procedures using existing resources and provide support to Tollway staff to help manage the utility location and identification process. Complete requirements for the Consultant will be fully defined in a Scope of Work.

The selected engineering consultant will provide subsurface utility engineering (SUE) services to locate existing underground utilities, including gas, liquid petroleum, electric, telecommunication, water, sanitary and storm sewer facilities. Services include the utilization of the American Society of Civil Engineers (ASCE) 38 "Standard Guideline for Collection and Depiction of Existing Subsurface Utility Data." Responsibilities include highly efficient, nondestructive engineering incorporating civil engineering, surface geophysics, surveying and mapping, nondestructive vacuum excavation, and asset management technologies, to identify and classify quality levels of existing subsurface utility data as well as mapping the locations of the underground utilities. The tasks will involve research, field investigations, test holes, plotting design, engineering analysis and recommendations relative to impacts on existing or proposed utilities. The Consultant must be able to complete the following four levels of subsurface utility engineering:

Level A:

Precise horizontal and vertical location of utilities obtained by the actual exposure and subsequent measurement of surface utilities, usually at a specific point. Minimally intrusive excavation equipment is typically used to minimize the potential for utility damage. A precise horizontal and vertical location, as well as other utility attributes, is shown on plan documents. Accuracy is typically set to 15-mm vertical and to applicable horizontal survey and mapping accuracy as defined or expected by the project owner.

Level B:

Information obtained through the application of appropriate surface geophysical methods to determine the existence and approximate horizontal position of subsurface utilities. Quality level B data should be reproducible by surface geophysics at any point of their depiction. This information is surveyed to applicable tolerances defined by the project and reduced onto plan documents.

Level C:

Information obtained by surveying and plotting visible above-ground utility features and by using professional judgment in correlating this information to quality Level D information.

Level D:

Information derived from existing records or oral recollections.

The Consultant is also required to have the following:

- a) Experience in researching the location of utilities, above and underground.
- b) Knowledge of the equipment/techniques necessary to locate the utilities.
 - (1) Surface geophysical techniques, such as, electromagnetic, magnetic, sonic, etc.
 - (2) Excavation by use of test holes using vacuum excavation or comparable non-destructive equipment.
- c) The ability to determine the extent the proposed roadway improvement impacts the existing utilities.
- d) The ability to provide staff and equipment for simultaneous projects at multiple locations.
- e) A project manager and project engineer who have adequate experience in managing subsurface underground engineering projects.
- f) One Illinois Licensed Professional Engineer and support staff.
- g) Expertise in GIS data collection and management through ESRI Desktop and Enterprise products.
- h) Ability to create and present field collection data in ArcGIS Portal.

Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis.

The upper limit of compensation will be set at \$3,000,000 to be authorized for use as individual projects are needed.

The prime firm must be prequalified by IDOT in the following category:

Special Services (Subsurface Utility Engineering)

Key personnel listed on Exhibit A for this project must include:

- Project Manager (must be an Illinois Licensed Professional Engineer and have experience in managing subsurface underground engineering projects).
- The Project Engineer (must be an Illinois Licensed Professional Engineer and have experience in managing subsurface underground engineering projects).

Schedule: This project is scheduled to start in 2021

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.12 Item 12: RR-21-4571 Systemwide, Environmental Studies Upon Request. On-call and as-needed Environmental Services.

This project has a 13% D/M/WBE participation goal and 3% VOSB participation goal.

Phase I and Phase II engineering services are required for the following items:

Wetland Delineation, Regulatory Permitting and Wetland Mitigation Design

Engineering services are required for the preparation of wetland determinations and delineations, preparing supporting wetland documents and reports, preparing regulatory permit applications, coordinating with other Tollway Consultants on other Tollway contracts throughout the Tollway system where environmental studies are required. along with developing wetland mitigation concepts, plans and permit applications for the offset of Tollway wetland and waters impacts.

The studies and plans shall be complete and shall include, but not be limited to the following:

1. Preparation of wetland determinations and delineations.
2. Preparation of supporting wetland documents and reports.
3. Preparation of wetland mitigation prospectuses and plans.
4. Preparing regulatory permit applications.
5. Coordinating with other Tollway contracts.
6. Data collecting and using GPS or a compatible format to be incorporated into the Tollway GIS system.

Solid Waste

Engineering services are required for environmental due diligence associated with Tollway soils management and disposal. These services will require the evaluation and documentation of soils for impacts that may qualify them for special management at the earliest possible point in project development. The objective will be to evaluate soils for three purposes:

1. Disposal
2. Reuse
3. Construction Worker Precaution(s)

Environmental Studies

Phase I and Phase II environmental and engineering services are required for the evaluation, identification and preparation of environmental documentation and technical reports for various Tollway projects. This level of effort may require DSE participation at all levels of project development, from scoping through construction, including regulatory permit preparation. This effort may also include reviewing and proposing revisions to existing Tollway contracts and coordinating with other Tollway DSEs for general environmental and engineering services related to the above. This may require the preparation of contract plans and specifications, which may also include the re-packaging of proposed Tollway projects including plans and specifications at selected locations.

Various Noise Studies

Engineering services are required for the preparation of various noise studies throughout the Tollway system. The work generally encompasses noise modeling, noise measurements, noise influence lines, identifying noise abatement measures, coordinating with other DSE's and meeting with the general public and local officials.

Asbestos

Engineering services are required for the systemwide asbestos inspections. Various facilities including maintenance facilities and toll plazas must be evaluated for building materials containing friable and non-friable asbestos.

Conducting Vegetative Management Activities at Specified Locations- Systemwide

The services being requested are to assist the Illinois Tollway in improving ground conditions within sensitive environmental properties adjacent to the Tollway. These services include conducting qualitative and quantitative vegetative and botanical assessments, herbicide and pesticide applications, prescribed burns, various seeding and planting activities at to be determined locations in cooperation with various landowners. The following tasks have been identified to provide vegetative management services.

Environmental Inspectors

Engineering services are required for the positions of up to five (5) full time Environmental Inspectors. Environmental Inspectors serve four principal functions: 1) reviewing Tollway design contract to ensure compliance with Tollway standards; 2) performing erosion and sediment control inspections to ensure compliance with the Tollway environmental specifications as well as adhere to the conditions of the National Pollutant Discharge Elimination System Permit (NPDES), Illinois Environmental Protection Agency (IEPA), the Army Corps of Engineers (ACOE), Illinois Department of Natural Resources (IDNR) and local storm sewer permits; 3) evaluating Tollway projects and recommend corrective actions in the field to address project implementation goals and ensure compliance with the conditions stated in the necessary permits for roadway construction; and 4) working in partnership with the Tollway's planning/environmental unit(s) to address corridor environmental needs, highlight areas of opportunity and provide input upon request in future planning, design and construction projects. These individuals may be the same provided points of contact as identified under item 10, Environmental Studies.

Miscellaneous Tasks

Engineering services are also required for miscellaneous tasks associated with environmental work. Such tasks may include the development of Correction Action Plans, environmental monitoring and coordination with respect to Leaking Underground Storage Tank (LUST) Fund issues.

For all tasks on this contract, work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. This is a five-year contract. The upper limit of compensation will be set at \$5,000,000.

Firms must be prequalified by IDOT in the following categories:

Environmental Reports: Environmental Assessment (EA)

Special Services: Landscape Architecture

Special Services: Hazardous Waste: Simple

Special Services: Asbestos Abatement Surveys

The Tollway will allow a Prime consultant to meet the prequalification for Special Services: Landscape Architecture; Special Services: Hazardous Waste: Simple; and Special Services: Asbestos Abatement Surveys through a subconsultant.

Additional Statement of Interest Requirements

- Statements of Interest must include at least two examples of past accepted submittals to the US Army Corps of Engineers and the Illinois Department of Natural Resources for wetland delineations within the past ten years and evidence of those agencies' acceptance of those submittals.

- Statements of Interest must include at least two examples of past accepted wetland mitigation submittals to the US Army Corps of Engineers and the Illinois Department of Natural Resources within the past ten years along with evidence of those agencies approving those submittals.
- Statements of Interest must include examples of previous projects that required studies, design and coordination similar to that required for this contract.
- Statements of Interest must include evidence of traffic noise studies performed within the past five years.
- Statements of Interest must include evidence of staff training in and experience with Traffic Noise Model.
- Statements of Interest must include evidence of staff training in controlled burns.
- The consultant must have an office within the Tollway operating area.

Key personnel listed in Exhibit A for this project must include:

- The person who will assume the duties of the Project Manager for all aspects of the work documents (must have 10 years project management experience)
- The Project Engineer, whose duties include being in charge of the work and is directly involved in the development of the contract documents, must be an Illinois Licensed Professional Engineer.
- The person who is the Project Manager for Noise Studies who must be an Acoustic Engineer, and have an educational background in Physics or Mechanical Engineering or have 5 years' experience in traffic noise studies.
- The person(s) who will be the Environmental Inspectors, who must have 5 years' experience in this position or be Certified Professional in Erosion and Sediment Control (CPESC) certified.
- The person who will assume the duties of Burn boss must possess a valid Illinois Certified Prescribed Burn Manager Certificate issued by The Illinois Department of Natural Resources (IDNR) pursuant to Ill. Admin. Code tit. 17 § 1565
- The person who will assume the duties of Environmental Specialist, that individual in charge of solid waste and environmental due diligence (must be an Illinois Licensed Professional Engineer or Geologist and have 10 years of experience in the field)

Schedule: This project is scheduled to start in Fall 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.13 Item 13: I-21-4572 Systemwide, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.

This project has a 39% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations on the Tollway system. Work orders under the blanket agreement will be negotiated and authorized by the Tollway on an as-needed basis. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

Work tentatively scheduled for construction in 2021-2025:

1. Plaza modifications
2. Toll plaza construction
3. Truck parking
4. On call and as-needed work related to the Tollway System.

The upper limit of compensation will be set at \$3,000,000 to be authorized for use as individual projects are needed.

The Consultant will perform on-site inspection and check construction layout to verify the location and the elevation of contract work including design changes, provide geotechnical inspection and testing, prepare records, maintain documentation, submit pay estimates and change orders and any other duties requiring the services of an engineer to complete these projects on a timely basis and in accordance with Tollway specifications. The Consultant may be required to review and make comments on Pre-Final Design Plans submitted to the Tollway for constructability. The Consultant must complete and submit final measurements, calculations, and final contract documents to the Tollway no later than six (6) weeks after completion of Punch List for the project.

Firms must be prequalified by IDOT in the following categories:

- Special Services (Construction Inspection)**
- Special Services (Electrical Engineering)**

Key personnel listed on **Exhibit A** for this project must include:

- The Project Manager, who is responsible for all aspects of the work documents, must be an Illinois Licensed Professional Engineer.
- The person who will be responsible for electrical design related issues must be an Illinois Licensed Professional Engineer.
- The Resident Engineer
- The Materials Coordinator. (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor's Material QC reporting output and to manage the Construction Manager's approved Materials QA Program. The Material Coordinator shall have passed IDOT's Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually.)
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

1.5.14 Item 14: RR-20-4522 Systemwide, Maintenance Facilities, Construction Management Services Upon Request. On-call and as-needed Construction Management Services.

This project has a 39% D/M/WBE participation goal and 3% VOSB participation goal.

Phase III engineering services are required for the construction inspection, and supervision at selected locations on the Tollway system. Work orders under the blanket agreement will be negotiated and authorized by the Illinois Tollway on an as-needed basis. Typical tasks will include projects that are required for the Tollway system, and may include, but not be limited to:

1. Maintenance Facility M-5.
2. Other Maintenance Facilities as needed.
3. Miscellaneous improvements at plazas and maintenance sites.
4. On call and as-needed work related to the Tollway System.

The upper limit of compensation will be set at \$5,000,000 to be authorized for use as individual projects are needed.

The Consultant will perform on-site inspection, check construction layout to verify the location and the elevation of contract work including design changes, provide geotechnical inspection and testing, prepare records, maintain documentation, submit pay estimates, and change orders and any other duties requiring the services of an engineer to complete the tasks on a timely basis and in accordance with Tollway specifications. The Consultant may be required to review and make comments on Pre-Final Design Plans submitted to the Tollway for constructability. The Consultant must complete and submit final measurements, calculations, and final contract documents to the Tollway no later than six (6) weeks after completion of Punch List for the project.

Firms must be prequalified by IDOT in the following category:

Special Services (Construction Inspection)

Key personnel listed on Exhibit A for this project must include:

- The Project Manager, who is responsible for all aspects of the work documents, must be an Illinois Licensed Professional Engineer.
- The Resident Engineer.
- The Materials Coordinator (For contracts which include soils, aggregates, asphalt and/or concrete placement. The Material Coordinator shall be pre-qualified to manage the Contractor's Material QC reporting output and to manage the Construction Manager's approved Materials QA Program. The Material Coordinator shall have passed IDOT's Level III Hot Mix Asphalt, Level III Portland Cement Concrete training courses for QC/QA management, Soils Field Testing and Inspection (S-33) and IDOT Documentation of Contract Quantities (S-14). The Material Coordinator shall possess the qualifications required in the applicable Professional Services Bulletin and shall attend the Illinois Tollway training course annually).
- The Document Technician. (The person actively performing the documentation on the project must possess a current IDOT Construction Document certificate. Include the Documentation Certificate Number for IDOT class S-14, Documentation of Contract Quantities.)
- The Materials QA Technician.

Schedule: This project is scheduled to start in 2021.

The Consultant must have MicroStation capabilities. All final documents shall be submitted in hard copy

and electronic format, including a 3-D Model, and follow the CADD Standards Manual. This project will be managed through the Tollway's web-based project management system. The Consultant will be required to participate in these procedures and will receive training on the system. The Tollway will furnish the Consultant with guidelines for the Consultant's Quality Program (CQP). The CQP is due fourteen (14) days after Notice to Proceed. The Consultant who is selected for this project will be notified and scheduled to attend a scope briefing with the Illinois Tollway.

PART II: CONTRACT CLAUSES AND REQUIREMENTS

2.1 CONSULTANT /SUBCONSULTANT CONFLICTS OF INTEREST WITHIN TOLLWAY PROJECTS

Certain contracts require that a prime Consultant cannot perform other new services for the Illinois Tollway. These consist of the Program Management Office (PMO), Consulting Engineer (CE), and Traffic Engineer (TE) contracts. The PMO, CE, and TE and their respective Subconsultants may be selected to perform work under Professional Service Bulletin(s) (PSB(s)) published prior to the PMO, CE, or TE project awards, whether selections under the PSB have been completed or are still in progress, in each case referred to herein as a "Prior Award". Except as noted above, a party serving as the prime Consultant on PMO, CE or TE projects may not perform other work for the Illinois Tollway during the pendency of the respective PMO, CE, or TE contract (including extensions).

Even if the prime Consultant is also selected under a Prior Award, the prime Consultant's, or any Subconsultant's project team personnel, may not review that team's own work on a Prior Award. In such cases where, in the course of performing duties as a PMO, CE, or TE, such party, or any Subconsultant thereto, would need to review its own work, the Illinois Tollway requires the use of an "ethical screen" approved by the Illinois Tollway at the time Statement of Interest(s) (SOI(s)) for the proposal that would give rise to a potential conflict are submitted. Such ethical screens must, at a minimum, provide that there shall be no communications between employees of firms reviewing Prior Award work performed or supervised by such firm. For example, if a Subconsultant to the CE has the responsibility of performing electrical lighting reviews for the prime Consultant, and the Subconsultant is also responsible for designing electrical lighting as a Subconsultant on a Prior Award, the CE prime Consultant must substitute either another Subconsultant or an employee of their own firm to review the Prior Award's specific design submittal. As an additional example, if a CE prime Consultant is reviewing work that prime Consultant performed under a Prior Award, an approved ethical screen would allow different employees of the CE than those that worked on the Prior Award or a CE Subconsultant uninvolved in the Prior Award to perform the review. The Illinois Tollway reserves the right to assess any other potential conflict issues that a professional firm, professional individual, or the Illinois Tollway reasonably determines is inappropriate.

This notice is not intended to create confusion; rather it is to request the use of common sense and professional judgment. Professional firms should not place the firm in an unfair advantage. When there may be an issue, the Consultant must quickly inform the Illinois Tollway so that appropriate steps can be taken to mitigate any such instance. This notice is not intended to address any potential conflicts of interest ruled upon by the Chief Procurement Officer and/or the Procurement Policy Board under the Illinois Procurement Code (30 ILCS 500/1 *et seq.*). Violations of this section may result in termination of contracts for cause or the Illinois Tollway may decline to award projects.

2.2 INSPECTOR GENERAL

The Vendor hereby acknowledges that pursuant to Section 8.5 of the Toll Highway Act (605 ILCS 10/8.5) the Inspector General of the Illinois State Toll Highway Authority ("OIG") has the authority to conduct investigations into certain matters including but not limited to allegations of fraud, waste and abuse, and to conduct reviews. The Vendor agrees that it will fully cooperate in any OIG investigation or review and shall not bill the Illinois Tollway for such time. Cooperation includes, but is not limited to, providing access to all information and documentation related to the goods/services described in this Agreement, and disclosing and making available all personnel involved or connected with these goods/services or having knowledge of these goods/services. All subcontracts must inform Subconsultants of this provision and their duty to similarly comply and cooperate with any OIG investigation or review.

2.3 FINANCIAL INFORMATION

2.3.1 DIRECT LABOR MULTIPLIER

The Direct Labor Multiplier to be used on projects advertised in the PSB is as follows:

Phase I and II (Studies, Design, and Survey)	2.8
Phase III (Construction Management)	2.8
Project Staff at Illinois Tollway Facilities	2.5

- The 2.5 multiplier applies to contracts with personnel permanently assigned to a Illinois Tollway facility, such as the Central Administration Building (CA). The 2.5 multiplier does not pertain to personnel assigned to construction field offices for Phase III (Construction Management).

The Direct Labor Multiplier for specialty engineering services, such as Aerial Mapping and LiDAR, will be based upon the firm's current overhead determined during initial contract negotiations between Tollway and Consultant.

2.3.2 OTHER CONTRACTING METHODS

The Illinois Tollway, in its sole discretion, may consider, when it is in the best interest of the Illinois Tollway, other payment methodologies in lieu of Direct Labor Multiplier. Other considerations include “flat rate” or “lump sum” methodology that would be further defined at the time of negotiations between Tollway and Consultant. Other payment methodologies could negate or alter section 2.3.1 Direct Labor Multiplier.

2.3.3 ESTIMATED CONSTRUCTION COST OF PROJECTS

The estimated construction cost of each project is presented in the following categories or may be specific to a project detail. This is to assist the Vendor in determining the relative size of the project. The construction cost category will be included in each Item. The categories are:

CATEGORY	ESTIMATED CONSTRUCTION COSTS
A	\$0M - \$ 10M
B	\$ 10M - \$ 25M
C	\$ 25M - \$ 50M
D	\$ 50M - \$ 75M
E	\$ 75M - \$100M
F	Over \$100M

2.3.4 ALLOWABLE DIRECT COSTS

The Allowable Direct Cost and Allowable Direct Cost –Construction Inspection list was last updated September 12, 2018 and is available on the Illinois Tollway's website.

<https://www.illinoistollway.com/doing-business/construction-engineering/forms>

Website for State Reimbursement Rates

<https://www.illinois.gov/cms/Employees/travel/Pages/default.aspx>

Click on the “For Employees” tab and then on the “Travel Guide”.

For information on accessing the Illinois Tollway Website please refer to the Table of Contents.

The Illinois Tollway will allow the Vendor to negotiate their Direct costs and bill as a lump sum on the contract.

2.4 ILLINOIS TOLLWAY'S CONTRACT PAYMENT POLICY

The Illinois Tollway will not issue payments under contracts for costs incurred during the preceding calendar year if any invoice for that work is received after February 28th of the subsequent State of Illinois fiscal year. This policy enables the Illinois Tollway to close its financial books both on time and accurately. In order to meet the requirements of Generally Accepted Accounting Principles and those of the Illinois Auditor General and external auditors, the Illinois Tollway must account for all of its expenditures for a given calendar year before the end of the subsequent February.

This policy includes payment of any "re-bill" issues that may arise. The Illinois Tollway is unable to make any payments for work in a given calendar year if it has not been properly invoiced to the Illinois Tollway by February 28th of the following year.

2.5 DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION

The Illinois Tollway hereby notifies all respondents that it will affirmatively ensure that in any contract entered into pursuant to this solicitation, disadvantaged, minority, women-owned business and Small Business Administration (SBA) 8(a) enterprises are encouraged to submit a SOI response to this invitation and/or to participate in the advertised Disadvantaged Business Enterprise (DBE) goal of the work to be performed under the contract as a Subconsultant.

Any agreement between a Consultant and a DBE or other Subconsultant in which the Consultant requires that the Subconsultant not provide professional services proposals to other vendors is prohibited.

To qualify as an eligible DBE, the firm must be currently certified by one of the following agencies currently participating in either (A) the Illinois Unified Certification Program (IL UCP), (B) the City of Chicago, Illinois, or (C) the County of Cook, Illinois, as a Minority or Women-Owned Business ("M/WBE") pursuant to their M/WBE programs or (D) it must be currently participating in the Small Business Administration SBA 8(a) Program. A DBE is considered to have current certification if the firm is listed in the directory database of the pertinent certifying agency:

- IL UCP - Illinois Department of Transportation (IDOT)
- IL UCP - Chicago Transit Authority (CTA)
- IL UCP - PACE
- IL UCP - METRA
- IL UCP - City of Chicago
- City of Chicago – M/WBE
- Cook County, Illinois – M/WBE
- Small Business Administration SBA 8(a)

Each DBE firm utilized must be listed in a certifying agency's database at the time of the expiration of the extended documentation period, if utilized, as described below to be considered acceptable. Please provide proof of certification (example: letter) with your SOITEAM submittal (Certifications are to be included as attachments to Exhibit F – Letter of Intent). Certification letters must be current, and DBE vendor's scope(s) of work stated in the SOI and Letter of Intent (LOI) must match the area(s) of specialty specified in the DBE's certification letter.

You can view/print and download the most current listing of DBE firms at:

- IDOT's web site: <https://webapps.dot.illinois.gov/UCP/ExternalSearch>
- City of Chicago's web site: <https://chicago.mwdbe.com/FrontEnd/VendorSearchPublic.asp>
- County of Cook, Illinois' web site: <https://cookcounty.diversitycompliance.com/FrontEnd/VendorSearchPublic.asp?XID=2768&TN=cookcounty>
- Small Business Administration's SBA 8(a) web site: http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm.

If a Vendor cannot obtain sufficient DBE commitments to meet the contract goal, the Vendor must document its good faith efforts to meet the goal, including any DBE participation secured, and request a partial or full waiver of the contract goal. Demonstrating good faith efforts means that the Vendor must show that all necessary and reasonable steps were taken to achieve the contract goal, meaning those steps that could be reasonably expected to obtain sufficient DBE participation. Mere pro forma efforts are not good faith efforts, and the documentation must be supported by backup evidencing contact attempts and results made by the Vendor to DBE firms. Vendors should not submit pricing information received from DBE firms with the good faith efforts documentation.

Examples of good faith efforts and the contact log are available in the List of Documents, Exhibit F, Section 7.10 of the State of Illinois Veteran Small Business Participation and Utilization Plan.

For “Upon Request” projects: the Illinois Tollway may consider a goal adjustment or waiver request if and when a task order is issued for an upon request project which provides a detailed scope of work and the awarded Vendor requests an adjustment when it submits a proposal to complete the task order.

Extended Documentation Period for Vendors with a Technical Issue as determined by the Illinois Tollway related to the DBE Commitment Made on a SOI:

All required DBE documentation must be completed to the fullest extent possible and submitted with the SOI, including the signed DBE Letters of Intent (LOI) and SOITEAM data. If a DBE Letter of Intent and current letter of certification are not submitted with the SOI, the SOI will be deemed non-responsive.

Each Consultant submitting a SOI who has a DBE commitment with a technical issue as determined by the Illinois Tollway related to DBE participation that is identified during initial review of a SOI by the Illinois Tollway shall be allowed, upon an email notification from the Contract Compliance team from the Illinois Tollway, an extended documentation period which will extend until 5:00 pm CT on the second business day after the day the notification is sent (e.g. if a Consultant is notified on Monday, extended documentation period concludes on Wednesday at 5:00 pm).

The extended documentation period allows Consultant solely to correct their initial SOITEAM data to add or adjust DBE participation to:

- Meet or exceed the initial DBE commitment stated in the SOI, if that initial commitment was above the advertised DBE goal, or
- Meet or exceed the goal, if the initial DBE commitment stated in the SOI was below the advertised DBE goal.

The Consultant shall submit updated SOITEAM data and LOI if additional or adjusted DBE participation is secured by the end of the extended documentation period.

Under no circumstances is a Consultant allowed to remove, replace or reduce the DBE participation of a certified DBE firm listed in the initial LOI and SOITEAM data without prior written consent of ILLINOIS TOLLWAY. Increases to DBEs listed in the initial LOI and SOITEAM data are allowed. Note: the percentage inserted in the LOI will take precedence over any other percentage inserted in the SOITEAM data in the event of a discrepancy. Under no circumstances is the Consultant allowed to change any documentation unrelated to the correction of the technical issue identified. Any adjustment made to the DBE portion of the LOI and SOITEAM data during the extended documentation period must include a brief statement describing the revision(s) with resubmittal of the LOI and SOITEAM data. Any other changes to the original SOI will not be accepted.

Illinois Tollway Disclaimer Statement: Disadvantaged Business Enterprises (DBE) Directory, City of Chicago or Cook County, Illinois Minority and Women-Owned Business (M/WBE) Directories, or Small Business Administration SBA 8(a) Directory

Firms listed in either the Illinois Unified Certification Program (IL UCP) Disadvantaged Business Enterprises Directory or the City of Chicago Minority and Women-Owned Business Directory have been certified as a Disadvantaged Business Enterprise (DBE) by one of the IL UCP participating agencies (Illinois Department of Transportation, City of Chicago, Chicago Transit Authority, Metra and Pace) or by the City of Chicago.

Firms listed in the County of Cook, Illinois M/WBE Directory have been certified as Minority or Women Owned Business Enterprises by the County of Cook, Illinois. Firms listed in the Small Business Administration SBA 8(a) Directory have been certified as SBA 8(a) business enterprises by the Small Business Administration.

The criteria, standards and procedures by which certification decisions are made can be obtained from any of the certifying agencies. These directories are to be used as an “informational source only” and the following must be considered:

- Certification does not mean that a firm is in any way prequalified to provide the products and/or services the firm claims it can provide. “Certification” means that the certifying agency has determined, on the basis of information provided and the representations therein, that a business is a bona fide DBE. The certifying agency does not, as a result of any listing, make any representation concerning the ability of any listed firm to perform work in the specialty listed;
- The Illinois Tollway does not, through its use of, and referral to, certification lists, make any representation concerning the ability of any listed firm to perform work in the specialty listed.
- The Illinois Tollway, in awarding a contract, has discretion in determining whether a DBE firm’s listed work categories are eligible to be counted toward the fulfillment of DBE contract goals; and
- It is the responsibility of all vendors to:
 - a) Conduct their own investigation to determine the capability and capacity of the
 - b) DBE firm(s) to satisfactorily perform the proposed work; and
 - c) Ensure the DBE firm(s) is currently certified. A DBE is considered to have current certification if the firm is listed in the directory database of the pertinent certifying agency.

These directories list the most current certified firms. If there are any questions concerning these directories, please contact the certifying agency.

EXHIBIT F - Letter of Intent

Instructions: The Prime Vendor is required to submit a separate, signed Letter of Intent (LOI) from each DBE certified vendor.

LOIs must be submitted with the Statement of Intent (SOI) and must be signed by both parties. The Prime Vendor shall not prohibit or otherwise limit the DBE certified vendor(s) from providing subconsultant proposals to other potential vendors. Each LOI must include the negotiated contract percentage and a detailed scope of work to be performed by each identified DBE certified vendor. All LOIs shall be subject to Agency approval. Any changes involving or affecting the identified DBE certified vendor may not be permitted without written approval of the procuring Agency.

Project Name: _____ Project/Solicitation Number: _____

Name of Prime Vendor: _____ DBE Compliance Contact: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Name of Certified DBE Vendor: _____

Address: _____ DBE Compliance Contact: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Type of agreement: Services

Anticipated start date of the Certified DBE Vendor: _____

Proposed _____% Amount _____ of Contract to be performed by the DBE Vendor.

NOTE: The Prime Vendor must indicate the percentage and Dollar value of the estimated contract award that will be subcontracted to the certified DBE Vendor.

Detailed description of work to be performed by the DBE Vendor:

The Vendor and the certified vendor above hereby agree that upon the execution of a contract for the above-named project between the Vendor and the State of Illinois, the Certified DBE Vendor will perform the scope of work in the percentage as indicated above.

Vendor (Company Name and D/B/A):

Certified DBE Vendor (Company Name and D/B/A):

Signature

Signature

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

2.6 PARTNERING FOR GROWTH PROGRAM GUIDELINES (formerly Partnership-Mentor/Protégé Program Guidelines)

The Partnering for Growth Program and Documents have been updated effective March 2017, and are available on the Illinois Tollway's Website at:

<https://www.illinoistollway.com/doing-business/diversity-development/programs/partnering-for-growth>

The Partnering for Growth Program applies to both Veteran-Owned Small Businesses (VOSBs) and DBE firms. Separate Exhibit E – Partnering for Growth Program - Memorandum of Understanding forms are available for use with a VOSB or a DBE firm. Vendors may have multiple Partnering for Growth agreements in either the DBE and/or VOSB category(ies) and may have partnerships with both.

2.7 STATE OF ILLINOIS VETERAN SMALL BUSINESS PARTICIPATION AND UTILIZATION PLAN

This solicitation includes specific Veteran Small Business participation goal(s) as specified in each Item detail based on the availability of CMS-certified veteran-owned (VOSB) vendors to perform or provide the anticipated services required by this solicitation. The Veteran Small Business participation goal is applicable as specified in each Item detail. In addition to the other award criteria established for this solicitation, the Illinois Tollway will award this contract to a Vendor that meets the goal or makes good faith efforts to meet the goal. Vendor must submit a Utilization Plan and Letter of Intent with its SOI. Refer to PART III, List of Documents, Exhibits, and Other Attachments, for submittal instructions. As stated in Exhibit E, to qualify as an eligible VOSB the firm must be currently certified, at the time of the Professional Services Bulletin due date, by the Department of Central Management Services. Registration is available at: <https://www2.illinois.gov/cms/business/sell2/Pages/VeteranownedBusinesses.aspx>

For Veteran Small Business Utilization Plan go to:

<https://www.illinoistollway.com/doing-business/construction-engineering/bids-bulletins-awards>

2.8 TEAMING AGREEMENT

The action of joining forces with another vendor to submit on a Professional Services Bulletin (PSB) is called Teaming. All former policies and procedures referring to Joint Venture still apply, with Teaming as the name of the effort.

Team SOIs shall comply with the same requirements set forth for individual SOIs, including, but not limited to, the submittal (under the Team's SOI code name) of the SOI, SOITEAM data, Exhibits, and Disclosures. A Team SOI represents a unique submittal and shall not be combined with an individual SOI from the Team Lead or submittals from other, unique teams.

Team members and a Team Leader must clearly be identified with the SOI submittal, and Team Lead shall be considered the Prime Vendor upon selection. A Team Lead can only select one D/M/WBE category but may provide evidence of multiple certifications by attaching any supporting documentation in the attachments tab before submitting. The selection criteria for the Team will include the Team members' prequalification categories, and the sum of the individual firm's work capacity and evaluation history.

The Illinois Tollway requires the Team to **self-perform no less than 40%** of the work, meaning the Team cannot subcontract more than 60% of the project work. The scope of work to be performed by each Team member and its Subconsultants must be clearly defined and leave no room for interpretation in the SOI. Each Team member must make a substantial contribution to the performance of the work being completed by the Team. Factors that may be considered by the Illinois Tollway, in its sole discretion, in determining what constitutes a substantial contribution include, but are not limited to, the number of

participants in the Team, the professional qualifications of each member, and the nature of the work being performed.

The Illinois Tollway **DOES NOT** have a form for Teaming Agreements. However, the firms submitting as a Team are required to obtain and submit their Teaming Agreement. A Teaming Agreement, signed by all members, **MUST** be submitted within ten (10) business days after contract negotiations and prior to Board award. The Teaming Agreement will clearly identify the Team members, their percentage interest / share, as well as respective rights and responsibilities. The Teaming Agreement shall further designate a Team Lead who will assume responsibility for invoicing. **The Team may have no more than three participants.**

Each Team member shall procure and maintain separate insurance policies that meet the Illinois Tollway's insurance requirements. The Tollway's standard insurance requirements are set forth in the Vendor Agreement boilerplates (See Illinois Tollway website: <https://www.illinoistollway.com/doing-business/construction-engineering/forms> under Doing Business> Construction and Engineering: Vendor Resources under Vendor Forms). Each Team member will procure and maintain policies that meet the Prime's required level of coverage and shall indemnify the Team and the Tollway against claims arising from their performance under the Team, as well as agreeing to remain joint and severally liable upon termination of the Project and/or the Team. In the event of the termination of the Team, the insurance and indemnification rights of the Team must be assignable to the Illinois Tollway as a matter of law. Proof of compliance with these requirements must be submitted to the Illinois Tollway prior to issuance of the Illinois Tollway's Notice to Proceed.

Team SOI submittal requirement overview:

- Designate a single point of contact who shall serve as the Team's primary contact with the Illinois Tollway.
- Indicate the Team member responsible for each prequalification category.
- The Team Lead shall submit outstanding work obligations, and Forms A or Forms B disclosures (as applicable) for each of the Team members.
- Identify the Team member responsible for invoicing.
- For Exhibit A, plus other required documents specified in the PSB, combine the information for all participating Team members.
- Submit the Teaming Agreement within ten (10) days after contract negotiation and prior to Board award.

A firm planning to submit a SOI as a Team is required to contact the Illinois Tollway for a Team SOI Firm Name Code. Contact CS staff via e-mail at csstaff@getipass.com. The Team SOI Firm Name Code as provided by the Illinois Tollway is required to identify and process the submittal as a Team proposal.

Only the Team Lead is required to fill out the SOITEAM data on behalf of the Team. It is imperative that the other Team members do NOT submit SOITEAM data if they are not the Team Lead. The Team Lead must clearly identify the Team members and Subconsultants doing work for or in conjunction with the Team within the Team SOITEAM data submittal.

Example of a Team (TM) submittal: Companies forming Team are:

- Company A
- Company B
- Company C

Team Firm Name Code as provided by the Illinois Tollway is: ABC_TM

Team members naming parameters are:

- ABC_TM (Company A) "Managing Partner"
- ABC__TM (Company B)
- ABC_TM (Company C)
- Subconsultants to the Team Lead: J. Smith Consulting (Company B)
- F.J. Engineering (Company C)
- Subconsultants to the Team members: G. Engineering (Company A)
- Materials Inc. (Company A)
- Surveying Services (Company B) Jersey Consulting (Company B) KL Services (Company C)
- L MN Engineering (Company C)

2.9 PHASE III: CONSTRUCTION ENGINEERING SERVICES

The following applies to all Phase III Engineering service items.

After the Consultant has been selected, the Construction Manager (CM) shall provide the following to the Illinois Tollway:

The Consultant selected for the Construction Management (CM) Services shall submit for the Illinois Tollway's review and approval, a management plan for the specific Project(s) for which the Consultant is selected. This management plan shall include an outline of the full-time or part-time plant, on-site inspection services, sampling and laboratory testing the Consultant is providing for Quality Assurance. The selected CM's Consultant's Quality Program (CQP) shall include the identification and pre-qualifications of the Field Inspectors and Laboratory Technicians to be assigned to this project as employees of the Consultant or a qualified Subconsultant. The CQP shall include periodic verification by an independent qualified Subconsultant that the Quality Assurance operations are proceeding as specified using the proper methods of sampling and testing.

The name of any accredited material laboratory(ies) to be utilized for the quality assurance work must be provided with the CQP. The laboratory must be accredited under the AASHTO Accreditation Program (AAP) for all required test procedures specified in IDOT Bureau of Materials Policy Memorandum "Minimum Private Laboratory Requirements for Construction Materials Testing or Mix Design."

<http://idot.illinois.gov/home/resources/Manuals/Manuals-and-Guides>

2.10 CONSTRUCTION AND QUALITY ASSURANCE CONSULTANTS

Personnel performing materials testing for aggregate, PCC, and HMA shall have completed the appropriate IDOT Quality Management Training Program classes. Personnel performing soils inspection and field tests shall have completed IDOT class S-33, Soils Field Testing and Inspection.

The Field Inspectors assigned to this project for on-site Quality Assurance for earthwork quality control and for monitoring the on-site asphalt construction work must be prequalified by having passed the IDOT Nuclear Density training course. The Field Inspectors assigned to the on-site quality control of concrete placement shall be prequalified by having passed the IDOT/ACI Portland Cement Concrete Level I training course. Personnel performing soils field tests shall have completed IDOT class S-33, Soils Field Testing and Inspection.

The Vendor's Quality Assurance responsibilities at the material production plants shall be performed by a Field Inspector having passed IDOT Level I and Level II (HMA and PCC) training courses to perform the specified inspection of approved materials at the concrete and asphalt plants.

2.11 QUALITY ASSURANCE PREQUALIFICATION CATEGORY

The prequalification requirements for Quality Assurance Testing is required and will follow the guidelines set by IDOT in the Prequalification information under in the “Description and Minimum Requirements for Prequalification” in section H. SPECIAL SERVICES under the category for Quality Assurance Testing.

The information about the Quality Assurance Testing prequalification is located at:

<http://www.idot.illinois.gov/Assets/uploads/files/Doing-Business/Manuals-Guides-&-Handbooks/Highways/Design-and-Environment/Description%20and%20Minimum%20Requirements.pdf>

2.12 CLARIFICATION OF QUALITY CONTROL/QUALITY ASSURANCE REQUIREMENTS

The Quality Control/Quality Assurance personnel on Exhibit A shall not be the same personnel preparing the data. If the prime firm does not have personnel to cover the QC/QA requirements, then a Subconsultant prequalified in the category may be used.

The following highlighted sections have been added to the Guidelines in the Professional Services Bulletin and the solicitations.

Complete **Exhibit A** as follows:

- List the required key personnel to match required prequalification categories and any additional personnel requirements designated in the project solicitation. Include firm name if work is to be completed by a Subconsultant.
- QC/QA personnel must be different individuals than those preparing the design documents.

2.13 CONSULTANT CONTRACT FORMS

Standard forms exhibits and associated instructions to be used by construction management (CM) and design services engineering (DSE) Consultants in preparing proposals and agreements with the Illinois Tollway are located on the Illinois Tollway website. Contracts will be awarded based on the standard Agreement templates. Selected Consultants should be prepared to execute the appropriate Agreement template. Any exceptions shall be noted in the Consultant’s SOI.

<https://www.illinoistollway.com/doing-business/construction-engineering/forms>

2.14 SELF-PERFORMANCE

The Illinois Tollway requires the stand-alone firm(non-team) to self-perform no less than 40% of the work.

PART III: LIST OF DOCUMENTS, EXHIBITS, AND OTHER ATTACHMENTS

3.1 CONSULTANT'S COMMITMENT and SIGNATURE

Attach the Consultant's Commitment and Signature pages in the Required Documents Field. These pages are shown below, and are available on the Illinois Tollway website and through this link: <https://www.illinoistollway.com/doing-business/construction-engineering/bids-bulletins-awards>

SOI TO PROVIDE PROFESSIONAL SERVICES

Consultant should use this form as a final checklist to ensure that all required documents are completed and included with the SOI. Consultant must mark each blank below as appropriate; mark N/A when a section is not applicable to the PSB Item submitted. **Consultant understands that failure to submit this form or meet all requirements is cause for disqualification.**

1. **PSB Review:** Consultant reviewed the PSB, including all referenced documents and instructions, completed all blanks, provided all required information, correctly labeled / named its SOI files, and demonstrated how it will meet the Illinois Tollway's requirements.
 Yes No
2. **Addenda:** Consultant acknowledges receipt of any and all addenda to this PSB, and has taken those into account in making this submittal.
 Yes – List Addenda numbers here: _____ No Not Applicable
3. Consultant has submitted with its SOI any and all documents required in this PSB **21-1**. The most current forms are listed on the Illinois Tollway website: <https://www.illinoistollway.com/doing-business/construction-engineering/bids-bulletins-awards> (Doing Business: Construction and Engineering – Vendor Resources – Professional Services Bulletin). Exhibits from previous Professional Services Bulletins will not be accepted. **Consultant understands that incomplete or missing documentation will render the SOI submittal non-responsive.**
 Yes No
4. **SOIs:** Consultant is submitting a separate SOI for each PSB item. The SOI is submitted in adobe.pdf format and labeled as described in 4.4 Submittal Instructions, using the SOI FIRM NAME CODE provided by the Illinois Tollway. The Consultant is submitting under its full, legal name, and if applicable, the full, legal names of the members or firms comprising the team.
 Yes No
5. **Exhibit A:** Consultant is submitting with its SOI “key” project personnel specific to each SOI submitted, including Subconsultants, **resumes**, category of work and is attached as a separate document in e-Builder.
 Yes No
6. **DBE and VOSB Evidence:** Consultant and/or Subconsultant is submitting evidence of certification from acceptable agencies and is attached as a separate document in e-Builder.
 Yes No Not Applicable
7. **Exhibit B:** Consultant is submitting with its SOI the Location/Design - Environmental Questionnaire for applicable items and is attached as a separate document in e-Builder.
 Yes No Not Applicable
8. **Exhibit C: Current Obligations:** Consultant is submitting current work obligations in dollars and/or the Teaming Agreement's Team Lead is submitting current work obligations on behalf of each of the Team member firms. **Exhibit C** is submitted in pdf format and labeled as described in 4.4 Submittal instructions, using the SOI FIRM NAME CODE provided by the Illinois Tollway and is attached as a

separate document in e-Builder.
 Yes No Not Applicable

9. **Exhibit D: Availability of Key Project Personnel:** Consultant is submitting with its SOI Exhibit D, which must include Key personnel as identified in the item detail, for both Prime and Subconsultants and is attached as a separate document in e-builder.
 Yes No Not Applicable
10. **Exhibit E: Partnering for Growth Memorandum of Understanding:** Consultant is submitting Exhibit E with the SOI if the SOI identifies a D/M/WBE Mentor-Protégé partnership and/or a VOSB Mentor-Protégé Partnership. The requirements are described in detail in Exhibit E. Consultant entered the DBE and/or VOSB commitment and percentage breakdowns in the SOITEAM data section and is attached as Exhibit E as a separate document in e-Builder.
 Yes No Not Applicable
11. **Exhibit F: State of Illinois Veteran Small Business Participation and Utilization Plan and Letter of Intent:** Consultant is submitting with its SOI the State of Illinois Veteran Small Business Participation and Utilization Plan and Letter of Intent for items that include a VOSB and is attached as a separate document in e-Builder.
 Yes No Not Applicable
- 11a. **Exhibit F: DBE and Utilization Plan and Letter of Intent: Consultant** is submitting with its SOITeam data and Letter of Intent for items that include a DBE goal and is attached as a separate document in e-Builder.
 Yes No Not Applicable
12. **SOITEAM Data:** Consultant has identified the Prime, Subconsultant(s) and DBE and VOSB/SDVOB percentage breakdowns, verified percentage totals of work are equal to 100%, and left no blank cells. Ranges and “TBD” are not acceptable. the prime can only select one D/M/WBE category but may provide evidence of multiple certifications by attaching any supporting documentation in the attachments tab before submitting. **NOTE: information on the Letter of Intent for DBE and VOSB will take precedence over any other percentage inserted in the SOI or exhibits in the event of a discrepancy.**
 Yes No Not Applicable
13. **FORMS A or FORMS B Certification/Disclosure Forms (version 18.1) and Illinois Tollway Standard Business Terms and Conditions:** Consultant is submitting certification and disclosure forms and Illinois Tollway Terms and Conditions for itself and its Team member firms. The Disclosures are submitted in pdf format and labeled as described in 4.4 Submittal instructions, using the SOI FIRM NAME CODE provided by the Illinois Tollway. Consultant understands that incomplete or missing documentation will render the SOI submittal disqualified (attached as a separate document in e-Builder).
 Yes No
14. **Illinois State Board of Elections Registration:** Consultant understands that Primes may be required to be registered with the Illinois State Board of Elections prior to the submittal of the SOI, and has enclosed a copy of the registration certificate with the Certification / Disclosure forms if applicable and is attached as a separate document in e-Builder.
 Yes No
15. **Exhibit G: Consultant is submitting with its SOI contract participation including primes and Subconsultants of current work and any work dating back 2012 to current and has attached as a separate document in e-Builder.**
 Yes No

SIGNATURE CERTIFICATION

By submitting a response to this SOI, each Consultant unequivocally acknowledges that the Consultant has read and fully understands this SOI, and that the Consultant has asked questions and received satisfactory answers from the Illinois Tollway regarding any provisions of this SOI with regard to which the Consultant desired clarification. By signature below, the Principal of the Consultant certifies the information contained in the SOI is true and accurate.

SIGNATURE CERTIFICATION

I certify that my electronically scanned-in signature appearing in this SOI and associated documents submitted by our firm / team is authorized to be affixed by the person doing so and will be binding on the firm / team.

On behalf of the firm _____ (enter firm full legal name) and its team members, if any (as identified in this SOI), I certify that I am the firm's _____ (enter title), and that I have thoroughly reviewed our existing and pending obligations for services by our Technical Staff (**including work for which selection has been made but negotiations and/or agreements execution have not been finalized**) during the ensuing year(s) to all of our clients on any type of project and have included them on Exhibit C.

If we are selected for this project, we will assign it as a top priority project utilizing the identified Key and Support Personnel as submitted on Exhibit A for the full term of the contract.

I certify that the information contained in this SOI is true and accurate. Any and all discrepancies that are not substantial or relevant to the selection process may be cured during the negotiation process with the selected firm.

Date _____

Signature _____

Print Name _____

3.2 EXHIBITS

The following Exhibits and data shall be submitted in accordance with PSB submittal instructions in PART IV, and are available on the Illinois Tollway website. Refer to paragraph 4.3 for guidelines.

- Exhibit A: Proposed Staff
 - Required - Submit as a separate pdf document.
 - Must include resumes
- Exhibit C: Instructions for Completing Exhibit C and Current Obligations form
 - Required - Submit as a separate pdf document.
- Exhibit D: Availability of Key Project Personnel
 - Required - Submit as a separate pdf document.
- Exhibit E-DBE: Partnering for Growth Program
 - If proposing a mentor-protégé arrangement with a DBE firm, this Exhibit is required.
 - Submit as a separate pdf document.
- Exhibit E-VOSB: Partnering for Growth Program
 - If proposing a mentor-protégé arrangement with a VOSB, this Exhibit is required.
 - Submit as a separate pdf document.
- Exhibit F: DBE and Veteran Small Business Participation and Utilization Plan
 - If the item includes a Veteran Goal, this Exhibit is required.
 - Submit as a separate pdf documents (1 for DBE and 1 for VOSB)
- Exhibit G: Contract Participation
 - Submit as a separate pdf document
- Illinois Tollway Standard Business Terms and Conditions
 - Required - Submit as a separate pdf document.
- SOITEAM Data

Exhibit A – Proposed Staff

PSB 21-1

Please provide the information for the following Key Project Personnel, (Key Project Personnel are defined as those specific positions identified in each PSB Item and are subject to approval by the Illinois Tollway if they change during contract performance), including the staff from the Sub-Vendors. **The personnel named in Exhibit A must also be listed on Exhibit D:** Availability of Key Project Personnel.

Project Manager (Items 1-10,13,14)			
Name:			
Firm:			
Category:			
License #:	IL Licensed Professional Engineer		
Year Registered:		State:	
Office Address:			
City:		State:	

Project Manager (Items 11 and 12)			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Roadway Design (Items 1,5,9)			
Name:			
Firm:			
Category:			
License #:	IL Licensed Professional Engineer		
Year Registered:		State:	
Office Address:			
City:		State:	

Structural Design (Items 5 and 9)			
Name:			
Firm:			
Category:			
License #:	IL Licensed Professional Structural Engineer		
Year Registered:		State:	
Office Address:			
City:		State:	

Resident Engineer (Items 2,4,6,7,8,9,13,14)			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Materials Coordinator (Items 2,4,6,7,8,9,13,14)			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Document Technician (Items 2,4,6,7,8,9,13,14)			
Name:			
Firm:			
Category:			
License #:	Documentation Certification Number IDOT Class S-14		
Year Registered:		State:	
Office Address:			
City:		State:	

Materials QA Technician (Items 2,4,6,7,8,9,13,14)			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Exhibit A – Proposed Staff (PSB 21-1 Page 2 of 4)

The personnel named in Exhibit A must also be listed on Exhibit D: Availability of Key Project Personnel

Project Engineer (Items 1,5,12)			
Name:			
Firm:			
Category:	IL Licensed Professional Engineer		
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Electrical Design (Items 5 and 9)			
Name:			
Firm:			
Category:	IL Licensed Professional Engineer		
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

QC/QA Review (Items 1 and 5)			
Name:			
Firm:			
Category:	IL Licensed Professional Engineer		
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Schedule Review (Item 4)			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Geotechnical Lead (Items 3 and 10)			
Name:			
Firm:			
Category:			
License #:	IL Licensed Professional Engineer		
Year Registered:		State:	
Office Address:			
City:		State:	

Environmental Professional (Items 3,10,12)			
Name:			
Firm:			
Category:			
License #:	Bachelor's Degree in Civil, Chemical, Environmental Engineering		
Year Registered:		State:	
Office Address:			
City:		State:	

Environmental Inspectors (Items 3,10,12)			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Engineer or Geologist (Items 3 and 10)			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Project Manager – Noise Studies (Item 12)			
Name:			
Firm:			
Category:	Acoustic Engineer		
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Burn Manager (Item 12)			
Name:			
Firm:			
Category:			
License #:	IL Certified Burn Manager - IDNR		
Year Registered:		State:	
Office Address:			
City:		State:	

Exhibit A – Proposed Staff (PSB 21-1 Page 3 of 4)

The personnel named in Exhibit A must also be listed on Exhibit D: Availability of Key Project Personnel

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Required Prequalification Category			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

*If work is being performed by a Sub-Vendor list firm name also.

**Note the specific function listed in the Item description for Key Personnel

Exhibit A – Proposed Staff (PSB 21-1 Page 4 of 4)

Attach resumes for Key Project Personnel.

<u>Management</u>	<u>Professionals</u>	<u>Technical Staff</u>
Total _____	Engineers _____	Technicians _____
	Land Surveyors _____	Draftsmen _____
	Architects _____	Survey Crew _____
	Others _____	Clerical _____
	Total _____	Other _____
		Total _____
		Total Projected Staff _____

Exhibit A – Proposed Staff

PSB# 21-1

Item# __

Firm will complete project within estimated time listed in the project advertisement. Yes No

If **Yes**, provide completion date and/or number of months. _____

If **No**, explain:

Exhibit A

INSTRUCTIONS FOR COMPLETING EXHIBIT C: CURRENT OBLIGATIONS

Work Being Negotiated or Under Agreement with the Illinois State Toll Highway Authority

If your firm currently has work awarded by ILLINOIS TOLLWAY, complete the first page of **Exhibit C**, showing *Project Fee and Fee Remaining in the Estimated Time Period for Completion of Each Project*. **[Projects being negotiated and scheduled supplements should be listed and the fee columns estimated.]** If your firm has a contract in which the Illinois Tollway has suspended the work, list the Project Fee and Fee Remaining To Be Earned and your best estimate of when the work will resume. If your firm is participating in an ILLINOIS TOLLWAY project as a Subconsultant, complete the **"Your Firm as a Subconsultant"** block showing *Subcontract Fee and Fee Remaining in the Estimated Time Period for Completion of Each Project*.

- **Work Being Negotiated or Under Agreement by Your Transportation Staff for Other than the Illinois State Toll Highway Authority**

For any work your firm has other than ILLINOIS TOLLWAY, complete the second page of **Exhibit C**, listing the *Fee Remaining in the Time Period for Completion of the Projects in the Appropriate Agency*.

- **Current Obligations for the Illinois State Toll Highway Authority that Your Firm has Subcontract**

If your firm currently has work where a Subconsultant is being utilized, complete and submit the third of **Exhibit C**, showing their *Subcontracted Fee and Work Remaining* in the appropriate columns. If you currently have no Subconsultants on your ILLINOIS TOLLWAY contracts, mark **"None"** and submit.

- **Summary of Work**

Please provide this information from totals on the first two pages of **Exhibit C**. The table for this information is found in **Exhibit C** at the bottom of the second page.

EXHIBIT C



Current Obligations of Work for the Illinois State Tollway Highway Authority

(Firm's Legal Name)

Your firm as Prime Vendor

PSB No.	Total Project Fee	<u>Fee Remaining without Subconsultants</u>					
		0-6 Months		7-18 Months		>18 Months	
		Design	Constr.	Design	Constr.	Design	Constr.
<u>Total as Prime:</u>	<u>(enter here & table on Page 3)</u>						

EXHIBIT C



Current Obligations of Work for the Illinois State Tollway Highway Authority

(Firm's Legal Name)

Your firm as Subconsultant:

Vendor You Are Subcontracted to	PSB No.	Total Project Fee	<u>Fee Remaining</u>						
			0-6 Months		7-18 Months		>18 Months		
			Design	Constr.	Design	Constr.	Design	Constr.	
<u>Total as Subconsultant:</u>	(enter here & table on Page 4)								

EXHIBIT C

Current Obligations of Work by Your Transportation Staff for Other than The Illinois State Toll Highway Authority

(Firm's Legal Name)

	Total AGR Amount	Fee Remaining To Be Earned					
		0-6 Months		7-18 Months		>18 Months	
		Design	Constr.	Design	Constr.	Design	Constr.
City of Chicago							
Illinois Department of Transportation							
All Other Work (Public & Private)							
Total Non-ILLINOIS TOLLWAY							

(enter here & on table below)

Note: The start date for the 0-6 months will be the date of this PSB

Summary of Work

Totals For Firm	0-6 Months		7-18 Months		>18 Months	
	Design	Constr.	Design	Constr.	Design	Constr.
<u>Total As Prime</u>						
Total As Subconsultant						
Total For Non-ILLINOIS						
Total						

EXHIBIT E – DBE
PARTNERING FOR GROWTH PROGRAM
FOR
DISADVANTAGED BUSINESS ENTERPRISES (DBEs)

PSB: 21-1 ITEM: Item

MEMORANDUM OF UNDERSTANDING
 BETWEEN:

THE MENTOR:	FIRM NAME ADDRESS	A N D	THE PROTÉGÉ:	FIRM NAME ADDRESS
Mentor	Mentor Address		Protege	Protege Address_

Note: The Partnering for Growth Program was formerly known as the Partnership-Mentor/Protégé Program.

Note: The DBE goal is separate and distinct from the VOSB goal. A single firm may not be utilized to achieve credit toward both DBE and VOSB goals on a single project. Therefore, the protégé participation must match the goal for which the protégé is being utilized.

I. PROGRAM PURPOSE

The Mentor and the Protégé commit to entering into a Partnering for Growth Agreement in accordance with the current guidelines of the Illinois Tollway’s Partnering for Growth (formerly known as Partnership-Mentor/Protégé) Program for DBEs. The purpose of the Program is to facilitate the Illinois Tollway’s professional services Vendors with:

- A. Meeting Disadvantaged Business Enterprise/Minority Business Enterprise/Women Business Enterprise (DBE) participation goals,
- B. Establishing new partnerships with DBE firms that have no prior experience providing professional services to the Illinois Tollway,
- C. Continuing technical and nontechnical support for DBE firms that have limited experience providing professional services to the Illinois Tollway, and
- D. Assisting DBE firms with building their capacity and becoming and/or remaining self-sufficient, competitive, and profitable business enterprises.

A **DBE** means a business certified by the Illinois Unified Certification Program as a DBE, or certified by the City of Chicago or by Cook County as an M/WBE, or certified by the U.S. Small Business Administration (SBA) as an 8(a) business.

Professional Services shall be defined as Architecture, Landscape Architecture, Professional Engineering and Professional Land Surveying.

II. CONFORMANCE TO PROGRAM GOALS

A. Participation in this project by the Protégé.

1. In area(s) being mentored:

- Technical work covered by Mentor’s prequalification category(ies) %__%

Scope: Technical Scope

-
- Work not applicable to prequalification category(ies) %__%

Scope: Non Covered Scope

Note: Protégé must participate in either one or both of these areas

2. In area(s) not being mentored:

- Work the Protégé will self-perform %__%

Note: Protégé participation in this area is optional

3. Total participation by the Protégé (Sum of 1. and 2.) %__%

III. MENTOR EXPERIENCE WITH THE PROGRAM

- A. Has the Prime Vendor served as a Mentor on a Illinois Tollway project completed within the last five years? If yes, list Contract #(s): YES NO
 Contract #(s)

Indicate Phase(s) of Work: MP DSE CM Other

Areas of Assistance:

Assistance

- B. Is the Prime Vendor currently serving as a Mentor on a Illinois Tollway project? If yes, list Contract #(s): YES NO
 Contract #(s)

Indicate Phase(s) of Work: MP DSE CM Other

Areas of Assistance:

Assistance

- C. Has the Prime Vendor mentored the Protégé on another Illinois Tollway project within the last five years? If yes, list Contract #(s): YES NO
 Contract #(s)

Indicate Phase(s) of Work: MP DSE CM Other

Areas of Assistance:

Assistance

IV. PROTÉGÉ EXPERIENCE WITH THE PROGRAM

A. Has the DBE firm ever been contracted by the Illinois Tollway as a Prime Vendor?? | YES NO
yes, list date, Contract #, and description of scope for each project(s):

<u>Date</u>	<u>Contract #</u>	<u>Description of Scope</u>
<u>Date</u>	<u>Contract</u>	<u>Description</u>
<u>Date</u>	<u>Contract</u>	<u>Description</u>
<u>Date</u>	<u>Contract</u>	<u>Description</u>

B. Has the DBE firm participated in a Mentor/Protégé Agreement on a Illinois Tollway project YES NO completed within the last five years? If yes, list the following for each project(s).

<u>Contract #</u>	<u>Protégé Award \$</u>	<u>Mentored by</u>	<u>Area of Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>

C. Is the DBE firm currently participating in a Mentor/Protégé Agreement on a Illinois Tollway project? If yes, list the following for each project(s). YES NO

<u>Contract #</u>	<u>Protégé Award \$</u>	<u>Mentored by</u>	<u>Area of Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>

D. Has the DBE firm participated in a Mentor/Protégé Agreement on an Illinois Department of Transportation project completed within the last five years? If yes, list the following for each project(s). YES NO

<u>PTB No/ Item</u>	<u>Protégé Award \$</u>	<u>Mentored by</u>	<u>Area of Assistance</u>
<u>PTB</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>PTB</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>PTB</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>

- E. If the Protégé has been mentored in the same Area of Assistance proposed on this project for a Illinois Tollway and/or IDOT project a combined total of more than three times, provide explanation supporting need for additional mentoring.

Explanation

V. STATEMENT OF COMMITMENT

The purpose of this statement is to confirm a commitment between the Mentor and Protégé, that upon notice of selection from the Illinois Tollway for this PSB Item, a formal Partnering for Growth Agreement will be prepared in accordance with the current guidelines of the Illinois Tollway’s Partnering for Growth Program.

Should the Vendor, after contract negotiation, wish to modify the ‘Plan to Achieve Diversity Goal’, the awarded Vendor is requested to submit to the Executive Manager of Diversity a detailed explanation of the work category changes that were not known at the time of the SOI submittal.

SIGNATURE (Mentor Representative)

SIGNATURE (Protégé Representative)

Date

(Date)

Date

(Date)

**EXHIBIT E - VOSB
PARTNERING FOR GROWTH PROGRAM
FOR
VETERAN-OWNED SMALL BUSINESSES (VOSBs)
PSB: 21-1 ITEM: ____**

**MEMORANDUM OF UNDERSTANDING
BETWEEN:**

THE MENTOR:	FIRM NAME ADDRESS	A N D	THE PROTÉGÉ:	FIRM NAME ADDRESS
Mentor	Mentor Address		Protege	Protege Address_

Note: The Partnering for Growth Program was formerly known as the Partnership-Mentor/Protégé Program.

Note: The VOSB goal is separate and distinct from the DBE goal. A single firm may not be utilized to achieve credit toward both VOSB and DBE goals on a single project. Therefore, the protégé participation must match the goal for which the protégé is being utilized.

I. PROGRAM PURPOSE

The Mentor and the Protégé commit to entering into a Partnering for Growth Agreement in accordance with the current guidelines of the Illinois Tollway’s Partnering for Growth (formerly known as Partnership Mentor/Protégé) Program for VOSB’s. The purpose of the Program is to facilitate the Illinois Tollway’s professional services Vendors with:

- E. Meeting Veteran and Service-Disabled Veteran Owned Small Business (VOSB) participation goals,
- F. Establishing new partnerships with VOSB firms that have no prior experience providing professional services to the Illinois Tollway,
- G. Continuing technical and nontechnical support for VOSB firms that have limited experience providing professional services to the Illinois Tollway, and
- H. Assisting VOSB firms with building their capacity and becoming and/or remaining self-sufficient, competitive, and profitable business enterprises.

A **VOSB** means a business certified by the State of Illinois Department of Central Management Services (CMS) as a Veteran-owned small business or Service-disabled Veteran-owned small business.

Professional Services shall be defined as Architecture, Landscape Architecture, Professional Engineering and Professional Land Surveying.

II. CONFORMANCE TO PROGRAM GOALS

A. Participation in this project by the Protégé.

1. In area(s) being mentored:

- Technical work covered by Mentor’s prequalification category(ies) %__%

Scope: Technical Scope

- ---

 Work not applicable to prequalification category(ies) %__%

Scope: Non Covered Scope

EXHIBIT E-1 – VOSB (Page 2 of 5)

Note: Protégé must participate in either one or both of these areas

2. In area(s) not being mentored:
- Work the Protégé will self-perform %__%
- Note: Protégé participation in this area is optional*
3. **Total participation by the Protégé (Sum of 1. and 2.)** %__%

B. Briefly describe an assessment of the Protégé’s needs (*one-half page maximum*).
Protege needs

C. Briefly describe specific assistance the Mentor will provide to support the Protégé’s needs (*one-half page maximum*).
Mentor assistance

III. MENTOR EXPERIENCE WITH THE PROGRAM

- D. Has the Prime Vendor served as a Mentor on a Illinois Tollway project completed within the last five years? If yes, list Contract #(s): YES NO
Contract #(s)

Indicate Phase(s) of Work: MP DSE CM Other

Areas of Assistance:
Assistance

EXHIBIT E-1 - VOSB (Page 3 of 5)

E. Is the Prime Vendor currently serving as a Mentor on a Illinois Tollway project? If yes, list Contract #(s): YES NO
 Contract #(s)

Indicate Phase(s) of Work: MP DSE CM Other

Areas of Assistance:

Assistance

F. Has the Prime Vendor mentored the Protégé on another Illinois Tollway project within the last five years? If yes, list Contract #(s): YES NO
 Contract #(s)

Indicate Phase(s) of Work: MP DSE CM Other

Areas of Assistance:

Assistance

IV. PROTÉGÉ EXPERIENCE WITH THE PROGRAM

A. Has the VOSB firm ever been contracted by the Illinois Tollway as a Prime Vendor? YES NO
 If yes, list date, Contract #, and description of scope for each project(s):

<u>Date</u>	<u>Contract #</u>	<u>Description of Scope</u>
<u>Date</u>	<u>Contract</u>	<u>Description</u>
<u>Date</u>	<u>Contract</u>	<u>Description</u>
<u>Date</u>	<u>Contract</u>	<u>Description</u>

B. Has the VOSB firm participated in a Mentor/Protégé Agreement on a Illinois Tollway project completed within the last five years? YES NO
 If yes, list the following for each project(s).

<u>Contract #</u>	<u>Protégé Award \$</u>	<u>Mentored by</u>	<u>Area of Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>

C. Is the VOSB firm currently participating in a Mentor/Protégé Agreement on a Illinois Tollway project? YES NO
 If yes, list the following for each project(s).

<u>Contract #</u>	<u>Protégé Award \$</u>	<u>Mentored by</u>	<u>Area of Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>Contract</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>

D. Has the VOSB firm participated in a Mentor/Protégé Agreement on an Illinois Department of Transportation project completed within the last five years? YES NO
 If yes, list the following for each project(s).

<u>PTB No/ Item</u>	<u>Protégé Award \$</u>	<u>Mentored by</u>	<u>Area of Assistance</u>
<u>PTB</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>PTB</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>
<u>PTB</u>	<u>Award \$</u>	<u>Mentored</u>	<u>Assistance</u>

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- E. If the Protégé has been mentored in the same Area of Assistance proposed on this project for a Illinois Tollway and/or IDOT project a combined total of more than three times, provide explanation supporting need for additional mentoring.

Explanation

V. STATEMENT OF COMMITMENT

The purpose of this statement is to confirm a commitment between the Mentor and Protégé, that upon notice of selection from the Illinois Tollway for this PSB Item, a formal Partnering for Growth Agreement for VOSB's will be prepared in accordance with the current guidelines of the Tollway's Partnering for Growth Program.

Should the Vendor, after contract negotiation, wish to modify the 'Plan to Achieve Diversity Goal', the awarded Vendor is requested to submit to the Executive Manager of Diversity a detailed explanation of the work category changes that were not known at the time of the SOI submittal.

SIGNATURE (Mentor Representative)

SIGNATURE (Protégé Representative)

Date

(Date)

Date

(Date)

NOTICE REGARDING EXHIBIT F
PARTICIPATION, UTILIZATION PLAN and LETTER OF INTENT for
Professional Services

Illinois State Toll Highway Authority

SPECIAL PROVISION

FOR

DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION

1. POLICY STATEMENT

It is the policy of the Illinois State Toll Highway Authority (“ISTHA” or “Tollway”) that qualified and *bona fide* Disadvantaged Business Enterprises (DBEs), as that term is defined herein, have maximum feasible opportunities to participate fully in the performance of all contracts funded and administered by the Tollway. The Tollway seeks to ensure non-discrimination in the award and administration of its contracts and associated subcontracts and that it is not a passive participant in a discriminatory marketplace; to create a level playing field on which DBEs can compete fairly for its contracts; to ensure that its Special Provision is narrowly tailored in accordance with applicable law; to ensure that only firms that meet the eligibility standards are permitted to participate as DBEs; and to help to remove barriers to participation of DBEs in Tollway contracts and associated subcontracts.

Consistent with this policy, it is the responsibility of all Vendors for general contracting work and a specific condition of all Tollway contracts to which they are parties to ensure full and fair opportunities for DBEs to compete in contracts funded and administered by the Tollway and to fully comply with this Special Provision.

2. DEFINITIONS

For the purposes of this Special Provision, the following terms shall have the following meanings:

Affiliate of a person or entity means a person or entity that directly or indirectly through one or more intermediaries, controls or is controlled by, or is under common control with, the person or entity. In determining Affiliation, the Tollway shall consider all appropriate factors, including common ownership, common management, and contractual relationships.

Broker means a person or entity that fills orders by purchasing or receiving supplies from a third-party supplier rather than out of its own existing inventory and provides no substantial service other than acting as a conduit between his or her supplier and his or her customer.

Commercially Useful Function means responsibility for the execution of a distinct element of the work of the contract, which is carried out by actually performing, managing, and supervising the work involved, or fulfilling responsibilities as a Joint Venture partner.

Contingency Work is the anticipated work within the scope of the project which is included in the project to cover the work of such an uncertain nature that the location or quantity could not be identified prior to awarding the contract.

Core Work is the anticipated work within the scope of the project which is included in the project to cover the work of such a nature that the location and estimated quantity could be identified prior to awarding the contract.

Disadvantaged Business Enterprise ("DBE") means a business currently certified by the Illinois Unified Certification Program ("ILUCP") pursuant to 49 C.F.R. Part 26, or a business currently certified by the City of Chicago, Illinois or the County of Cook, Illinois, as a Minority or Women-Owned Business ("M/WBE") pursuant to its M/WBE program for construction contracts, Art. IV, § 2-92-650, *et seq*, as amended, or a business currently certified by the U.S. Small Business Administration (SBA) pursuant to the Small Business Act as an SBA 8(a) business, owned and operated by a socially and economically disadvantaged person. A DBE is considered to have current certification if the firm is listed in the directory database of the pertinent certifying agency.

DBE Joint Venture means an association of two or more persons, or any combination of types of business enterprises and persons numbering two or more, proposing to perform as a single for profit business enterprise, in which each Joint Venture partner contributes property, capital, efforts, skill and knowledge, and in which the DBE is responsible for a distinct, clearly defined portion of the work of the project and whose share in the capital contribution, control, management, risks, and profits of the Joint Venture are equal to its ownership interest. Joint Ventures must have an agreement in writing specifying the terms and conditions of the relationships between the partners and their relationship, risks and responsibility under the contract.

DBE Utilization Plan means the list of currently certified DBEs that the Vendor commits will be utilized, including its own participation as a DBE, if applicable, in the scopes of the work and the dollar values or the percentages of the work to be performed pursuant to this solicitation and in conformance with this Special Provision.

Good Faith Efforts means actions undertaken by a Vendor to achieve a DBE contract goal, which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the contract goal.

Mobilization means preparatory work and operations necessary for the movement of personnel, equipment and incidentals to the project site for the establishment of offices, buildings and other facilities necessary for work on the project and for all other work operations which must be performed, or costs incurred when beginning work on the project.

Regular Dealer means a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business. To be a Regular Dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question. A firm may be a Regular Dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt without owning, operating, or

maintaining a place of business if the firm both owns and operates distribution equipment for the products. Any supplementing of a Regular Dealer's distribution equipment shall be by a long-term lease agreement and not on an *ad hoc* or contract-by-contract basis. Packagers, manufacturer representatives, or other persons who arrange or expedite transactions are not Regular Dealers.

3. VENDOR ASSURANCE

The Vendor will assure that each of its employees and its Subconsultants' employees associated with the contract shall not discriminate on the basis of any protected category identified by law in the performance of this contract. Failure by the Vendor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Tollway deems appropriate.

4. DBE CONTRACT GOAL TO BE ACHIEVED BY THE VENDOR

This contract includes a specific DBE utilization goal of ____% of the contract. The goal reflects the estimated availability of DBEs to perform the scopes of work of this contract, including as a prime Vendor. Consequently, in addition to the other award criteria established for this contract, ISTHA will award this contract to a Vendor who either meets this goal or who demonstrates its good faith efforts to do so. The participation of DBEs will be calculated on the amount identified in the proposal documents. **The Vendor's DBE commitment will be assessed for any supplement at the time such requests are made.**

5. DBE, M/WBE and SBA 8(a) LOCATOR REFERENCES

Vendors should consult the Illinois Unified Certification Program ("ILUCP") DBE Directory as a reference source for DBEs and the City of Chicago, the County of Cook M/WBE directories as reference sources for M/WBEs in construction certified by the City of Chicago or the County of Cook, or the Small Business Administration SBA 8(a) directory for SBA 8(a)s certified by the Small Business Administration. Only firms certified by the IL-UCP, the City of Chicago, the County of Cook, or the Small Business Administration **at the time of proposal submitted** are eligible to be considered for contract award to either meet the contract goal or establish the Vendor's good faith efforts to do so.

These directories are to be used as an informational source only. Certification does not mean that a firm is in any way prequalified to provide the products and/or services in its certification specialty. "Certification" means that the ILUCP, the City of Chicago, the County of Cook, or the Small Business Administration has determined, on the basis of information provided and the representations therein, that a business is a *bona fide* DBE. The ILUCP, the City of Chicago, the County of Cook or the Small Business Administration does not, as a result of listing, make any representation concerning the ability of any listed firm to perform work in the specialty listed. The Tollway does not, through its use of and referral to ILUCP DBE, the City of Chicago, the County of Cook MBE/WBE, and the Small Business Administration SBA 8(a) lists, make any representation concerning the ability of any listed firm to perform work in its certification specialty. The Vendor must conduct its own due diligence regarding the capabilities of certified firms to perform the work of the contract.

6. PROFESSIONAL SERVICES BULLETIN PROCEDURES

Compliance with the Professional Services Bulletin procedures of this Special Provision is required as provided in this Special Provision prior to the award of the contract.

6.1 Submission of the DBE Letter of Intent

The SOITEAM data plan must be supported by the submission of a detailed DBE Letter of Intent, for each DBE proposed for the performance of work to achieve the contract goal and is due at the time of submission.

In no case should a Vendor remove, replace, or reduce the commitment to a DBE listed in the initial SOITEAM data Plan and corresponding Letter of Intent without prior written consent of ISTHA. Under no circumstances is the Vendor allowed to change the contract percentage submitted or any other documentation unrelated to this special provision.

The signatures on these forms must be original signatures. All elements of information indicated on Form Utilization Plan must be provided, including but not limited to:

- 6.1.1 The name and address of each DBE to be used;
- 6.1.2 A full description, of the commercially useful function to be performed by each DBE. Descriptions such as “miscellaneous” are not acceptable.
- 6.1.3 If the DBE is the Prime Vendor, they should indicate the percentage of work to be counted toward DBE participation on the Letter of Intent.
- 6.1.4 The letter of Intent will serve as the commitment statement signed by the Vendor and each DBE evidencing availability and intent to perform a commercially useful function on the project; and
- 6.1.5 If the Vendor is a joint venture comprised of DBEs and non-DBEs, the Plan must also include a clear identification of the portion of the work to be performed by the DBE joint venture partner(s).
- 6.1.6 If the Vendor is unable to meet the goal, it must demonstrate it made good faith efforts to do so, as described in this Special Provision and detailed in section 6.6 below.
- 6.1.7 The contract will not be awarded until the DBE Letter of Intent, including if applicable, the Vendor’s good faith efforts to meet the goal, is approved by ISTHA. The DBE SOITEAM plan and Letter of Intent will be approved if it demonstrates that DBEs will be used to perform a commercially useful function sufficient to meet the contract goal, or that the Vendor made sufficient good faith efforts, as defined in this Special Provision, to meet the goal.

6.2 Counting DBE Participation

The DBE Utilization Plan’s DBE commitments represent work expected to be performed and paid for upon satisfactory completion. ISTHA is only able to count toward the achievement of the contract goal the value of payments made for the work actually performed by DBEs. The Tollway will count DBE participation, and the Vendor will receive credit towards meeting the DBE contract goal, as follows:

- 6.2.1 The entire amount of that portion of work that the DBE is certified to perform, as indicated on the DBEs Letter of Certification, and that is performed by the DBE’s own forces either as the Vendor or a Subconsultant shall be counted. **Work that the DBE subcontracts to a non-DBE does not count toward the DBE goal.**
- 6.2.2 The entire amount of fees or commissions charged by a DBE for providing a *bona fide* service, such as professional, technical, Vendor or managerial services, or for providing bonds or

insurance specifically required for the performance of a contract, shall be counted, provided the fee is reasonable and not excessive as compared with fees customarily charged for similar services.

- 6.2.3 When a DBE performs as a participant in a Joint Venture, only the portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the Joint Venture's contract that is performed by the DBE with its own forces and for which it is separately at risk, shall be counted. A Joint Venture may also count the dollar value of work subcontracted to DBEs other than the DBE Joint Venture partner(s). Work performed by the forces of the non-DBE joint venture partner shall not be counted toward the DBE goal. The Tollway will evaluate the Joint Venture agreement, which must be submitted with the DBE Utilization Plan, for conformance with this Special Provision and eligibility for credit towards meeting the goal. The agreement must describe in detail the financial contribution of each partner; the list of personnel and equipment contributed and used by each partner; the responsibilities of each partner for each aspect of the joint venture; if applicable, the bonding capacity of each partner; if applicable, the prequalification status of each partner; the basis and distribution of all profits and losses; and any other elements deemed relevant by the Tollway.
- 6.2.4 If a firm's certification is revoked by its certifying agency during its performance on a contract, the dollar value of work performed under this contract with that firm after it has ceased to be certified shall not be counted.

If a DBE graduates from its respective certification program, based upon exceeding the firm size or personal net worth limitations after this contract is awarded, the firm's participation will be counted towards meeting the goal on this contract.

In determining achievement of the contract goal, the participation of a DBE shall not be counted until that amount has been paid to the DBE.

6.3 Demonstrating Commercially Useful Function

Only expenditures to a DBE that is performing a Commercially Useful Function shall be counted. To determine whether a DBE is performing a Commercially Useful Function, the Tollway will evaluate the amount of work subcontracted, industry practices, whether the amount the DBE is to be paid under the contract is commensurate with the work it is actually performing and other relevant factors. A DBE performs a commercially useful function when it is responsible for the execution of the work and is carrying out its responsibilities by actually performing, managing, and supervising the work involved.

- 6.3.1 To perform a commercially useful function, the DBE must be responsible, for carrying out all aspects of the services identified in the Letter of Certification and awarded from start to finish.
- 6.3.2 A DBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, ISTHA will examine similar transactions, particularly those in which DBEs do not participate.
- 6.3.3 If a DBE does not perform or exercise responsibility for at least 30 percent of the total cost of its contract with its own work force, or the DBE subcontracts a greater portion of the work of a contract than would be expected on the basis of normal industry practice for the type of work involved, ISTHA will presume that the DBE is not performing a commercially useful function.

When a DBE is presumed not to be performing a commercially useful function as provided in this section, the DBE and the Vendor may present evidence to rebut this presumption.

6.4 Extended Documentation Period for Low Apparent Vendors with a DBE Commitment Below the Advertised DBE Goal

Each Vendor identified as the low Vendor who has a DBE commitment less than the advertised DBE goal shall be allowed, upon email notification from the Tollway, an extended documentation period which will extend until 5:00 pm CT on the second business day after the day the notification is sent (e.g. if a Vendor is notified on Monday, extended documentation period concludes on Wednesday at 5pm). The extended documentation period allows Vendors solely to supplement their initial Utilization Plan to add DBE participation to meet the stated DBE participation goal or to demonstrate additional good faith efforts in obtaining DBE participation. The Vendor may take other action beyond any stated additional efforts in order to obtain additional DBE commitments. The Vendor shall submit an amended DBE, LOI and SOITEAM data form if additional DBE commitments to meet the contract goal are secured by the end of the extended documentation period. If additional DBE commitments sufficient to meet the advertised contract goal are not secured, the Vendor shall report the final good faith efforts made during the extended documentation period along with a request for a waiver pursuant to section 6.6 of this section. All additional efforts taken by the Vendor before and during the extended documentation period will be considered as part of the Vendor's good faith efforts.

The extended documentation period is intended to allow Vendors that have made a good faith effort to secure DBE participation an opportunity to meet the stated contract goal. Vendors are expected to have utilized good faith efforts in compiling their initial DBE SOITEAM and LOI, and the DBE participation indicated in the initial DBE SOITEAM plan and LOI should reflect the participation the Vendor could achieve through good faith efforts. In no case should a Vendor remove, replace or reduce the commitment to a DBE listed in the initial Plan without prior written consent of ISTHA. Under no circumstances is the Proposer allowed to change the contract amount submitted or any other documentation unrelated to this special provision. When ISTHA determines that a Vendor, either through a pattern of conduct or with respect to a single proposal, has failed to discharge its good faith efforts obligations in this intended fashion, ISTHA, in its discretion, may reject the proposal outright without allowing the proposer to take advantage of the extended documentation period.

6.5 Good Faith Efforts Procedures

If the proposer cannot obtain sufficient DBE commitments to meet the contract goal, the Vendor must document its good faith efforts to meet the goal, including any DBE participation secured as detailed in Form(s) SOITEAM and Letter of Intent, using the Good Faith Efforts Contact Log and Checklist, DBE Form 2023. If the DBE contract goal was not achieved by a Vendor, the Vendor must submit its good faith efforts documentation, including the DBE Form 2023. Documentation submitted after PSB due date, except as provided for in Section 6.5 above, will not be accepted or reviewed.

Demonstrating good faith efforts means that the Proposer must show that all necessary and reasonable steps were taken to achieve the contract goal. Necessary and reasonable steps are those that could reasonably be expected to obtain sufficient DBE participation. ISTHA will consider the quality, quantity and intensity of the kinds of efforts that the Proposer has made. Mere *pro forma* efforts are not good faith efforts; rather, the Proposer is expected to have taken those efforts that

would be reasonably expected of a Proposer actively and aggressively trying to obtain DBE participation sufficient to meet the contract goal.

If ISTHA determines that the Vendor has made a good faith effort to secure the work commitment of DBEs to meet the contract goal, ISTHA will award the contract provided that the Proposer is otherwise eligible for award and award is in the Tollway's best interest.

The following is a list of types of action that ISTHA will consider as part of the evaluation of the Proposer's good faith efforts to obtain DBE participation. These listed factors are not intended to be a mandatory checklist and are not intended to be exhaustive. Other factors or efforts brought to the attention of ISTHA may be relevant in appropriate cases and will be considered by ISTHA.

- 6.5.1 Soliciting through all reasonable and available means (*e.g.*, attendance at DBE Networking Sessions sponsored by ISTHA, advertising and/or written notices) the interest of all DBEs that have the capability to perform the work of the contract. A list of certified DBEs considered to determine the contract goal may be provided by the Tollway, but should not be considered exhaustive, and other firms may be available for solicitation by the Proposer. The Proposer must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation, but in any event, no later than five (5) calendar days prior to the submission date. At least two methods of solicitation of DBEs must be used (*e.g.*, email and fax). The Proposer must determine with certainty if the DBEs are interested by taking appropriate steps to follow-up initial solicitations.
- 6.5.2 Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE goal will be achieved. This includes, where appropriate, breaking out service items into economically feasible units to facilitate DBE participation, even when the prime Vendor might otherwise prefer to perform these services items with its own forces.
- 6.5.3 Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.
- 6.5.4 Negotiating in good faith with interested DBEs.
 - 6.5.4.1 Making a portion of the work available to DBE Subconsultants and to select those portions of the work consistent with the available DBE Subconsultants, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, e mail address and telephone numbers of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBEs to perform the work.
 - 6.5.4.2 A Proposer using good business judgment would consider a number of factors in negotiating with Subconsultants, including DBE Subconsultants, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a Proposer's failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a prime Vendor to perform the work of a contract with its own organization does not relieve the Proposer of the responsibility to make good faith efforts. Prime Vendors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

- 6.5.5 DBEs may not be rejected as being unqualified without sound reasons based on a thorough investigation of their capabilities. The Vendor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations are not legitimate causes for the rejection or non-solicitation of proposals in the Vendor's efforts to meet the contract goal.
- 6.5.6 Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as required by the Tollway or the Vendor.
- 6.5.7 Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.
- 6.5.8 Effectively using the services of available minority/women community organizations; minority/women Vendors' groups; local, state, and Federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBEs.

In determining whether a Vendor made good faith efforts, ISTHA may take into account the performance of other Proposers in meeting the contract goal or of Proposers in meeting the goal on contracts of a similar nature. For example, when the apparent successful Proposer fails to meet the contract goal, but others meet it, ISTHA will review whether, with additional reasonable efforts, the apparent successful Proposer could have met the goal. If the apparent successful Proposer fails to meet the goal but meets or exceeds the average DBE participation obtained by other Proposers, ISTHA may view this, in conjunction with other factors, as evidence of the apparent successful Vendor having made good faith efforts.

- 6.5.9 A Proposer that rejected a DBE based on price must provide to ISTHA all quotes received for the scope of work proposed by the DBE from all firms, including non-DBEs.
- 6.5.10 The Proposer may request administrative reconsideration of a pre-final determination on its DBE Utilization Plan adverse to the Vendor by filing a request, within five working days after the Proposer receives written notice of the determination, which five-day period shall begin immediately after ISTHA provides the Proposer written notice of its pre-final determination, by delivering the request to the Illinois State Toll Highway Authority, Procurement Department, Chief of Contract Compliance, 2700 Ogden Avenue, Downers Grove, Illinois 60515-1703, contractcompliance@getipass.com, (630) 241-6800 ext. 4615. Submission via e-mail is acceptable. Deposit of the request in the United States mail on or before the fifth business day shall not be deemed delivery. The pre-final determination shall become final if a request is not received within the five-day period.
- 6.5.11 A request may provide additional written documentation and/or argument concerning the issue of whether an adequate good faith effort was made to meet the contract goal. In addition, the request shall be considered consent by the Vendor to extend the time for award. The request will be forwarded to the Illinois State Toll Highway Authority, Procurement Department, Chief of Contract Compliance. The Chief of Contract Compliance may extend an opportunity to the Proposer to meet in person in order to consider all issues of whether the Vendor made a good faith effort to meet the goal. Such meeting shall extend the time for a decision. After the review by the Chief of Contract Compliance, the proposer will be sent a written decision within ten (10) working days after receipt of the request for reconsideration or the date of the meeting, explaining the basis for finding that the Vendor did or did not meet the goal or make adequate good faith efforts to do so. A final decision by the Chief of Contract Compliance that a good faith effort was made shall approve the DBE Utilization Plan submitted

by the Vendor and shall clear the contract for award. A final decision that a good faith effort was not made shall render the bid non-responsive. The administrative reconsideration procedures described in this section are not intended to allow a Vendor to have an additional opportunity to submit a new DBE Utilization Plan or evidence of additional good faith efforts performed after bid submission.

7. CONTRACT COMPLIANCE

7.1 Forms to be Submitted

All work indicated for performance by an approved DBE shall be performed, managed and supervised by the DBE executing the DBE Letter of Intent.

To receive a notice to proceed, the Vendor must submit for the Tollway's review signed subcontracts with all DBEs proposed to meet the goal within twenty (20) calendar days of award.

7.2 Changes to the DBE Utilization Plan

The Vendor may not make changes to its contractual DBE commitments, substitute a DBE Subconsultant or make any other changes to the DBE Utilization Plan without the prior written approval of the Tollway's Contract Compliance Team. Unauthorized changes or substitutions, including performing the work designated for a Subconsultant with the Vendor's own forces, shall be a violation of this Special Provision and a breach of the contract.

If a supplement is issued by the Tollway or supplemental Work is authorized, the Vendor, in ISTHA's discretion, will be required to amend its DBE Utilization Plan to reflect the recalculated DBE dollars and any percentage change in the goal. The DBE contract goal may change in the Tollway's discretion to reflect a supplement.

The facts supporting the request for changes to the DBE Utilization Plan must not have been known or reasonably could not have been known by the parties prior to entering into the subcontract. The Vendor must negotiate in good faith with the Subconsultant to resolve the problem. If requested by either party, the Tollway shall facilitate such a meeting. Where there has been a mistake or disagreement about the scope of work, the DBE can be substituted only where agreement cannot be reached for a reasonable price or reasonable schedule for the correct scope of work. Requests should be sent to contractcompliance@getipass.com.

Substitutions of a DBE Subconsultant shall be permitted only under the following circumstances:

- 7.2.1 Unavailability after receipt of reasonable notice to proceed;
- 7.2.2 Failure of performance;
- 7.2.3 Financial incapacity;
- 7.2.4 Refusal by the Subconsultant to honor the bid or bid price or scope or schedule;
- 7.2.5 Material mistake of fact or law about the elements of the scope of work of a solicitation where a reasonable price cannot be agreed;
- 7.2.6 Failure of the Subconsultant to meet insurance, licensing or bonding requirements;

7.2.7 The Subconsultant's withdrawal of its bid or bid; or

7.2.8 Decertification of the Subconsultant as a DBE, other than on the basis of its exceeding firm size or personal net worth limits.

If it becomes necessary to substitute a DBE or otherwise change the DBE Utilization Plan, the Vendor must notify the Illinois State Toll Highway Authority, Contract Compliance Team in writing of the request to substitute a DBE or otherwise change the DBE Utilization Plan to contractcompliance@getipass.com. The request must state specific reasons for the substitution or change. A letter from the DBE to be substituted or affected by the change stating that it cannot perform on the contract or that it agrees with the change in its scope of work must be submitted with the request. Any refusal by the DBE to provide such a letter must be documented by the Vendor. The Illinois State Toll Highway Authority, Contract Compliance Team will approve or deny a request for substitution or other change in the DBE Utilization Plan in writing within five (5) working days of receipt of the request.

Where the Vendor has established the basis for the substitution to the Tollway's satisfaction, it must make good faith efforts to meet the contract goal by substituting a DBE Subconsultant. Documentation of a replacement DBE, or of good faith efforts, must meet the requirements in Section 6.6 If the contract goal cannot be reached and good faith efforts have been made, the Vendor may substitute with a non-DBE.

If the Vendor plans to hire a Subconsultant for any scope of work that was not previously disclosed in the DBE Utilization Plan, the Vendor must obtain the approval of the Illinois State Toll Highway Authority, Contract Compliance Team to modify the DBE Utilization Plan and must make good faith efforts to ensure that DBEs have a fair opportunity to bid on the new scope of work.

A new subcontract, a new Form Utilization Plan for the substituted DBE (if applicable) and an amended DBE Utilization Plan must be executed and submitted to the Illinois State Toll Highway Authority, Contract Compliance Team at contractcompliance@getipass.com within five (5) working days of the Vendor's receipt of the Tollway's approval for the substitution or other change.

7.3 The submission of the DBE Payment Report

DBE Payment reporting, in such form or format as specified by the Tollway, must be submitted as specified in the Contract Compliance Payment Reporting Instructions posted on the Tollway's website.

The Vendor shall maintain a record of payments to DBEs and all other Subconsultants for work performed. The records shall be made available to ISTHA for inspection and copying upon request. Not complying with this requirement may delay processing of invoices.

All active Tollway vendors/Vendors/Vendors will be required to use B2GNow. Both diverse and non-diverse Subconsultant payments must be reported and confirmed monthly in the system at <https://iltollway.diversitysoftware.com/>.

8. SANCTIONS

The Tollway will periodically review the Vendor's compliance with this Special Provision and the terms of its contract with the Vendor, including the DBE Utilization Plan. Without limitation, the Vendor's failure to

comply with this Special Provision or its DBE Utilization Plan, failure to cooperate in providing information regarding its compliance with this Special Provision or its DBE Utilization Plan, or provision of false or misleading information or statements concerning compliance, certification status of DBEs, good faith efforts or any other material fact or representation shall constitute a material breach of this contract and may result in damages to the Tollway. Such breach or damages entitle the Tollway to declare a default, terminate the contract, impose liquidated damages or exercise those remedies provided for in the contract or at law or in equity.

Sanctions may include, but are not limited to, monetary sanctions, including the cost of audits resulting in findings of noncompliance; damages based on the damage to the Tollway from the Vendor's lack of good faith efforts and failure to meet the other requirements of this Special Provision in an amount up to the monetary difference between the amount committed to by the Vendor in its DBE Utilization Plan and the amount actually paid to DBEs; deeming the Vendor non-responsible with respect to future business with the Tollway; and any other sanctions as are permitted by law.

In imposing sanctions, the Tollway will consider the *bona fide* efforts of the Vendor to meet the DBE goal, its history of good faith efforts on other Tollway contracts, the size of the contract, the degree to which the Vendor fell below the DBE goal, and other factors deemed relevant by the Tollway.

The Vendor may appeal the decision to impose sanctions within five (5) working days of its receipt of the written decision by filing an appeal in hard copy or electronic format with the Illinois State Toll Highway Authority's Sanctions Committee. Actual delivery of the hard copy and electronic formats within the five (5) business days is required and mere posting by mail within that period is not sufficient. An appeal may provide additional documentation and/or arguments and request an oral presentation to the Tollway's Sanctions Committee. The Tollway's Sanctions Committee shall notify the Vendor in writing of the final determination and the basis for the determination within ten (10) working days after receipt of the appeal or after the date of the oral presentation by the Vendor, whichever is later. The Vendor may appeal an adverse decision within five (5) working days of receipt of the final determination to the Executive Director by filing an appeal in hard copy and electronic format to the Illinois State Toll Highway Authority, Executive Director, 2700 Ogden Avenue, Downers Grove, Illinois 60515-1703, contractcompliance@getipass.com. The Executive Director or his/her designee, which designee shall not be employed within the Tollway's Contract Compliance Team, may solicit information from the Vendor, the Diversity and Strategic Development Department, the Chief of Contract Compliance, the Law Department, Internal Audit, the Procurement Department, and anyone else in his/her discretion, and shall render a final decision on the Vendor's appeal within thirty (30) calendar days.

9. INACCURATE OR FRAUDULENT REPORTING

The Vendor has a duty to accurately report information pursuant to this Special Provision. A Vendor who fails to supply accurate information is subject to sanctions imposed by the Tollway. A Vendor who intentionally supplies inaccurate information may be subject to civil and/or criminal sanctions.

10. OTHER REGULATIONS

The adherence to the DBE goal does not abrogate other responsibilities of the Vendor to comply with affirmative action requirements under federal or state law, municipal ordinance, prevailing government regulations or terms contained elsewhere in the contract.



DBE FORM 2023

Demonstration of Good Faith Efforts to Achieve DBE Subcontracting Goal

If the DBE contract goal was not achieved, the Good Faith Efforts checklist and contacts log must be submitted with the Proposal. Failure to do so may render the Proposer’s solicitation response non-responsive and cause it to be rejected, or render the Proposer ineligible for contract award, at ISHTA’s sole discretion. The Proposer must provide all evidence relied upon in support of its Good Faith Efforts with its Proposal.

Good Faith Efforts Checklist

Insert on each line below the initials of the authorized Proposer representative who is certifying the Proposer has completed the activities described below. If any of the items were not completed, attach a detailed written explanation. If any other efforts were made to obtain DBE participation in addition to the items listed below, attach a detailed written explanation.

_____ Identified portions of the contract work capable of performance by available DBEs, including, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation even when the Proposer could perform those scopes with its ownforces.

_____ Solicited through reasonable and available means (e.g., networking session, written notices, advertisements) DBEs to perform the types of work that could be subcontracted on this project, within sufficient time to allow them to respond.

- ILUCP: [DBE Directory](#)
- City of Chicago’s M/WBE Directory: [Chicago Certified Firms](#)
- County of Cook, IL’s: [M/WBE/VBE-certification](#)
- Small Business Administration’s SBA 8(a) Directory: [SBA Directory](#)

_____ Provided timely and adequate information about the plans, specifications and requirements of the contract. Followed up initial solicitations to answer questions and encourage DBEs to submit proposals.

_____ Negotiated in good faith with interested DBEs that submitted B ids and thoroughly investigated their capabilities.

_____ Made efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as may be required for performance of the contract (if applicable).

_____ Utilized resources available to identify available DBEs, including but not limited to DBE assistance groups; local, state and federal minority or women business assistance offices; and other organizations that aid in the recruitment and placement of DBEs.

Affidavit of Truthfulness: Signature below affirms accuracy of Good Faith Efforts and authority to provide above information

_____ **Print Name**

_____ **Phone contact**

_____ **Position**

_____ **E-mail address**

_____ **Signature**

_____ **Date**

VETERAN-OWNED SMALL BUSINESS PARTICIPATION

The Illinois Tollway hereby notifies all potential Vendors that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, veteran-owned and/or service-disabled veteran-owned small business enterprises will be encouraged to submit a SOI response to this invitation and/or to participate in the advertised Veteran-owned/Service-Disabled Veteran-Owned Business Enterprise (VOSB/SDVOB) goal of the work to be performed under the contract as a sub-Vendor. **NOTE THAT FAILURE TO PROVIDE A UTILIZATION PLAN AND LETTER OF INTENT OR TO PROVIDE EVIDENCE OF GOOD FAITH EFFORTS TO MEET THE CONTRACT GOAL, IF APPLICABLE, WILL RESULT IN A SOI BEING DEEMED NON-RESPONSIVE.**

To qualify as an eligible VOSB, the firm must be currently certified by the Department of Central Management Services. Registration is available at:

<https://www2.illinois.gov/cms/business/sell2/Pages/VeteranownedBusinesses.aspx>

A current letter of certification and/or No Change Affidavit from the Illinois Department of Central Management Services is requested with your SOI submittal (Certifications are to be included as attachments to Exhibit A – Proposed Key Staff).

You can view/print and download the most current listing of VOSB firms at the Illinois Department of Central Management Services website:

<http://www.illinois.gov/cms/business/sell2/Pages/VendorSearch.aspx>

To qualify as an eligible VOSB, all of the following must be met:

- The firm must be an Illinois business with annual gross sales under \$75 million
- At least 51% owned by one or more qualified service-disabled veterans or qualified veterans living in Illinois
- Provide a commercially useful function
- Provide evidence of a current VOSB certification by the Illinois Department of Central Management Services;
- Proposed to provide services identified in the specialty Area on the Letter of Certification.

ILLINOIS TOLLWAY DISCLAIMER STATEMENT Veteran-Owned Small Business Enterprise Directory

Firms listed in the Department of Central Management Services VOSB Directory have been certified as Veteran-Owned or Service-Disabled Veteran-Owned Small Business Enterprises.

The criteria, standards and procedures by which certification decisions are made can be obtained from the Department of Central Management Services. The contract dollar amounts committed to VOSB certified firms on Illinois Tollway contracts may be eligible to be counted toward the fulfillment of VOSB contract goals on both construction contracts and professional service awards. A single firm cannot be used to meet both a Disadvantaged Business Enterprise (DBE) and a VOSB goal.

This directory is to be used as an “informational source only” and the following must be considered:

- Certification does not mean that a firm is in any way prequalified to provide the products and/or services the firm claims it can provide. “Certification” means that the Department of Central Management Services has determined, on the basis of information provided and the representations therein, that a business is a bona fide VOS. The Department of Central Management Services does not, as a result of the listing, make any representation concerning the ability of any listed firm to perform work in the specialty listed;

- The Illinois Tollway does not, through its use of and referral to the Department of Central Management Services VOSB directory, make any representation concerning the ability of any listed firm to perform work in the specialty listed.
- The Illinois Tollway in awarding a contract has discretion in determining whether a VOSB firms' listed work categories are eligible to be counted toward the fulfillment of VOSB contract goals; and
- Department of Central Management Services disclaims any and all responsibility concerning errors, omissions or misrepresentations which may be contained in its publication. It is the responsibility of all contactors/Vendors to:
 - Conduct their own investigation to determine the capability and capacity of the VOSB firm(s) to satisfactorily perform the proposed work; and
 - Ensure the VOSB has a current VOSB certification letter and/or No Change Affidavit.

This registry lists the most current Department of Central Management Services VOSB certified firms. If there are any questions concerning this directory, please contact the Department of Central Management Services.

EXHIBIT F - State of Illinois VETERAN-OWNED SMALL BUSINESS PARTICIPATION, UTILIZATION PLAN and LETTER OF INTENT for Professional Services

It is the goal of the State to promote and encourage the continued economic development of small businesses owned and controlled by qualified veterans and that qualified service-disabled veteran-owned small businesses (SDVOSB) and veteran-owned small businesses (VOSB) participate in the State's procurement process as both prime Vendor and Subconsultant. 30 ILCS 500/45-57.

Contract Goal to be Achieved by Vendor: This solicitation includes a specific **Veteran Small Business** participation goal as specified in each Item detail based on the availability of CMS certified veteran-owned and service-disabled veteran-owned small business (VOSB) vendors to perform or provide the anticipated services required by this solicitation. **The Veteran Small Business participation goal is applicable as specified in each Item detail.** This goal is also applicable to supplemental work within the scope of work provided by the VOSB vendor. In addition to the other award criteria established for this solicitation, the Agency will award this contract to a Vendor that meets the goal or makes good faith efforts to meet the goal. If Vendor is a CMS certified VOSB vendor, the entire goal is met and no subconsulting with a CMS certified VOSB vendor is required; however, **Vendor must submit a Utilization Plan indicating that the goal will be met by self-performance.**

The VOSB goal is separate and distinct from the DBE goal. A single firm may not be utilized to achieve credit toward both VOSB and DBE goals on a single project.

Following are guidelines for Vendor's completion of the Utilization Plan. **Please read the guidelines carefully.** A format for the Utilization Plan is included in this section. Vendor should include any additional information that will add clarity to Vendor's proposed utilization of certified Veteran Small Business vendors to meet the targeted goal. The Utilization Plan must demonstrate that Vendor has either: (1) met the entire contract goal; (2) made good faith efforts towards meeting the entire goal; or (3) made good faith efforts towards meeting a portion of the goal. Any submission of good faith efforts by Vendor shall be considered as a request for a full or partial waiver.

At the time of submittal of SOI, Vendor, or Vendor's proposed Subconsultant must be certified with CMS as a VOSB.

Failure to complete a Utilization Plan and/or provide Good Faith Effort Documentation shall render the Statement of Interest non-responsive or non-responsible.

Visit <https://www2.illinois.gov/cms/business/sell2/pages/veteranownedbusinesses.aspx> for complete requirements and to apply for certification in the Veteran Business Program.

1. If applicable where there is more than one prime vendor, the Utilization Plan should include an executed Teaming Agreement specifying the terms and conditions of the relationship between the parties and their relationship and responsibilities to the contract. The Teaming Agreement must clearly evidence that the certified VOSB vendor will be responsible for a clearly defined portion of the work and that its responsibilities, risks, profits and contributions of capital, and personnel are proportionate to its ownership percentage. It must include specific details related to the parties' contributions of capital, personnel, and equipment and share of the costs of insurance and other items; the scopes to be performed by the certified VOSB vendor under its supervision; and the commitment of management, supervisory personnel, and operative personnel employed by the certified VOSB vendor to be dedicated to the performance of the contract. Established Teaming Agreements will only be credited toward Veteran Small Business goal achievements for specific work performed by the certified VOSB vendor.
2. An agreement between a vendor and a certified VOSB vendor in which a certified VOSB vendor promises not to provide subconsulting proposals to other vendors is prohibited. The

Agency may request additional information to demonstrate compliance. Vendor agrees to cooperate promptly with the Agency in submitting to interviews, allowing entry to places of business, providing further documentation, and to soliciting the cooperation of a proposed certified VOSB vendor. Failure to cooperate by Vendor and certified VOSB vendor may render the SOI non-responsive or not responsible. **The contract will not be finally awarded to Vendor unless Vendor's Utilization Plan is approved.**

3. **Veteran Small Business Certified Vendor Locator References:** Vendors may consult CMS' Veteran Small Business Vendor Directory at www.illinois.gov/cms/business/sell2/Pages/VendorSearch.aspx, as well as the directories of other certifying agencies, but firms **must be certified with CMS as VOSB vendors at the time of submittal of SOI.**
4. **Vendor Assurance:** Vendor shall not discriminate on the basis of race, color, national origin, sexual orientation or sex in the performance of this contract. Failure by Vendor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Agency deems appropriate. This assurance must be included in each subcontract that Vendor signs with a Subconsultant.
5. **Calculating Certified VOSB Vendor Participation:** The Utilization Plan documents work anticipated to be performed, or provided by all certified VOSB vendors and paid for upon satisfactory completion/delivery. Only the value of payments made for the work actually performed by certified VOSB vendors is counted toward the contract goal. Applicable guidelines for counting payments attributable to contract goals are summarized below:
 - 5.1. The value of the work actually performed by the certified VOSB vendor shall be counted towards the goal. The entire amount of that portion of the contract that is performed by the certified VOSB vendor shall be counted.
 - 5.2. A vendor shall count the portion of the total dollar value of the Veteran Small Business contract equal to the distinct, clearly defined portion of the work of the contract that the certified VOSB vendor performs toward the goal. A vendor shall also count the dollar value of work subcontracted to other certified VOSB vendor. Work performed by the non-certified VOSB party shall not be counted toward the goal. **Work that a certified VOSB vendor subcontracts to a non-certified VOSB vendor will not count towards the goal.**
 - 5.3. Certified VOSB vendors who are performing on contract as second tier Subconsultants may be counted in meeting the established Veteran Small Business goal for this contract as long as the Prime Vendor can provide documentation indicating the utilization of these vendors.
 - 5.4. A Vendor shall count towards the goal only expenditures to firms that perform a commercially useful function in the work of the contract.
 - 5.4.1. A firm is considered to perform a commercially useful function when it is responsible for execution of a distinct element of the work of a contract and carries out its responsibilities by actually performing, managing, and supervising the work involved.
 - 5.4.2. A certified VOSB vendor does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction or contract through which funds are passed through in order to obtain certified VOSB vendor participation. In determining whether a certified VOSB vendor is such an extra participant, the Agency shall examine similar transactions, particularly those in which certified VOSB vendors do not participate, and industry practices.

- 5.5. A Vendor shall not count towards the goal expenditures that are not direct, necessary and related to the work of the contract. Only the amount of services or goods that are directly attributable to the performance of the contract shall be counted. Ineligible expenditures include general office overhead or other Vendor support activities.

6. **Good Faith Effort Procedures:** Vendor must submit a Utilization Plan and Letters of Intent that meet or exceed the published goal. If Vendor cannot meet the stated goal, Vendor must document and explain within the Utilization Plan the good faith efforts it undertook to meet the goal. Utilization Plans are due at the time of submittal of SOI. CMS or the State Agency, as its delegate, will consider the quality, quantity, and intensity of Vendor's efforts.

The Utilization Plan contains a checklist of actions that CMS or the State Agency, as its delegate, will consider as evidence of Vendor's good faith efforts to meet the goal. Other factors or efforts brought to the attention of CMS or the State Agency, as its delegate, may be relevant in appropriate cases.

- 6.1. In evaluating Vendor's good faith efforts, CMS or the State Agency, as its delegate, may consider whether the ability of other firms submitting SOIs to meet the contract goal suggests that good faith efforts could have resulted in Vendor meeting the goal.
- 6.2. If CMS or the State Agency, as its delegate, determines that Vendor has made good faith efforts to meet the goal, the Agency may award the contract provided that Vendor is otherwise eligible for award.
- 6.3. If CMS or the State Agency, as its delegate, determines that good faith efforts have not been met, the SOI may be determined to be non-responsive by the Chief Procurement Office.

Extended Documentation Period for Vendors with a Technical Issue related to the VOSB Commitment Made on a SOI:

All required VOSB documentation must be completed to the fullest extent possible and submitted with the SOI, including the Utilization Plan and SOITEAM data. If a VOSB Utilization Plan is not submitted with the SOI, the SOI may be deemed non-responsive.

Each Vendor submitting a SOI who has a VOSB commitment with a technical issue related to VOSB participation that is identified during initial review of a SOI by the Illinois Tollway shall be allowed, upon an email notification from the Contract Compliance team from the Illinois Tollway, an extended documentation period which will extend until 5:00 pm CT on the second business day after the day the notification is sent (e.g. if a Vendor is notified on Monday, extended documentation period concludes on Wednesday at 5:00 pm).

The extended documentation period allows Vendors solely to correct their initial Utilization Plan and SOITEAM data to add or adjust VOSB participation to:

- Meet or exceed the initial VOSB commitment stated in the SOI, if that initial commitment was above the advertised VOSB goal, or
- Meet or exceed the goal, if the initial VOSB commitment stated in the SOI was below the advertised VOSB goal.

The Vendor shall submit an amended VOSB Utilization Plan and SOITEAM data if additional or adjusted VOSB participation is secured by the end of the extended documentation period.

7. **Contract Compliance:** Compliance with this section is an essential part of the contract. The following administrative procedures and remedies govern Vendor's compliance with the contractual obligations established by the Utilization Plan. After approval of the Plan and award of the contract, the Utilization Plan becomes part of the contract. If Vendor did not succeed in obtaining certified VOSB vendor participation to achieve the goal and the Utilization Plan was approved and contract awarded based upon a determination of good faith, the total dollar value of certified VOSB vendor work calculated in the approved Utilization Plan as a percentage of the awarded contract value shall become the contract goal.
- 7.1. The Utilization Plan may not be amended after contract execution without the Agency's prior written approval.
- 7.2. **Vendor may not make changes to its contractual certified VOSB vendor commitments or substitute certified VOSB vendors without the prior written approval of the Agency.** Unauthorized changes or substitutions, including performing the work designated for a certified VOSB vendor with Vendor's own forces, shall be a violation of the utilization plan and a breach of the contract, and shall be cause to terminate the contract, and/or seek other contract remedies or sanctions. The facts supporting the request for changes must not have been known nor reasonably should have been known by the parties prior to entering into the subcontract. Vendor must negotiate with the certified VOSB vendor to resolve the problem. Where there has been a mistake or disagreement about the scope of work, provided the certified VOSB vendor can be substituted only where agreement cannot be reached for a reasonable price or schedule for the correct scope of work.
- 7.3. Substitutions of a certified VOSB vendor may be permitted under the following circumstances:
- 7.3.1. Unavailability after receipt of reasonable notice to proceed;
- 7.3.2. Failure of performance;
- 7.3.3. Financial incapacity;
- 7.3.4. Refusal by the certified VOSB vendor to honor the proposal;
- 7.3.5. Material mistake of fact or law about the elements of the scope of work of a solicitation where a reasonable price cannot be agreed;
- 7.3.6. Failure of the certified VOSB vendor to meet insurance, or licensing requirements;
- 7.3.7. The certified VOSB vendor's withdrawal of its SOI; or
- 7.3.8. Decertification of the certified VOSB vendor.
- 7.4. If it becomes necessary to substitute a certified VOSB vendor or otherwise change the Utilization Plan, Vendor must notify the Agency in writing of the request to substitute a certified VOSB vendor or otherwise change the Utilization Plan. The request must state specific reasons for the substitution or change. The Agency will approve or deny a request for substitution or other change in the Utilization Plan within five business days of receipt of the request.
- 7.5. Where Vendor has established the basis for the substitution to the Agency's satisfaction, it must make good faith efforts to meet the contract goal by substituting a certified VOSB vendor. Documentation of a replacement certified VOSB vendor, or of good faith efforts to replace the

certified VOSB vendor, must meet the requirements of the initial Utilization Plan. If the goal cannot be reached and good faith efforts have been made, Vendor may substitute with a non-certified VOSB vendor or Vendor may perform the work.

- 7.6.** If a Vendor plans to hire a Subconsultant for any scope of work that was not previously disclosed in the Utilization Plan, Vendor must obtain the approval of the Agency to modify the Utilization Plan and must make good faith efforts to ensure that certified VOSB vendors have a fair opportunity to submit a proposal on the new scope of work.
- 7.7.** A new certified VOSB vendor agreement must be executed and submitted to the Agency within five business days of Vendor's receipt of the Agency's approval for the substitution or other change.
- 7.8.** Vendor shall maintain a record of all relevant data with respect to the utilization of certified VOSB vendors, including but without limitation, payroll records, invoices, canceled checks and books of account for a period of at least three years after the completion of the contract. Full access to these records shall be granted by Vendor upon 48 hours written demand by the Agency to any duly authorized representative thereof, or to any municipal, state or federal authorities. The Agency shall have the right to obtain from Vendor any additional data reasonably related or necessary to verify any representations by Vendor. After the performance of the final item of work or delivery of material by the certified VOSB vendor and final payment to the certified VOSB vendor by Vendor, but not later than 30 calendar days after such payment, Vendor shall submit a statement confirming the final payment and the total payments made to the certified VOSB vendor under the contract.
- 7.9.** The Agency will periodically review Vendor's compliance with these provisions and the terms of its contract. Without limitation, Vendor's failure to comply with these provisions or its contractual commitments as contained in the Utilization Plan, failure to cooperate in providing information regarding its compliance with these provisions or its Utilization Plan, or provision of false or misleading information or statements concerning compliance, certification status or eligibility of the certified VOSB vendor, good faith efforts or any other material fact or representation shall constitute a material breach of this contract and entitle the Agency to declare a default, terminate the contract, or exercise those remedies provided for in the contract or at law or in equity.
- 7.10.** The Agency reserves the right to withhold payment to Vendor to enforce these provisions and Vendor's contractual commitments. Final payment shall not be made pursuant to the contract until Vendor submits sufficient documentation demonstrating compliance with its Utilization Plan.

EXHIBIT F - VOSB UTILIZATION PLAN PROFESSIONAL SERVICES

[Click here to enter text.](#) (Vendor) submits the following Utilization Plan as part of our SOI in accordance with the requirements of the Veteran Small Business Program Status and Participation section of the solicitation for [Click here to enter text.](#), Illinois. Procurement Bulletin Reference # [Click here to enter text.](#). We understand that all Subconsultants must be certified with the CMS Veteran Small Business Program at the time of submission of all SOIs. We understand that compliance with this section is an essential part of this contract and that the Utilization Plan will become a part of the contract, if awarded.

Vendor makes the following assurance and agrees to include the assurance in each agreement, subcontract and/or purchase order with a Subconsultant or supplier utilized on this contract: We shall not discriminate on the basis of race, color, national origin, sexual orientation or sex in the performance of this contract. Failure to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Agency deems appropriate. Vendor submits the following statement:

- Vendor is a certified VOSB and plans to fully meet the goal through self-performance.
- Vendor has identified certified VOSB Subconsultant(s) to fully meet the established goal and submits the attached completed Letter(s) of Intent; or
- Vendor has made good faith efforts towards meeting the entire goal, or a portion of the goal, and hereby requests a waiver (complete checklist below).

Vendor's person responsible for compliance:

Name: [Click here to enter text.](#)

Title: [Click here to enter text.](#)

Telephone: [Click here to enter text.](#)

Email: [Click here to enter text.](#)

DEMONSTRATION OF GOOD FAITH EFFORTS TO ACHIEVE GOAL AND REQUEST FOR WAIVER

If the Veteran Small Business participation goal was not achieved, the Good Faith Efforts Procedures and Guidelines outlined in Section 6 will be used to evaluate submitted utilization plans. Vendors providing Good Faith Effort documentation and request for waiver must complete and submit the Good Faith Effort Contact Log with the SOI. Failure to submit Good Faith Effort documentation in its entirety shall render Vendor's SOI non-responsive or non-responsible and cause it to be rejected or render Vendor ineligible for contract award.

Below is a checklist of actions that will be used to evaluate a Vendor's Demonstration of Good Faith Efforts and Request for Waiver. **Please check the actions which you completed.** If any of the following actions are not completed, please attach a detailed written explanation indicating why such action was not completed. If any other efforts were made to obtain Veteran Small Business participation in addition to the items listed below, attach a detailed description of such efforts.

- Utilize the Sell2Illinois website: www.illinois.gov/cms/business/sell2/Pages/VendorSearch.aspx to identify certified VOSB vendors within the respective commodity/service codes denoted above and at a minimum email all listed vendors and solicit quotes from all vendors who express an interest via follow-up emails or telephone calls.
- Solicit through all reasonable and available means (e.g., attendance at a vendor conference, advertising and/or written notices) the interest of certified VOSB vendors that have the capability to perform the work of the contract. Vendor must solicit this interest within sufficient time to allow the certified VOSB vendors to respond to the solicitation. Vendor must determine with certainty if the certified VOSB vendors are interested by taking appropriate steps to follow up initial solicitations and encourage them to submit a proposal. Vendor must provide interested certified VOSB vendors with adequate information about the requirements of the contract in a timely manner to assist them in responding promptly to the solicitation.
- Select portions of the work to be performed by certified VOSB vendors in order to increase the likelihood that the goal will be achieved. This includes, where appropriate, breaking out project scope to facilitate certified VOSB vendor participation, even when Vendor might otherwise prefer to perform these work items.
- Make a portion of the work available to certified VOSB vendors and selecting those portions of the work consistent with their availability, so as to facilitate certified VOSB vendor participation.
- Negotiate in good faith with interested certified VOSB vendors. Evidence of such negotiation must include the names, addresses, email addresses, and telephone numbers of certified VOSB vendors that were considered; a description of the information provided regarding the project scope for the work selected for sub-consulting and evidence as to why additional agreements could not be reached for

certified VOSB vendors to perform the work. A Vendor using good business judgment may consider a number of factors in negotiating with certified VOSB vendors and may take a firm's capabilities into consideration. The fact that there may be some additional costs involved in finding and using certified VOSB vendors may not be in itself sufficient reason for a Vendor's failure to meet the goal, as long as such costs are reasonable. Vendors are not required to accept higher quotes from certified VOSB vendors if the price difference is excessive or unreasonable.

- Thoroughly investigate the capabilities of certified VOSB vendors and not reject them as unqualified without documented reasons. The certified VOSB vendor's memberships in specific groups, organizations, or associations and political or social affiliations are not legitimate causes for the rejection or non-solicitation of bids and proposals in Vendor's efforts to meet the goal.
- Make efforts to assist interested certified VOSB vendors in obtaining lines of credit or insurance as required by the Agency.

EXHIBIT F - Letter of Intent

Instructions: The Prime Vendor is required to submit a separate, signed Letter of Intent (LOI) from each VOSB certified vendor. **LOIs must be submitted with the SOI and must be signed by both parties.** The Prime Vendor shall not prohibit or otherwise limit the VOSB certified vendor(s) from providing Subconsultant proposals to other potential vendors. Each LOI must include the negotiated contract percentage and a detailed scope of work to be performed by each identified VOSB certified vendor. All LOIs shall be subject to Agency approval. Any changes involving or affecting the identified VOSB certified vendor may not be permitted without written approval of the procuring Agency.

Project Name: Click or tap here to enter text. Project/Solicitation No.: Click or tap here to enter text.

Prime Vendor Click or tap here to enter text. VOSP Compliance Contact: Click or tap here to enter text.

Address: Click or tap here to enter text.

City: Click or tap here to enter text. State: IL Zip: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

Certified Vendor Name: Click or tap here to enter text. BEP VSB

Address: Click or tap here to enter text.

City: Click or tap here to enter text. State: IL Zip: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

BEP/VSB Vendor's Contact responsible for compliance with this Participation Agreement:

Click or tap here to enter text.

Type of Agreement: Services Supplies Both Services and Supplies

Anticipated start date of the Certified VOSB Vendor: Click or tap here to enter text.

Proposed _____ % of Contract to be performed by the VOSB Vendor.

NOTE: The Prime Vendor must indicate the percentage of the estimated contract award that will be subcontracted to the certified VOSB Vendor.

Detailed description of work to be performed by the VOSB Vendor:

Click or tap here to enter text.

The Vendor and the certified vendor above hereby agree that upon the execution of a contract for the above-named project between the Vendor and the State of Illinois, the Certified VOSB Vendor will perform the scope of work in the percentage as indicated above.

Vendor (Company Name and D/B/A)

Signature

Title

Date

Certified VOSB Vendor (Company Name and D/B/A):

Signature

Title

Date

INSTRUCTIONS FOR COMPLETING EXHIBIT G: CONTRACT PARTICIPATION

CURRENT AND PAST DBE/VOSB/BEP PARTICIPATION WITH THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY (ILLINOIS TOLLWAY)

***This form is required. Failure to submit a completed form at time of submission will impact evaluation scoring.**

Firms should complete the Exhibit G form for work performed dating back to 2012 and where the following apply:

- 1) If your firm is currently performing work on the ILLINOIS TOLLWAY contracts or has performed work; and/or
- 2) If your firm is/has participated on an ILLINOIS TOLLWAY project as a Subconsultant where you subcontracted with tier-sub performing under DBE/VOSB/ BEP.

If the answer to either of the above inquiries is yes, please complete above Exhibit G consisting of requests for the following information:

- A) Indicate if you performed as the prime or Subconsultant.
- B) Indicate the PSB project or contract number.
- C) Indicate the total contract amount, including any supplementals.
- D) Indicate the current contract completion percentage.
- E) Primes should indicate the goals associated with your PSB project or contract. Subconsultants should indicate the percentage of the contract they were responsible for performing (each category should have its own line).
- F) Indicate the category for the corresponding goal listed in column E.
- G) Indicate the Prime's DBE/VOSB commitment goal associated with column B. Subconsultants should indicate the percentage awarded to their tier-sub DBE/VOSB vendor.
- H) Indicate the total percentage of the work subcontracted or tier-sub amount.
- I) Indicate the amount self -performance on the contract.
- J) Indicate the amount paid to the DBE/VOSB Subconsultant of tier- sub.
- K) Indicate the percentage of the goal achieved from column G.
- L) Explain shortfalls between columns G and K.

Firms legal name and the signature of the owner/operator is required. B2GNow will be utilized as a basis for confirming a firm's compliance on historical contracts.

Example:

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)
Prime/subcontractor	PSB No./Contract No.	Total Contract Awarded (including Supplementals)	Contract Completion %	Goals listed on PSB/Solicitation	Category: DBE/VOSB/SDVOSB/BEP	DBE/VOSB commitment goal %	Amount Subcontracted	Amount self-performed	Amount Paid	Percentage (%) achieved (per goal)	Shortfall Explanation
Prime	15-2/4701	\$1,263,545	85%	30%	DBE	35%	\$ 442,240.75	\$732,856	\$ 221,120.38	18%	Work has not been completed by subcontractor
Prime	15-2/4701	\$1,263,545	85%	5%	VOSB	7%	\$ 88,448.15	\$	\$ 44,224.08	3.50%	Work has not been completed by subcontractor
subcontractor	15-5/3505	\$ 500,000.00	75%	25%	DBE	2%	\$ 10,000.00	\$ 490,000.00	\$ 10,000.00	2%	



ILLINOIS TOLLWAY

STANDARD BUSINESS TERMS AND CONDITIONS

ILLINOIS TOLLWAY CONTRACT NO.: _____

VENDOR/VENDOR (NAME): _____

1. PAYMENT TERMS AND CONDITIONS:

- 1.1 Minority Vendor Initiative: Any Vendor awarded a contract under Section 20-10, 20-15, 20-25 or 20-30 of the Illinois Procurement Code (30 ILCS 500) of \$1,000 or more is required to pay a fee of \$15. The Comptroller shall deduct the fee from the first check issued to the Vendor under the contract and deposit the fee in the Comptroller’s Administrative Fund. 15 ILCS 405/23.9.
- 1.2 Expenses: The State will not pay for supplies provided or services rendered, including related expenses, incurred prior to the execution of this contract by the Parties even if the effective date of the contract is prior to execution.
- 1.3 Prevailing Wage: As a condition of receiving payment Vendor must (i) be in compliance with the contract, (ii) pay its employees prevailing wages when required by law, (iii) pay its suppliers and Subconsultants according to the terms of their respective contracts, and (iv) provide lien waivers to the State. Examples of prevailing wage categories include public works, printing, janitorial, window washing, building and grounds services, site technician services, natural resource services, security guard and food services. The prevailing wages are revised by the Department of Labor and are available on the Department’s official website, which shall be deemed proper notification of any rate changes under this subsection. Vendor is responsible for contacting the Illinois Department of Labor (IDOL) to ensure understanding of prevailing wage requirements at 217-782-6206 or search the Illinios.gov site for more information. For construction contracts, all vendors will be required to report certified payrolls to IDOL at <https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/CertifiedTranscriptOfPayroll.aspx>. EEO work hours must be reported in the Tollway’s Capture system at <http://www.tollwaydiversitycapture.com> on a monthly basis. PDF versions of the certified payroll transcripts filed with IDOL must be uploaded into the Tollways B2Gnow system by the 25th of the month for the prior month.
- 1.4 Federal Funding: This contract may be partially or totally funded with Federal funds. If federal funds are expected to be used, then the percentage of the good/service paid using Federal funds and the total Federal funds expected to be used will be provided in the award notice.
- 1.5 Invoicing: By submitting an invoice, Vendor certifies that the supplies or services provided meet all requirements of the contract, and the amount billed and expenses incurred are as allowed in the contract. Invoices for supplies purchased, services performed and expenses incurred through December 31 of any year must be submitted to the State no later than February 28 of the following year; otherwise Vendor may have to seek payment through the Illinois Court of Claims. 30 ILCS 105/25. All invoices are subject to statutory offset. 30 ILCS 210.
 - 1.5.1 Vendor shall not bill for any taxes unless accompanied by proof that the State is subject to the tax. If necessary, Vendor may request the applicable Agency/University state tax exemption number and federal tax exemption information.
 - 1.5.2 Vendor shall invoice at the completion of the contract unless invoicing is tied in the contract to milestones, deliverables, or other invoicing requirements agreed to in the contract.

2. **ASSIGNMENT:** This contract may not be assigned, transferred in whole or in part by Vendor without the prior written consent of the State.
3. **AUDIT/RETENTION OF RECORDS:** Vendor and its Subconsultants shall maintain books and records relating to the performance of the contract or subcontract and necessary to support amounts charged to the State pursuant the contract or subcontract. Books and records, including information stored in databases or other computer systems, shall be maintained by the Vendor for a period of five years from the later of the date of final payment under the contract or completion of the contract, and by the Subconsultant for a period of five years from the later of final payment under the term or completion of the subcontract. Books and records required to be maintained under this section shall be available for review or audit by representatives of: the procuring Agency/University, the Auditor General, the Executive Inspector General, the Chief Procurement Officer, the Tollway Inspector General, State of Illinois internal auditors or other governmental entities with monitoring authority, upon reasonable notice and during normal business hours. Vendor and its Subconsultants shall cooperate fully with any such audit and with any investigation conducted by any of these entities. Failure to maintain books and records required by this section shall establish a presumption in favor of the State for the recovery of any funds paid by the State under the contract for which adequate books and records are not available to support the purported disbursement. The Vendor or Subconsultants shall not impose a charge for audit or examination of the Vendor's books and records. 30 ILCS 500/20-65.
4. **TIME IS OF THE ESSENCE:** Time is of the essence with respect to Vendor's performance of this contract. Vendor shall continue to perform its obligations while any dispute concerning the contract is being resolved unless otherwise directed by the State.
5. **NO WAIVER OF RIGHTS:** Except as specifically waived in writing, failure by a Party to exercise or enforce a right does not waive that Party's right to exercise or enforce that or other rights in the future.
6. **FORCE MAJEURE:** Failure by either Party to perform its duties and obligations will be excused by unforeseeable circumstances beyond its reasonable control and not due to its negligence, including acts of nature, acts of terrorism, riots, labor disputes, fire, flood, explosion, and governmental prohibition. The non-declaring Party may cancel the contract without penalty if performance does not resume within 30 days of the declaration.
7. **CONFIDENTIAL INFORMATION:** Each Party, including its agents and Subconsultants, to this contract may have or gain access to confidential data or information owned or maintained by the other Party in the course of carrying out its responsibilities under this contract. Vendor shall presume all information received from the State or to which it gains access pursuant to this contract is confidential. Vendor information, unless clearly marked as confidential and exempt from disclosure under the Illinois Freedom of Information Act, shall be considered public. No confidential data collected, maintained, or used in the course of performance of the contract shall be disseminated except as authorized by law and with the written consent of the disclosing Party, either during the period of the contract or thereafter. The receiving Party must return any and all data collected, maintained, created or used in the course of the performance of the contract, in whatever form it is maintained, promptly at the end of the contract, or earlier at the request of the disclosing Party, or notify the disclosing Party in writing of its destruction. The foregoing obligations shall not apply to confidential data or information lawfully in the receiving Party's possession prior to its acquisition from the disclosing Party; received in good faith from a third Party not subject to any confidentiality obligation to the disclosing Party; now is or later becomes publicly known through no breach of confidentiality obligation by the receiving Party; or is independently developed by the receiving Party without the use or benefit of the disclosing Party's confidential information.
8. **USE AND OWNERSHIP:** All work performed or supplies created by Vendor under this contract, whether written documents or data, goods or deliverables of any kind, shall be deemed work for hire under copyright law and all intellectual property and other laws, and the State of Illinois is granted sole and exclusive ownership to all such work, unless otherwise agreed in writing. Vendor hereby assigns to the State all right, title, and interest in and to such work including any related intellectual property rights,

and/or waives any and all claims that Vendor may have to such work including any so-called "moral rights" in connection with the work. Vendor acknowledges the State may use the work product for any purpose. Confidential data or information contained in such work shall be subject to confidentiality provisions of this contract.

9. **INDEMNIFICATION AND LIABILITY:** The Vendor shall indemnify and hold harmless the Illinois Tollway and State of Illinois, their directors, agencies, officers, employees, agents and volunteers from any and all costs, demands, expenses, losses, claims, damages, liabilities, settlements and judgments, including in-house and contracted attorneys' fees and expenses, arising out of: (a) any breach or violation by Vendor of any of its certifications, representations, warranties, covenants or agreements; (b) any actual or alleged death or injury to any person, damage to any property or any other damage or loss claimed to result in whole or in part from Vendor's negligent performance; or (c) any negligent act, activity or omission of Vendor or any of its employees, representatives, Subconsultants or agents. Neither Party shall be liable for incidental, special, consequential or punitive damages.
10. **INDEPENDENT VENDOR:** Vendor shall act as an independent Vendor and not an agent or employee of, or joint venture with the State. All payments by the State shall be made on that basis.
11. **SOLICITATION AND EMPLOYMENT:** Vendor shall not employ any person employed by the State during the term of this contract to perform any work under this contract. Vendor shall give notice immediately to the Agency's director if Vendor solicits or intends to solicit State employees to perform any work under this contract.
12. **COMPLIANCE WITH THE LAW:** The Vendor, its employees, agents, and Subconsultants shall comply with all applicable federal, state, and local laws, rules, ordinances, regulations, orders, federal circulars and all license and permit requirements in the performance of this contract. Vendor shall be in compliance with applicable tax requirements and shall be current in payment of such taxes. Vendor shall obtain at its own expense, all licenses and permissions necessary for the performance of this contract.
13. **BACKGROUND CHECK:** Whenever the State deems it reasonably necessary for security reasons, the State may conduct, at its expense, criminal and driver history background checks of Vendor's and Subconsultants officers, employees or agents. Vendor or Subconsultant shall reassign immediately any such individual who, in the opinion of the State, does not pass the background check.
14. **APPLICABLE LAW:** This contract shall be construed in accordance with and is subject to the laws and rules of the State of Illinois. The Department of Human Rights' Equal Opportunity requirements (44 Ill. Adm. Code 750) are incorporated by reference. Any claim against the State arising out of this contract must be filed exclusively with the Illinois Court of Claims. 705 ILCS 505/1. The State shall not enter into binding arbitration to resolve any contract dispute. The State of Illinois does not waive sovereign immunity by entering into this contract. The official text of cited statutes is incorporated by reference. An unofficial version can be viewed at <http://www.ilga.gov/legislation/ilcs/ilcs.asp>.
15. **ANTI-TRUST ASSIGNMENT:** If Vendor does not pursue any claim or cause of action it has arising under federal or state antitrust laws relating to the subject matter of the contract, then upon request of the Illinois Attorney General, Vendor shall assign to the State rights, title and interest in and to the claim or cause of action.
16. **CONTRACTUAL AUTHORITY:** The Agency that signs for the State of Illinois shall be the only State entity responsible for performance and payment under the contract. When the Chief Procurement Officer or authorized designee signs in addition to an Agency, they do so as approving officer and shall have no liability to Vendor. When the Chief Procurement Officer or authorized designee, or State Purchasing Officer signs a master contract on behalf of State agencies, only the Agency that places an order with the Vendor shall have any liability to Vendor for that order.

17. **NOTICES:** Notices and other communications provided for herein shall be given in writing by registered or certified mail, return receipt requested, by receipted hand delivery, by courier (UPS, Federal Express or other similar and reliable carrier), by e-mail, or by fax showing the date and time of successful receipt. Notices shall be sent to the individuals who signed the contract using the contact information following the signatures. Each such notice shall be deemed to have been provided at the time it is actually received. By giving notice, either Party may change the contact information.
18. **MODIFICATIONS AND SURVIVAL:** Amendments, modifications and waivers must be in writing and signed by authorized representatives of the Parties. Any provision of this contract officially declared void, unenforceable, or against public policy, shall be ignored and the remaining provisions shall be interpreted, as far as possible, to give effect to the Parties' intent. All provisions that by their nature would be expected to survive, shall survive termination. In the event of a conflict between the State's and the Vendor's terms, conditions and attachments, the State's terms, conditions and attachments shall prevail.
19. **PERFORMANCE RECORD / SUSPENSION:** Upon request of the State, Vendor shall meet to discuss performance or provide contract performance updates to help ensure proper performance of the contract. The State may consider Vendor's performance under this contract and compliance with law and rule to determine whether to continue the contract, suspend Vendor from doing future business with the State for a specified period of time, or to determine whether Vendor can be considered responsible on specific future contract opportunities.
20. **FREEDOM OF INFORMATION ACT:** This contract and all related public records maintained by, provided to or required to be provided to the State are subject to the Illinois Freedom of Information Act (FOIA) (50 ILCS 140) notwithstanding any provision to the contrary that may be found in this contract.
21. **SCHEDULE OF WORK:** Any work performed on State premises shall be done during the hours designated by the State and performed in a manner that does not interfere with the State and its personnel.
22. **WARRANTIES FOR SUPPLIES AND SERVICES:**
 - 22.1 Vendor warrants that the supplies furnished under this contract will: (a) conform to the standards, specifications, drawing, samples or descriptions furnished by the State or furnished by the Vendor and agreed to by the State, including but not limited to all specifications attached as exhibits hereto; (b) be merchantable, of good quality and workmanship, and free from defects for a period of twelve months or longer if so specified in writing, and fit and sufficient for the intended use; (c) comply with all federal and state laws, regulations and ordinances pertaining to the manufacturing, packing, labeling, sale and delivery of the supplies; (d) be of good title and be free and clear of all liens and encumbrances and; (e) not infringe any patent, copyright or other intellectual property rights of any third party. Vendor agrees to reimburse the State for any losses, costs, damages or expenses, including without limitations, reasonable attorney's fees and expenses, arising from failure of the supplies to meet such warranties.
 - 22.2 Vendor shall insure that all manufacturers' warranties are transferred to the State and shall provide a copy of the warranty. These warranties shall be in addition to all other warranties, express, implied or statutory, and shall survive the State's payment, acceptance, inspection or failure to inspect the supplies.
 - 22.3 Vendor warrants that all services will be performed to meet the requirements of the contract in an efficient and effective manner by trained and competent personnel. Vendor shall monitor performances of each individual and shall reassign immediately any individual who is not

performing in accordance with the contract, who is disruptive or not respectful of others in the workplace, or who in any way violates the contract or State law, regulations, orders, or policies.

23. REPORTING, STATUS AND MONITORING SPECIFICATIONS:

23.1 Vendor shall immediately notify the State of any event that may have a material impact on Vendor's ability to perform the contract.

23.2 By August 31 of each year, Vendor shall report to the Agency or University the number of qualified veterans and certain ex-offenders hired during Vendor's last completed fiscal year. Vendor may be entitled to employment tax credit for hiring individuals in those groups. 35 ILCS 5/216, 5/217.

24. **EMPLOYMENT TAX CREDIT:** Vendors who hire qualified veterans and certain ex-offenders may be eligible for tax credits. 30 ILCS 500/45-67 and 45-70. Please contact the Illinois Department of Revenue (telephone #: 217-524-4772) for information about tax credits.

25. SUPPLEMENTAL PROVISIONS

25.1 TOLLWAY SUPPLEMENTAL PROVISIONS

25.1.1 Agents and Employees:

Vendor shall be responsible for the negligent acts and omissions of its agents, employees and **Subconsultants in their performance of Vendor's duties under this Contract. Vendor represents that it shall** utilize the services of individuals skilled in the profession for which they will be used in performing services or supplying goods hereunder. In the event that the Illinois Tollway determines that any individual performing services or supplying goods for Vendor hereunder is not providing such skilled services or delivery of goods, it shall promptly notify the Vendor and the Vendor shall replace that individual.

25.1.2 Publicity:

Vendor shall not, in any advertisement or any other type of solicitation for business, state, indicate or otherwise imply that it is under contract to the Illinois Tollway nor shall the Illinois Tollway's name be used in any such advertisement or solicitation without prior written approval except as required by law.

25.1.3 Third Party Beneficiaries:

There are no third party beneficiaries to this Contract. This Contract is intended only to benefit the Illinois Tollway/Buyer and the Vendor.

25.1.4 Successors In Interest:

All the terms, provisions, and conditions of the Contract shall be binding upon and inure to the benefit of the parties hereto and their respective successors, assigns and legal representatives.

25.1.5 Venue:

Any claim against the Illinois Tollway arising out of this contract must be filed exclusively with Circuit Court for the Eighteenth Judicial Circuit, DuPage County, Illinois for State claims and the U.S. District Court for the Northern District of Illinois for Federal claims.

25.1.5.1 Whenever "State" is used or referenced in this Contract, it shall be interpreted to mean "Illinois Tollway".

25.1.5.2 The State Prompt Payment Act (30 ILCS 40) does not apply to the Illinois Tollway.

25.1.5.3 The Illinois Tollway is not currently an annually appropriated agency.

25.2 Report of a Change in Circumstances: The Vendor agrees to report to the ILLINOIS TOLLWAY as soon as practically possible, but no later than 21 days following any change in facts or circumstances that might impact the Vendor's ability to satisfy its legal or contractual responsibilities and obligations under this contract. Required reports include, but are not limited to changes in the Vendor's Certification/Disclosure Forms, the Vendor's IDOT pre-qualification, or any certification or licensing required for this project. Additionally, Vendor agrees to report to the Illinois Tollway within the above timeframe any arrests, indictments, convictions or other matters involving the Vendor, or any of its principals, that might occur while this contract is in effect. This reporting requirement does not apply to common offenses, including but not limited to minor traffic/vehicle offenses.

Further, the Vendor agrees to incorporate substantially similar reporting requirements into the terms of any and all subcontracts relating to work performed under this agreement. The Vendor agrees to forward or relay to the Illinois Tollway any reports received from Subconsultants pursuant to this paragraph within 21 days.

Finally, the Vendor acknowledges and agrees that the failure of the Vendor to comply with this reporting requirement shall constitute a material breach of contract which may result in this contract being declared void.

25.3 PAYMENT DATA REPORTING REQUIREMENT

The Illinois Tollway requires Vendors to report all payments received and/or paid to all firms pursuant to this contract in the form prescribed by the Illinois Tollway. Payments to all firms must be reported by the Vendor/Vendor and confirmed by the Subconsultants/Subconsultant in the Tollway's B2Gnow system on a monthly basis at <https://iltollway.diversitysoftware.com/>. In addition, prime vendors are responsible of uploading a PDF of their certified payroll transcripts filed with IDOL into B2Gnow by the 25th of the month for the prior month's submission for capital construction projects.

Additional information can be found at: <https://www.illinoistollway.com/doing-business#B2GNow>

(If hyperlink does not load, copy and paste the address into your web browser's address bar)

25.4 VENDOR SUPPLEMENTAL PROVISIONS

Vendor Supplemental Provisions:

STATE OF ILLINOIS

SOLICITATION AND CONTRACT TERMS AND CONDITIONS EXCEPTIONS

_____ agrees with the terms and conditions set forth in the Professional Services Bulletin, including the standard terms and conditions, the Agency/University supplemental provisions, certifications, and disclosures, with the following exceptions:

	Excluding certifications required by statute to be made by the Vendor, both Parties agree that all of the duties and obligations that the Vendor owes to the Agency/University for the work performed shall be pursuant to the solicitation and resulting contract, and Vendor's exceptions accepted by the State thereto as set forth below.
	STANDARD TERMS AND CONDITIONS
Section/ Subsection #	State the exception such as "add," "replace," and/or "delete."
	ADDITIONAL TERMS AND CONDITIONS
New Provision(s), # et. seq.	Section/Subsection New Number, Title of New Subsection: State the new additional term or condition.

_____ hereby agrees to the exceptions provided by _____ and to the Additional Terms and Conditions provided by _____.

Agreed:	Agreed:
By:	By:
Signed:	Signed:
Position:	Position:
Date:	Date:



Sub-Vendor/Vendor Information/Delinquent Debt Review
Vendor/Vendor
Sub-Vendor/Vendor
FEIN

Date: _____ **Project Number:** _____

Project Name: _____

DELINQUENT DEBT REVIEW
VENDOR/VENDOR

Sub-Vendor/Vendor Disclosure.

Will you be using any sub-Vendors/Vendors? Yes No

If yes, you must identify below, to the extent the information is known, regardless of the subcontract value, the names, addresses and type of work all Sub-Vendors/Vendors that will be utilized in the performance of this Contract, together with the anticipated dollar value (Sub-Vendors) or percentage (Sub-Vendors) each is expected to receive pursuant to this Contract. The list of sub-Vendors/Vendors should include but not be limited to sub-Vendors/Vendors, suppliers and truckers proposed to achieve disadvantaged business enterprise and veteran owned business goals. The State may request updated information at any time. For purposes of this section Sub-Vendors/Vendors are those specifically hired to perform part of the work of this contract. Non-DBE suppliers and truckers do not need to be included.

Upon request, our firm agrees to provide a copy of the subcontract, if required, within fifteen (15) days after execution of the contract if selected, or after execution of the subcontract, whichever is later, for those subcontracts with an annual value of more than \$50,000. All subcontracts over \$50,000 must include the same certifications that the Vendor must make as a condition of the contract. The vendor shall include in each subcontract the Subconsultant certifications as shown on the Standard Subconsultant Certification form available from the State.

Delinquent Payment. The Vendor/Vendor certifies that it, or any affiliate, is not barred from being awarded a contract under 30 ILCS 500. Section 50-11 prohibits a person from entering into a contract with a State agency if it knows or should know that it, or any affiliate, is delinquent in the payment of any debt to the State as defined by the Debt Collection Board. Section 50-12 prohibits a person from entering into a contract with the State agency if it, or any affiliate, has failed to collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use Tax Act. The Vendor/Vendor further acknowledges that the contracting State agency may declare the contract void if this certification is false or if the Vendor/Vendor or any affiliate is determined to be delinquent in the payment of any debt to the State during the term of the contract.

Vendor/Vendor: _____

Federal Employment Identification Number (FEIN): _____

E-Mail: _____

Include an attachment if more space is needed to provide the below information. The attachment must provide the requested information.

NOTE for Construction Contracts: List all known Subconsultants including those identified in the Proposal Package on DBE Form 2025 and VOSB Form 2025, and include any name listed in the "Under Contract To" section of these forms.

<u>Sub-Vendor(s)/Vendor(s)</u>	<u>Sub-Vendor/Vendor FEIN</u>	<u>Address</u>	<u>General Type of Work</u>	<u>Anticipated Amount of Contract to be Paid (to extent known) Sub-Vendor (dollar value) or Sub-Vendor (percentage)</u>

Signature: _____

Date: _____

Printed Name: _____

PART IV: REPRESENTATIONS AND INSTRUCTIONS

4.1 SELECTION CRITERIA

Members of the Vendor Selection Committee will not be available to discuss specifics of projects listed in this PSB between the date of the submittal and the Selection Committee meeting. Please do not send letters or e-mails expressing interest in specific projects to members of the Vendor Selection Committee.

Selection of professional Vendors by the Illinois Tollway is based on the firm's professional qualifications, related experience, expertise, and availability of key personnel to be assigned to the project, satisfaction of diversity goals and contract compliance and what is best for the Illinois Tollway. SOIs will be evaluated based on the following criteria:

- Specialized experience when required, technical competence of the personnel, and experience of the firms and/or Subconsultants proposed.
- Performance history and expertise of the firm and any proposed Subconsultants with the work described in the Item.
Particular attention will be given to appropriate cost saving measures and innovative ideas that will benefit the Illinois Tollway.
- Ability to complete the work in the time required and the firm's existing workload.
- Commitment and availability of Key Personnel during the term of the contract.
- Proposed method of accomplishing the project's objectives.
- Demonstrate understanding of an inclusive and substantive DBE/VOSB utilization plan.
- Firms' record on meeting Diversity goal (DBE/VOSB) commitments on previous Illinois Tollway contracts.
- Contract Compliance will evaluate submitted forms and documents, including but not limited to the SOI, LOI, DBE/VOSB certification(s) and Exhibit G, for completeness, accuracy and verification that all requirements of the PSB have been met.

Consideration will also be given to the quality and scope of utilization plan which demonstrates an understanding of an inclusive and substantive DBE and VOSB U-Plan (Reference Section 2.5 and 2.7 for definition of "DBE" and "VOSB"), VOSB and Partnering for Growth (formerly Mentor Protégé proposals).

Consideration will also be given to the completeness and content of the compliance documentation submitted (SOI, LOI and Exhibit G), whether the submitted documents show that at least the advertised diversity goal(s) has/have been met, and if the certification letters submitted are current and the area(s) of specialty as certified match with the scopes of work of the respective DBE/VOSB participants.

4.2 SCHEDULE FOR VENDOR SELECTION

The Illinois Tollway anticipates selecting Vendors based on this estimated schedule:

TASK	DATE DUE
Publish	April 2, 2021
Last Day for Questions no later than 4:30:00 pm Central Time	April 14, 2021
Complete SOIs are due no later than 4:30:00 pm Central Time on this date, including all required Attachments/Exhibits as specified in this PSB.	April 28, 2021
Selection Committee Meeting:	June, 2021
Board Approval – A copy of the subcontract agreement, if required, within fifteen (15) days after execution (generally the Notice to Proceed date) of the contract if selected, or after execution of the subcontract, whichever is later, must be submitted to the State Purchasing Officer (SPO) through the Executive Manager of Engineering at: 2700 Ogden Ave., Downers Grove, IL 60515	July / August, 2021
Notice to Proceed	September / October, 2021

4.3 GUIDELINES FOR SUBMITTING STATEMENTS OF INTEREST (SOI)

The firm acting as the prime must be prequalified in all of the prequalification categories requested in the project advertisement even if they plan to subcontract part of the project, except where noted in a specific project advertisement. Any Vendor, prime or sub must be prequalified by IDOT in the category of work they are performing or as stated in the item description, unless the Subconsultant is being mentored in the Partnering for Growth Program. **SEE NOTICE BELOW.**

4.3.1 REQUIRED FORMAT FOR SUBMITTING STATEMENTS OF INTEREST

4.3.2.1 ALL EXHIBITS SUBMITTED FOR THIS PSB MUST BE CURRENT. EXHIBITS FROM PREVIOUS PSBS WILL NOT BE ACCEPTED.

4.3.2.2 PREQUALIFIED FIRMS MAY INDICATE THEIR DESIRE TO BE CONSIDERED FOR SELECTION ON ANY OF THE PROJECTS LISTED WITHIN THIS PSB BY SUBMITTING A SEPARATE SOI FOR EACH PROJECT.

4.3.2.3 EACH SOI MUST BE SUBMITTED USING THE FOLLOWING BASIC FORMAT:

COVER SHEET

Include Full Legal Firm Name, PSB Number, Item Number, and **all** known Subconsultants (Full Legal Firm Names).

Section 1. Executive Summary (limit of 5 pages)

- A. Legal Name of firm, address, telephone number, e-mail address and contact person.
- B. List all known Subconsultants, the work the firm(s) will be performing and a contact person for each. Identify any DBEs (Reference Section 2.5 for definitions) and VOSBs. Include Mentor and Protégé data if applicable.

- C. Name of Project Manager.
- D. Name of Project Engineer.
- E. Project Understanding.
- F. Project Approach (include brief statement of firm's unique qualifications and experience, approach to the project's specific challenges such as maintenance of traffic, environmental constraints, budget constraints, schedule constraints, design challenges, etc.).
- G. Statement that firm will meet or exceed the DBE goal and VOSBVOSB goal as applicable for the item. Include the proposed percentage of work to be completed by proposed DBE and VOSB firms (Percentages shall match those submitted with the SOITEAM data). For each proposed DBE firm, include a current certification letter that shows that the DBE firm is certified in its scope(s) of work stated in the SOI and its LOI.

Section 2. Organization Chart

Include names and titles for all Key Project Personnel

Section 3. Relevant Project Experience

Include a minimum of three (3) relevant projects of equal or greater complexity accomplished within the past five (5) years, demonstrating the firm's experience in the type of work required for this project. Color graphics and photographs may be sent with the files.

Include performance ratings for past work done for the Illinois Tollway, IDOT, or any other government agencies or public bodies, if applicable.

NOTICE

Pursuant to Illinois Department of Transportation (IDOT) Prequalification rules and procedures, the Illinois Tollway will accept your firm's prequalification the same as IDOT, in that your firm is prequalified until (Fiscal Year + 1 year). As per IDOT, your firm will be given an additional six months from this date to submit the applicable portions of the "Statement of Experience and Financial Condition" (SEFC) to IDOT to remain prequalified.

The firm remains prequalified during this six (6) month grace period. Once the data is submitted to IDOT, either before or on the due date, the firm remains prequalified in the current categories until IDOT reviews a category and makes a determination. If there is not a submittal by the due date, the firm is automatically listed as not approved.

IDOT provides a listing of prequalified consulting firms on the website:

<http://www.idot.illinois.gov/doing-business/procurements/engineering-architectural-professional-services/index>

This list is typically updated weekly, and is based on the most recently approved SEFC application. Firms are encouraged to monitor their prequalification status in IDOT's EPAS system. This notice also applies when utilizing a Subconsultant to meet prequalification requirements on a project.

4.4 SUBMITTAL INSTRUCTIONS

All submittals for this PSB will be received through the Illinois Tollway's e-Builder PSB SOI process at: www.e-builder.net . Contact ebuilder@getipass.com for training and login information.

Firms that are teaming and preparing an SOI must use the code name assigned for the team. When a firm is submitting on behalf of a team, a unique e-Builder account and login ID are required. The team SOI

submittal must be created and submitted by the Prime firm. (Important Reminder: if a Prime is submitting for themselves, that account and login ID will be different from the account and login ID that they will use to submit for a team).

The preparation of the SOI for submittal in e-Builder must be done in one e-Builder account, i.e., one account login ID. Each account/login has access only to the e-Builder PSB SOI process instance that is being created in that account. Each e-Builder PSB SOI process instance can only be seen from the login that created it.

One SOI is required for each PSB item. The subject line will be created in the eBuilder PSB SOI process when you select the item number your firm will be submitting for from the pull-down menu. Complete e-Builder instructions for the PSB SOI process can be found in the upper right-hand corner of the SOI instance.

All questions related to this PSB must be submitted electronically through the e-Builder SOI Mailbox at [PSB 21-1.01 Questions and RFIs@docs.e-builder.net](mailto:PSB_21-1.01_Questions_and_RFIs@docs.e-builder.net) at least 10 days (**April 14, 2021 at 4:30:00 pm (CT)**) prior to the **submittal date, of April 28, 2021@ 4:30:00 pm (CT)**. The subject line should read: PSB 21-1 Question. Answers will be addressed via an Addendum published via BidBuy. For e-Builder technical questions, please contact the e-Builder PSB SOI Helpdesk: ebuilder@getipass.com. Please call if you need assistance: (630) 241-6800, ext. 6160 and leave a voicemail. You will receive a response within 1 business day.

This is not an invitation for bids. Firms properly prequalified for the projects listed herein may indicate their desire to be considered for selection by submitting an SOI to the Illinois Tollway via the e-Builder PSB 21-1 SOI process located at the following: <http://www.e-builder.net>

The Illinois Tollway follows the Qualifications Based Selection (QBS) process mandated by Illinois statute (30 ILCS 535): Architectural, Engineering, and Land Surveying Qualifications Based Selection Act for selecting qualified Vendors under this PSB.

SOI e-Builder submittals must be received by **April 28, 2021, 4:30:00 P.M.** Central Time (CT). Any submittals received after that time will be considered late and the user will receive an e-Builder notification stating that the PSB SOI date and time has expired. Late submittals will not be accepted by the Illinois Tollway. NOTE: You must set the Time Zone field on your e-Builder account profile page to "(UTC-06:00) Central Time (US & Canada)" so that you can submit your SOIs up until the submittal deadline.

Please carefully read the instructions below BEFORE submitting your SOIs.

4.4.1 GENERAL INSTRUCTIONS

It is CRITICAL that submittal instructions be followed. All Forms must be submitted per the instructions provided. Failure to do so may result in an incomplete submittal resulting in your firm being disqualified. For further information on accessing the Illinois Tollway Website, PSB and Exhibits, please refer to the Table of Contents.

4.4.2 NAMING AND LABELING INSTRUCTIONS

- The Illinois Tollway requires electronic submittals for the Professional Services Bulletin's SOIs via the established e-Builder PSB process. All respondents must utilize a unique 2 to 6 character SOI Firm Name Code assigned by the Illinois Tollway.
- To determine the designated SOI Firm Name Code go to the Illinois Tollway's website under Doing Business>Construction and Engineering - see Vendor Resources and click on the link to the Professional Services Bulletin page. The current SOI Firm Name Code List will be posted under the "Required Forms" section. If your firm is not included on the list, or your firm name has changed, please contact PSB Coordinator. csstaff@getipass.com, for an assigned SOI Firm Name Code.
- When submitting "Team" files please, use the **new** SOI Firm Name Code assigned by the Illinois Tollway to the Team. The SOI Firm Code Name is exclusive to the electronic submittal – meaning it does not establish the name of the Team. Please contact PSB Coordinator, csstaff@getipass.com, for an assigned SOI Firm Name Code.

4.4.3 INSTRUCTIONS FOR SUBMITTING THE SOITEAM DATA

The SOITEAM information is now input into the “SOITEAM data” section in e-Builder. The following still apply to your submittal:

- Vendors are required to complete the SOITEAM data section for each Item, completing all columns shown for the Prime Vendor, and for every Subconsultant that is being proposed. **Do not enter “TBD” or enter a range of percentages, and do not leave blank cells.** Totals must equal 100%.

TEAM submittals:

- NOTE: If a firm is submitting as a Prime and also as a Team lead for one or more teams, a separate SOI and the SOITEAM data information must be submitted for each. DO NOT combine SOITEAM data information for unique SOI submittals.
- When entering prime Vendor or Subconsultant information in the SOITEAM data section, please follow the below instructions:
 - Add new item for firm information for each team member
 - Under Team Member Role, select Prime (Lead Teaming Partner) or Prime (Non-Lead Teaming Partner)
 - Teams with three firms may enter an additional firm and select Prime (Non-Lead Teaming Partner)
 - Select Subconsultant for the Firm Role for any additional firms that are included in the SOI..
 - Below is a sample of how the Team members and Subconsultants are to be entered and submitted within the SOITEAM data section:

The screenshot displays the 'Firm Information' section of the e-Builder interface. At the top, there are navigation options like 'Group By', 'Show Filter', 'Select All', and 'Row Height'. Below this is a table with the following columns: #, SOITEAM Firm Name, Team Member Role, % of Work to be Completed by Consultant, Role of consultant, D/M/WBE Status, and Ethnicity. A 'Grand Totals' row is visible below the table, showing 0 items. Below the table is a form titled 'Add New Item for Firm Information' with the following fields:

- * SOITEAM Firm Name (text input)
- * Team Member Role (dropdown menu)
- * % of Work to be Completed by Consultant (text input)
- * Role of consultant (text input)
- * D/M/WBE Status (dropdown menu)
- * Ethnicity (dropdown menu)
- * Male or Female (dropdown menu)
- * Multiple Owners (dropdown menu)
- * ESOP (dropdown menu)
- * DBE (Disadvantaged Business Enterprise) Program (dropdown menu)
- * Veteran Status (dropdown menu)
- * P4G? (dropdown menu)
- * P4G Partner (text input)
- * FEIN Number (text input)
- * Project Manager Name (text input)
- Project Engineer Name (text input)
- * Contact Name (text input)
- * Contact e-mail (text input)
- * Phone Number (text input)

At the bottom right of the form are 'Clear' and 'Add' buttons.

4.4.4 INSTRUCTIONS FOR e-Builder SUBMITTAL

It is important that your e-Builder submittal be prepared according to the following instructions.

Exhibit E – DBE - Partnering for Growth Program Plan, if proposing a mentor-protégé arrangement, attach the required <u>Exhibit E</u>	ABC_ExE_DBE.pdf	Submit as a separate document on e-Builder
Exhibit E – VOSB - Partnering for Growth Program Plan. if proposing a mentor-protégé arrangement, attach the required <u>Exhibit E</u>	ABC_ExE_VOSB.pdf	Submit as a separate document on e-Builder
Exhibit F - Veteran Small Business Participation, Utilization Plan and Letter of Intent	ABC_ExF.pdf	Submit as a separate document on e-Builder
Exhibit G – Contract Participation, Current and Past DBE/VOSB /BEP	<u>ABC_ExG.pdf</u>	<u>Submit as a separate document on e-Builder</u>
Firm’s Commitment and Signature Form.	ABC_FCS.pdf	Submit as a separate document on e-Builder
DBE and VOSB Evidence (current certification letters)	DBE_VOSB_Certs.pdf	Submit as a separate document on e-Builder

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- Complete the Word documents and then convert them to Adobe .pdf for the submittal.
- Do not send zipped files. They will be rejected and cause the firm’s submittal to be disqualified.
- Signatures must be scanned, then cut/copied and pasted into the appropriate signature blocks. The files must then be converted to a PDF.
- The time zone in your e-Builder profile must be set to “(UTC-06:00) Central Time (US & Canada).” The Time Zone field can be found on the Setup tab under Personal Information>My Profile. See the latest version of the SOI User Manual for instructions, available at the e-Builder PSB SOI work instruction and training webinar link below.

4.4.5 COMMON MISTAKES

The following is a list of common mistakes found when submitting a Professional Services SOI. This list is not intended to be exhaustive and Vendors should make every attempt to avoid these common mistakes in their submittals or the submittal may be deemed non-responsive and may not be scored.

- General
 - Failure of minimum 40% self-performance by the prime
 - Inconsistent percentages throughout SOI submittals
 - Incorrect PSB #
 - Incorrect Contract #
 - Changing anonymous e-Builder PSB account profile entries
 - Submitting too close to the deadline
 - Failure to save attached document in the correct item folder for that submission.
- SOI Grid Data
 - Leaving blank spaces
 - Percentage does not equal 100% – this percentage should include the prime and subs
 - Failure to include all Firms from the SOI (Prime, Team, Subconsultants etc.)
- Exhibits
 - Failure to submit Exhibit E when proposing P4G plan in the SOI grid data
 - Unnecessarily submitting Exhibit E when not proposing P4G in SOI grid data
 - Failure to submit correct version of Forms A or Forms B
 - Failure to list all required Key Personnel on Exhibit A
 - Change of the title of Key Personnel on Exhibit A
 - Failure to list % on Terms and Conditions FEIN page
 - Percentages different than SOI Grid Data

- Teams
 - Failure to include all Team members on Exhibit C (Workload)
 - Failure to include Terms and Conditions for all Team members
 - Failure to include Forms A or Forms B for all Team members

4.5 DISCLOSURES AND CERTIFICATIONS

4.5.1 INSTRUCTIONS FOR SUBMITTING DISCLOSURES

The submittal shall contain either FORMS A or FORMS B. SOIs submitted without FORMS A or FORMS B shall be deemed non-responsive. FORMS A section shall be returned by Firm(s) that are not registered in the Illinois Procurement Gateway (IPG). Enter the BidBuy number on either Forms A or Forms B when asked to supply an IPB Reference #.

FORMS B shall be returned by Firm(s) that have a current, approved IPG registration.

Forms A Section

Complete this section if you **are not using** a current, approved Illinois Procurement Gateway (IPG) Registration number.

<https://www.illinoistollway.com/doing-business/construction-engineering/forms>

1. Business and Directory Information
2. Illinois Department of Human Rights Public Contracts Number
3. Authorized to Do Business in Illinois
4. Standard Certifications
5. State Board of Elections
6. Disclosure of Business Operations in Iran
7. Financial Disclosures and Conflicts of Interest
8. Taxpayer Identification Number
9. Signature

Forms B Section

Complete this section only if you **are using** a current, approved IPG Registration number.

<https://www.illinoistollway.com/doing-business/construction-engineering/forms>

1. Certification of Illinois Procurement Gateway Registration #
2. Certification Timely to this Solicitation
3. Disclosures of Lobbyist or Agent
4. Disclosure of Current and Pending Contracts
5. Signature

4.5.2 INSTRUCTIONS FOR SUBMITTING Illinois Tollway Standard Business Terms and Conditions

Submit the Illinois Tollway Standard Business Terms and Conditions (see Part III, 3.2). This document is also available on the Illinois Tollway website and submit as a separate document on e-Builder. Team leads must submit Illinois Tollway Standard Business Terms and Conditions for themselves and team members.

4.6 COMPLAINT PROCEDURE

A complaint regarding any decision rendered by or action taken by the Illinois Tollway pursuant to this Bulletin may be filed by a firm with the Chief of Procurement of the Tollway by submitting a written statement setting forth all the facts and circumstances together with the basis for making such complaint and specifically how such decision or action is alleged to be in contravention of this Bulletin or the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act (30 ILCS 535) ("QBS Act"). The subject of such complaints shall be limited to allegations of fraud, corruption, and illegal acts. Upon receipt of a complaint, the Chief of Procurement or his/her designee will determine whether, in the decision or action complained of, the Illinois Tollway has acted in accordance with this Bulletin and the QBS Act and will advise the firm submitting the written statement as to this determination and as to what additional action, if any, the Illinois Tollway will take. Any such written complaint must be received by the Illinois Tollway within 7 days from the time the firm complaining becomes aware or should have become aware of the decision or action complained of or from the time information of such decision or action becomes generally available to the public, whichever occurs first. Complaints must be sent in writing to:

Illinois Tollway
Attn: Chief of Procurement
2700 Ogden Ave.
Downers Grove, IL 60515

4.7 USEFUL LINKS

The Illinois Tollway website – <https://www.illinoistollway.com/>

Professional Service Bulletin - <https://www.illinoistollway.com/doing-business/construction-engineering/bids-bulletins-awards>

Vendor Contract Forms (required forms for submittal) - <https://www.illinoistollway.com/doing-business/construction-engineering/forms>

Vendor Invoicing Forms - <https://www.illinoistollway.com/doing-business/construction-engineering/forms>

Partnering for Growth Program - <https://www.illinoistollway.com/doing-business/diversity-development/programs/partnering-for-growth>

e-Builder website: <http://www.e-builder.net>

e-Builder PSB SOI user manual, FAQ file, and training videos:
<https://app.e-builder.net/public/PublicFolderView.aspx?FolderID=%7bdc0355ee-4323-458e-91b5-547c6655b5f5%7d>

e-Builder PSB SOI training webinar dates and registration information:
<http://www.onlineregistrationcenter.com/registerlist.asp?m=176&p=134&group=57&tid=222>

BidBuy - <https://www2.illinois.gov/cpo/general/Pages/BidBuy/BidBuy.aspx>

Chief Procurement Office/Illinois Procurement Gateway (IPG) – Vendor Registration - <https://ipg.vendorreg.com/>

State Board of Elections - <https://www.elections.il.gov/#News>

Illinois Department of Central Management Services – Travel Reimbursement Schedule - <https://www2.illinois.gov/cms/employees/travel/pages/default.aspx>

National Institute of Standards and Technology - <http://www.nist.gov/>

Illinois Department of Transportation - <http://www.idot.illinois.gov/>

City of Chicago Certification of Compliance - <https://chicago.mwdbe.com/FrontEnd/VendorSearchPublic.asp?TN=Chicago>

Illinois Department of Transportation Manual of Test Procedures for Materials - <http://www.idot.illinois.gov/Assets/uploads/files/Doing-Business/Memorandums-&-Letters/Highways/Materials/Concrete/6-08.1minimumprivatelabrequirements.pdf>

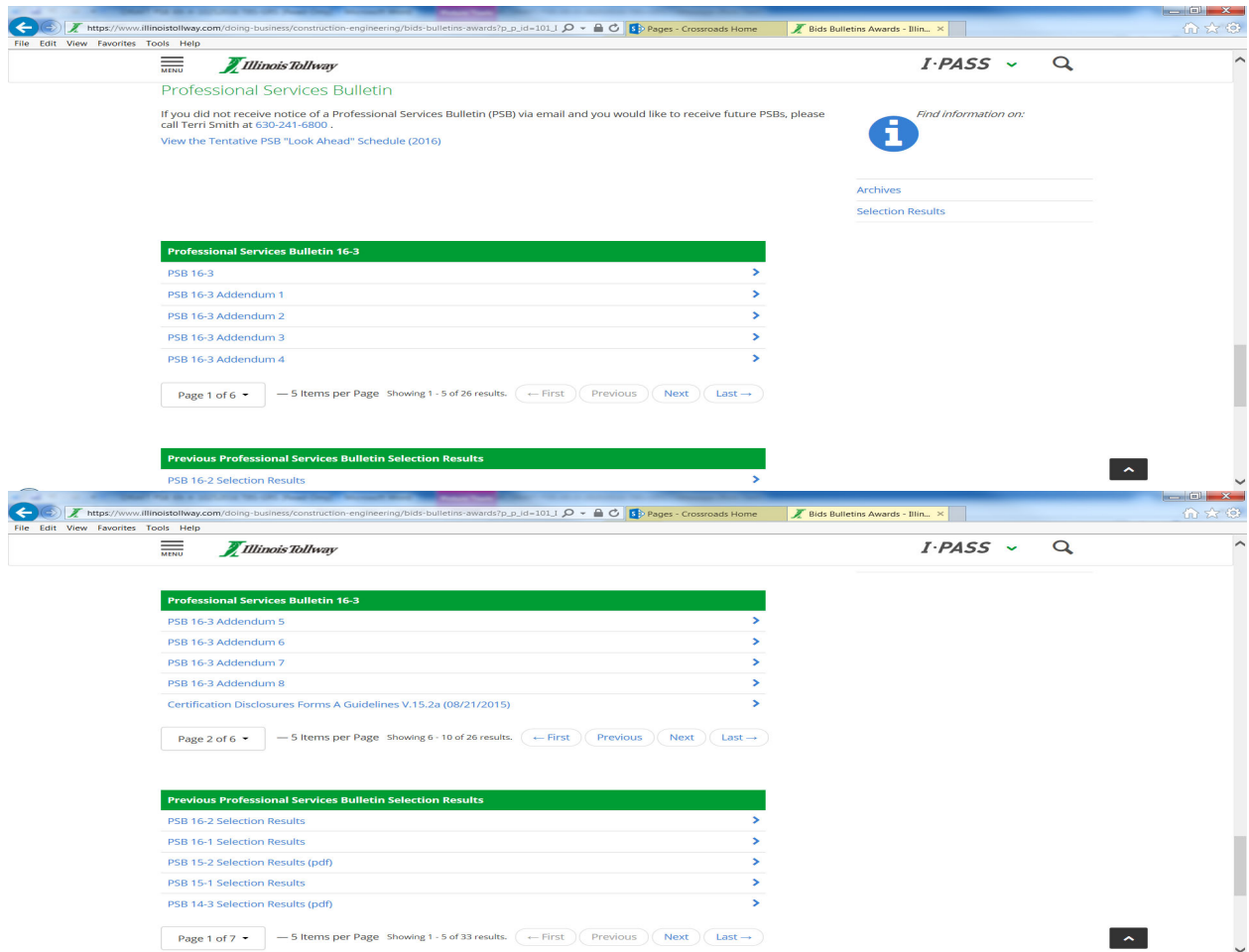
4.8 ILLINOIS ePROCUREMENT BidBuy NOTICE

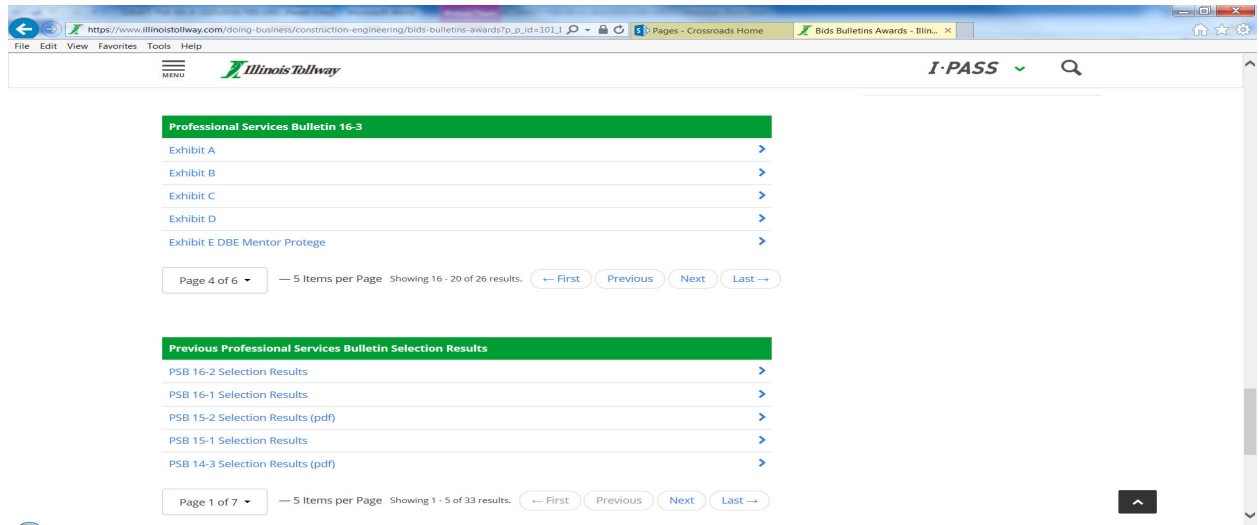
To register in the Illinois eProcurement System, please follow these instructions:

- Go to <https://www.bidbuy.illinois.gov/bsol/>
- Please direct questions regarding the registration process or the use of BidBuy to email address: stateuser.bidbuy@illinois.gov or the Procurement Help desk at 217-557-8992.

4.9 INFORMATION ON ACCESSING ILLINOIS TOLLWAY WEBSITE

- Go to www.illinoistollway.com
- Click on “Menu”
- Click “Doing Business”
- Click “Construction and Engineering”
- Middle of page, under “How Can We Help You? / Vendor Resources”, click “Professional Services Bulletin”
- *Helpful Hint: A limited number of items are shown under “Professional Services Bulletin” on each page; click “Next” to view additional items.





4.10 FUTURE PROFESSIONAL SERVICES BULLETIN NOTIFICATIONS

To receive notification from the Illinois Tollway that a Professional Services Bulletin has been posted, please submit the following information:

PLEASE DO NOT SUBMIT WITH YOUR SOI

**If previously submitted, only resubmit if information has changed.
To unsubscribe from the PSB Notification list send an email to:**

Submit to: csstaff@getipass.com

Include the following information:

Please add this contact to receive notification from the Illinois Tollway that a Professional Services Bulletin has been posted:

Name of firm _____

E-mail address _____

Contact person (corresponding with e-mail) _____

4.11 RESERVED

4.12 PSB 21-1 EXCHANGES WITH FIRMS AFTER SOI SUBMISSION

Discussions may be held with Firms to clarify certain aspects of their SOIs.

- Discussions are limited exchanges between the Tollway and Firms that may occur during the responsiveness determination. For purpose of this PSB, such discussions shall be exchanged only between the Firm and the Designated Procurement Contact for this PSB.
- Please use the e-mail address: **csstaff@getipass.com**.
- These exchanges shall not provide an opportunity for the Firm to revise its SOI, but may only address:
 - Deficiencies
 - Errors
 - Omissions
- Responses are due to the Illinois Tollway on the due date established by the Illinois Tollway. Discussions may be initiated by the Illinois Tollway after that time. Firm's responses that are not received timely shall result in the SOI being considered nonresponsive.

Certain requirements are not open for discussion and, if not met, shall render the SOI nonresponsive:

- Late submissions, including omission of any of the four (4) required documents as stated in the PSB:
 - SOI
 - Disclosures (DS)- Forms A or Forms B
 - Exhibit F (VOSB Utilization Plan and Letter of Intent)
 - Exhibit G - Contract Participation (Current and Past DBE/VOSB /BEP Participation with the Illinois State Toll Highway Authority (ISTHA)
(For responsiveness purposes, Contract Compliance will evaluate submitted forms and documents, including but not limited to the SOI, LOI, DBE/VOSB certification(s) and Exhibit G, for completeness, accuracy and verification that all requirements of the PSB have been met.)
- Omission of State of Illinois requirements
- Inability to meet eligibility requirements as stated in 44 Ill. Admin. Code 625.70, Confirmation of Eligibility.