

Question and Answer Session

How do I get certified for the Tollway's Disadvantaged Business Enterprise (DBE) Program? Are Minority-/Women- Owned Business Enterprises (MBEs/WBEs) included in the DBE Program?

Answer: The Illinois Tollway is not a certifying agency. The Tollway accepts any of the following certifications for the DBE Program:

- [Illinois Unified Certification Program \(IL-UCP\)](#) DBE certifications include Illinois Department of Transportation (IDOT), Chicago Transit Authority (CTA), Metra, Pace and City of Chicago
- [City of Chicago](#) minority-owned and women-owned business enterprise (MBE/WBE) certifications
- [Cook County](#) MBE/WBE certifications
- [Small Business Administration](#) SBA 8(a) certification

If I already have a Business Enterprise Program (BEP) certification, do I also need to be registered as a small business?

Answer: If you would like to participate in the Tollway's [Small Business Initiative](#), which includes small business set-aside contracts, as well as small business goals on select construction contracts, you must be registered in the [Illinois Procurement Gateway](#) (IPG) in the state's Small Business Set-Aside Program. Prime contractors wishing to participate in small business set-aside contracts must be registered as a small business with the IPG.

What is required to do business with the Tollway?

Answer: To do business with the Illinois Tollway, at a minimum, firms must be registered with the [Secretary of State](#), [State Board of Elections](#), and [Illinois Department of Human Rights](#).

Depending on the scope of work, the Tollway accepts [IDOT](#) and [Capital Development Board](#) prequalifications. Small business set-aside solicitations do not require prequalification, but firms must be registered in the state's [Small Business Set-Aside Program](#).

What are NIGP Codes?

Answer: The NIGP Code is an acronym for the National Institute of Governmental Purchasing's Commodity Codes. The NIGP Code is used primarily to classify products and services procured by state and local governments in North America.

Are there forms that subcontractors must fill out for primes when submitting a bid?

Answer: Yes. Subcontractors that are DBEs or VOSBs must fill out Form 2025, which outlines the scope and dollar amount of work being provided to the prime contractor.

Do I need to submit Form A or Form B with my construction bid? How do I know which form to submit?

Answer: Yes. Firms not registered in the IPG must use Form A. Firms registered in the IPG must complete Form B. Bids that do not include either Form A or Form B will be immediately disqualified per the Illinois Procurement Code, which cannot be cured. Additional guidelines for Forms A and B can be found [here](#).



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What is the delinquent debt certification for subcontractors?

Answer: The Tollway's Contract Services Department processes the Federal Employer Identification Number (FEIN) with the State of Illinois Offset Contract Inquiry Screen (OCIS) database, which tracks any delinquent debt associated to the FEIN. The Tollway's Delinquent Debt Review Form states:

The Contractor/Consultant 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 Contractor/Consultant further acknowledges that the contracting State agency may declare the contract void if this certification is false or if the Contractor/Consultant or any affiliate is determined to be delinquent in the payment of any debt to the State during the term of the contract.

Where can I find the insurance requirements for a construction contract?

Answer: The Tollway's standard insurance requirements are in article 107.27 of the Supplemental Specifications on the Illinois Tollway website in the "Doing Business with the Tollway" section, under Resources → Construction/Engineering → Construction Bid Specifications. You can review the Special Provisions for individual contracts in the [Online Plan Room](#). Any modifications to the standard insurance requirements will be listed for each contract in the Special Provisions section labeled SP 107.

My company does not maintain excess liability insurance with limits required by the contract. Can the excess liability insurance limits be lowered?

Answer: No, the contractor must procure and maintain all required insurance coverage as required in the contract documents. Any changes or modifications to insurance requirements must be made prior to the bid opening date, and may be found in the Special Provisions section of the Online Plan Room or in an addendum to the contract issued prior to the bid date.

Do I need to provide builder's risk insurance?

Answer: Yes, as outlined in the presentation, contractors must provide builder's risk insurance. Unless otherwise specified in the special provisions of the contract documents, all Illinois Tollway contracts require builders risk insurance. Contractors are advised to consult with their insurance brokers or agents about the availability of builders risk insurance for the contract works or improvements.



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What is the best resource for navigating the Tollway's insurance requirements?

Answer: Your insurance agent or broker is your best resource. The Illinois Tollway advises that you always seek advice from your insurance agent or broker concerning meeting the contract bonding and insurance requirements. You should provide them with a project description and copy of the contract insurance requirements to facilitate their review.

Will the Tollway website post solicitations for roadway products needed such as barricades, cones, etc.?

Answer: These types of needs are handled as goods and services solicitations, not construction bids.

Can I make substitutions on products and price on the bid forms?

Answer: Any changes to products or prices may only be done through the change order process, which occurs after bid opening and must be reviewed by the construction manager. Change orders must be approved by the Tollway prior to the commencement of work.

Are there opportunities for software suppliers?

Answer: Yes. Software is procured as a goods and services solicitation. It is not part of the construction bid process. Goods and services solicitations generally include BEP goals instead of DBE goals.

Does the Earned Credit Program (ECP) apply to software?

Answer: No. ECP is for construction contracts only. Software is procured as a goods and services solicitation.

Does specialty insurance apply to software contracts?

Answer: No. Specialty insurance is for construction contracts only; software contracts are goods and services contracts. Any insurance requirements for goods and services contracts are outlined in the bid/procurement documents of the specific solicitation.

How can I access the informational videos used in today's presentation?

Answer: The informational videos used in the presentation, Navigating the Tollway Bid Process, are available for viewing at any time [here](#).

