

PROFESSIONAL SERVICES BULLETIN 19-2

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

Due Date: September 9, 2019

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. 19-2

August 23, 2019

ISTHA web site: www.illinoistollway.com



Illinois Tollway
2700 Ogden Avenue, Downers Grove, IL 60515

PSB 19-2

August 23, 2019

NEW THIS PSB

- **ALL Prime/Teaming Firm data now entered into “Firm Information” grid along with Subconsultant data**
- **All consultants must be entered to the grid (lead, team members, and subconsultants)**
 - **Percent (%) in grid must = 100%**
- **New location for lead PE & PM**
- **Additional field locations added for multiple disclosures, if required.**
- **Available options in the “Team Member Role” field in the “Firm Information” grid are “Prime (Sole)”, “Prime (Lead Teaming Partner)”, “Prime (Non-Lead Teaming Partner 1)”, “Prime (Non-Lead Teaming Partner 2)”, and “Subconsultant”**
- **New field labeled “P4G Role” with the options of “Mentor” or “Protégé” added to the “Firm Information” grid.**
- **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 19-2 csstaff@getipass.com

PSB 19-2 Hotline: (630) 241-6160

PSB 19-2 Tech Support: ebuilder@getipass.com

PSB 19-2 eBuilder Training:

<http://www.onlineregistrationcenter.com/registerlist.asp?m=176&p=134&group=35&tid=222>

1.2 19-2 OFFICIAL NOTICE

PSB 19-2 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). 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 19-2, including all Exhibits and forms, is available on the 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 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 19-2 SUMMARY

Information for the e-Builder process for PSB 19-2 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 19-2 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_19-2.01 Questions and RFIs@docs.e-builder.net](mailto:PSB_19-2.01_Questions_and_RFIs@docs.e-builder.net) at least 10 days (August 30, 2019 at 4:30:00 pm (CT) prior to the submittal due date of **September 9, 2019 @ 4:30:00 pm (CT)**). The subject line should read: PSB 19-2 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. Firms properly prequalified for the projects listed herein may indicate their desire to be considered for selection by submitting an SOI to the Tollway via the e-Builder PSB 19-2 SOI process located at the following: <http://www.e-builder.net>

The 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 **September 9, 2019, 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 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. 19-2 ITEM INDEX

Item No.	Project No. / County	Description	Page
1	I-17-4681R DuPage and Cook County	Elgin O'Hare Western Access, I-490 at IL 19 Interchange, Construction Management Services. Construction Management Services.	A-1

Details follow for each of the Number of Items (1), PSB 19-2 Item. The Mile Posts listed in the project details (Section 1.4) are approximate.

1.5 PSB ITEM DETAILS

1.5.1 Item I-17-4681R, Elgin O'Hare Western Access, Western Access at IL 19 Interchange

This project has a 30.0% D/M/WBE participation goal and 3.0% VOS/SDVOSBE participation goal.

Phase III engineering services are required for the construction inspection, and supervision on the Western Access at Irving Park Road in DuPage and Cook Counties, Illinois.

The Consultant will perform on-site inspection, review layout of contract 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.

Construction estimate: Category D.

Firms must be prequalified by IDOT in the following categories:

**Special Services (Construction Inspection)
Highways (Freeways)
Structures (Highway Bridges: Typical)**

The Tollway will allow a prime firm to meet the prequalification for Structures (Highway Bridges: Typical) and Highways (Freeways) 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 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 Resident Engineer.
- The Materials Coordinator.
- 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 2020.

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 at the Tollway Central Administration office building in Downers Grove.

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 Tollway. Those are the Program Management Office (PMO), Consulting Engineer (CE), and Traffic Engineer (TE) contracts. The PMO, CE, and TE and their respective subconsultants can be selected to perform work under PSBs 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 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 Tollway may permit the use of an "ethical screen" approved by the Tollway at the time SOIs 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 may 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 Tollway reserves the right to assess any other potential issues that a professional firm, professional individual, or the 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. As professional firms, it is known that you should not place your firm in an unfair advantage, and when you believe there may be an issue, to quickly inform the 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 Ill. Comp. Stat. 500). Violations of this section may result in termination of contracts for cause or the Tollway may decline to award projects.

2.2 INSPECTOR GENERAL

The Consultant 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 Consultant will fully cooperate in any OIG investigation or review and shall not bill the Tollway for such time. Cooperation includes 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 Subcontractors of this provision and their duty to comply.

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 Tollway Facilities	2.5

- The 2.5 multiplier applies to contracts with personnel permanently assigned to a 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 contract negotiations.

2.3.2 OTHER CONTRACTING METHODS

The Illinois Tollway, in its sole discretion, may consider, when it is in the best interest of the 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. 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 consultant 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 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 Tollway Website please refer to the Table of Contents.

The Tollway will allow the Consultant 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 no longer make 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 fiscal year.

This policy will enable 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 Tollway must account for all of its expenditures for a given calendar year before the end of the subsequent February.

The Illinois Tollway's current contracts already require vendors to submit their invoices and progress reports on the 20th of each month for the previous month's work. Therefore, we do not anticipate this change in policy to have an adverse impact on payment of invoices.

This policy includes payment of any "re-bill" issues that may arise. We are 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 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 consultants is prohibited.

To qualify as an eligible DBE, the firm must be currently certified by one of the following agencies currently participating in the Illinois Unified Certification Program (IL UCP), in 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 or 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 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 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 Proposer cannot obtain sufficient DBE commitments to meet the contract goal, the proposer 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 Proposer 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 Proposer to DBE firms. Proposers 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 at PART III, 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 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 consultant requests an adjustment when it submits a proposal to complete the task order.

Extended Documentation Period for Proposers with a Technical Issue 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 Utilization Plan and SOITEAM data. If a DBE Utilization Plan is not submitted with the SOI, the SOI may be deemed non-responsive.

Each Proposer submitting a SOI who has a DBE commitment with a technical issue related to DBE participation that is identified during initial review of a SOI by the Tollway shall be allowed, upon an e-Builder 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 proposer is notified on Monday, extended documentation period concludes on Wednesday at 5:00 pm).

The extended documentation period allows Proposers solely to correct their initial Utilization Plan and 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 Proposer shall submit an amended DBE Utilization Plan and SOITEAM data if additional or adjusted DBE participation is secured by the end of the extended documentation period.

Under no circumstances is a Proposer allowed to remove, replace or reduce the DBE participation of a certified DBE firm listed in the initial Utilization Plan and SOITEAM data without prior written consent of ISTHA. Increases to DBEs listed in the initial Utilization Plan and SOITEAM data are allowed. Note: the percentage inserted in the SOITEAM Data will take precedence over any other percentage inserted in the SOI or exhibits in the event of a discrepancy. .

Under no circumstances is the Proposer allowed to change any documentation unrelated to the correction of the technical issue identified. Any adjustment made to the DBE portion of the Utilization Plan and SOITEAM data during the extended documentation period must include a brief statement describing the revision(s) with resubmittal of the Utilization Plan and SOITEAM data. Any other changes to the original SOI/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 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 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.

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 Tollway’s Website at:

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

The Partnering for Growth Program applies to both Veteran-Owned Small Businesses (VOSBs) / Service-Disabled Veteran-Owned Small Businesses (SDVOSBs) and DBE firms. Separate Exhibit E – Partnering for Growth Program - Memorandum of Understanding forms are available for use with a VOSB/SDVOSB or a DBE firm. Vendors may have multiple Partnering for Growth agreements in either the DBE and/or VOSB category and may have partnerships in 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 and service-disabled veteran-owned small business (VOSB/SDVOSB) 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 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 F, to qualify as an eligible VOSB/SDVOSB, the firm must be currently certified, at the time of the PSB 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 consultant 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 must clearly be identified with the SOI submittal, and Team Lead shall be considered the Prime Consultant 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 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 subcontractors 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 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 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 Tollway's insurance requirements. The Tollway's standard insurance requirements are set forth in the Consultant Agreement boilerplates (See Tollway website: <https://www.illinoistollway.com/doing-business/construction-engineering/forms> under Doing Business> Construction and Engineering: Consultant Resources under Consultant Forms). Each Team member will procure and maintain policies that meet the required Prime's level of coverage and shall indemnify the Team against claims arising from their performance under the Team, as well as agreeing to be joint and severally liable upon termination of the Team. In the event of the termination of the Team, the insurance and indemnification rights of the Team must be assignable to the Tollway as a matter of law. Proof of compliance with these requirements must be submitted to the Tollway prior to issuance of a 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 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 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 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 Tollway is: ABC_TM

Team members naming parameters are:

- ABC_TM (Company A) "Managing Partner"
- ABC_TM (Company B) ABC_TM (Company C)
- Subcontractors to the Team Lead: J. Smith Consulting (Company B)
- F.J. Engineering (Company C)
- Subcontractors 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 Tollway:

The Consultant selected for the Construction Management (CM) Services shall submit for the Tollway's review and approval, a management plan for the specific Project for which the Consultant is selected. This plan shall include an outline of the full-time or part-time plant and on-site inspection services sampling and laboratory testing the Consultant plans to provide 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(s) 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). The AAP requires on-site inspections and participation in proficiency sample programs. The Portland cement concrete PCC inspections and proficiency programs are conducted by the Cement and Concrete Reference Laboratory (CCRL). The hot-mix asphalt (HMA) programs are conducted by AASHTO Materials Reference Laboratory (AMRL). Either CCRL or AMRL can conduct the aggregate program for your lab. Both AMRL and CCRL are scheduled to be in Illinois this year.

The laboratory shall be accredited in the entire test procedures specified in IDOT Bureau of Materials and Physical Research (BMPR) Policy Memorandum "Minimum Private Laboratory Requirements for Construction Materials Testing or Mix Design." The current IDOT policy can be found in IDOT's 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>

Personnel performing materials testing for aggregate, PCC, and HMA shall have completed the appropriate QC/QA trained technician classes. Personnel performing soils field tests shall have completed IDOT class S-33, "Standard Earth Density." (Detailed on the next page.)

The Laboratory Technicians to be assigned to this project must be prequalified by having passed the IDOT 3-day Aggregate training courses for Aggregate Testing and the IDOT QC/QA Level I and Level II (HMA and PCC) Testing Courses.

The Field Inspectors assigned to this project for on-site Quality Assurance must be prequalified by having passed the IDOT QC/QA Half-Day Nuclear Density training course, for earthwork quality control and for monitoring the on-site bituminous construction work. 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, "Standard Earth Density."

The Consultant's Quality Assurance responsibilities at the material production plants shall be performed by a Field Inspector having passed the 3-day IDOT Aggregate Gradation Control System training course combined with the IDOT QC/QA Level I and Level II (HMA and PCC) Testing courses to perform the specified inspection of approved materials at the concrete and bituminous plants.

2.10 CONSTRUCTION AND QUALITY ASSURANCE CONSULTANTS

S 33-Geotechnical Field Testing and Inspection Class

S33 is a required class for technicians performing soil tests on construction projects. This includes consultant personnel providing Construction Inspection or Quality Assurance Testing on Tollway projects. The Illinois Department of Transportation (IDOT) will schedule sessions of this class after determining the demand. Below is a description of the class and sign-up information.

Course Objectives

The student will be able to do the following: 1. Determine the Standard Dry Density and Optimum Moisture content of soil or soil mix according to AASHTO T 99. 2. Determine in-place density in accordance with approved test procedures. 3. Select the correct soil curve by the use of a one-point proctor and/or textural classification of the soils. 4. Determine the moisture content of a soil by either laboratory or field methods. 5. Perform validity checks of the soil test results. 6. Report results in accordance with departmental requirements.

Prerequisites:

- One year of college level technical training or six months experience, or consent of the course instructor.
- High school math, including ability to calculate percentages.

Course Length:

Two Days, including written examination.

Cost:

There is no cost to consultants.

Location:

District One, District Eight, and other locations determined by demand.

Schedule:

As determined by demand; late fall, winter, and early spring.

To Register:

Mail or Fax a note or e-mail Brad Risinger in the Technical Training Unit. For each proposed registrant, provide name, firm name, address, phone, FAX and e-mail. Please list multiple registrants in priority order, since seating in initial classes may be limited.

Brad Risinger; Brad.Risinger@illinois.gov
IDOT – Bureau of Operations
313 Hanley Building, Room 009
2300 S. Dirksen Parkway Springfield, IL 62764
(217) 557-2070
FAX (217) 782-1927

2.11 QUALITY ASSURANCE PREQUALIFICATION CATEGORY

From the Illinois Department of Transportation (IDOT):

This notice is for consultants who are or wish to be, prequalified in the Quality Assurance (QA) prequalification category. The requirement for accreditation of QA Testing laboratories was phased in over time and is now required.

QA Testing labs must be fully accredited to be considered for any new contracts or to renew prequalification.

NOTE: Neither prequalification nor accreditation is required for consultants working directly for contractors, performing Quality Control (QC) activities.

Synopsis of requirements:

- The laboratory must be accredited under the AASHTO Accreditation Program (AAP). The AAP requires on-site inspections and participation in proficiency sample programs. The Portland cement concrete PCC inspections and proficiency programs are conducted by the Cement and Concrete Reference Laboratory (CCRL). The hot-mix asphalt (HMA) programs are conducted by AASHTO Materials Reference Laboratory (AMRL). Either CCRL or AMRL can conduct the aggregate program for your lab. Both AMRL and CCRL are scheduled to be in Illinois this year.
- The laboratory shall be accredited in all of the test procedures specified in IDOT Bureau of Materials and Physical Research (BMPR) Policy Memorandum "Minimum Private Laboratory Requirements for Construction Materials Testing or Mix Design." The current IDOT policy can be found in IDOT's 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>
- Personnel performing materials testing for aggregate, PCC, and HMA shall have completed the appropriate QC/QA trained technician classes. Personnel performing soils field tests shall have completed IDOT class S-33, "Standard Earth Density." The laboratory must be accredited under the AASHTO Accreditation Program (AAP).

The description of the prequalification categories, the SEFC, and the BMPR Policy Memo may be viewed or downloaded from the IDOT Internet Site: <http://www.idot.illinois.gov/>

Information about the AAP accreditation and AMRL programs may be found on the AMRL Web Site: <http://www.nist.gov/>

Information about the CCRL inspection and proficiency sample programs may be found on the CCRL Web Site: <http://www.nist.gov/>

2.12 CLARIFICATION OF QUALITY CONTROL/QUALITY ASSURANCE REQUIREMENTS

A SOI listing the same individual as being responsible for performing both the work and Quality Control/Quality Assurance for the same work **is not** acceptable. 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 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 Tollway are located on the 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 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 FIRM'S COMMITMENT and SIGNATURE

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

SOI TO PROVIDE PROFESSIONAL SERVICES

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

1. **PSB Review:** Firm 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 Tollway's requirements.
 Yes No

2. **Addenda:** Firm 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. Firm has submitted with its SOI any and all documents required in PSB 19-2. The most current forms are listed on the Tollway website: <https://www.illinoistollway.com/doing-business/construction-engineering/bids-bulletins-awards> (Doing Business: Construction and Engineering – Consultant Resources – Professional Services Bulletin). Exhibits from previous Professional Services Bulletins will not be accepted. ***Firm understands that incomplete or missing documentation will render the SOI submittal non-responsive.***
 Yes No

4. **SOIs:** Firm 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 Tollway. The Firm is submitting under its full, legal name, and if applicable, the full, legal names of its team members.
 Yes No

5. **Exhibit A:** Firm 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/SDVOSB Evidence:** Firm 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:** Firm 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:** Firm 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 Tollway and is attached as a separate document in e-Builder.
 Yes No Not Applicable

9. **Exhibit D: Availability of Key Project Personnel:** Firm 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:** Firm is submitting Exhibit E with the SOI if the SOI identifies a Mentor-Protégé partnership. Firm entered the DBE and/or VOSB/SDVOSB 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:** Firm 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/SDVOB goal and is attached as a separate document in e-Builder.
 Yes No Not Applicable
- 12. SOITEAM Data:** Firm 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 buy may provide evidence of multiple certifications by attaching any supporting documentation in the attachments tab before submitting. **NOTE: the percentage inserted in the SOITEAM Data 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:** Firm 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 Tollway. **Firm 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:** Firm 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

SIGNATURE CERTIFICATION

By submitting a response to this SOI, each Firm unequivocally acknowledges that the Firm has read and fully understands this SOI, and that the Firm has asked questions and received satisfactory answers from the Tollway regarding any provisions of this SOI with regard to which the Firm desired clarification. By signature below, the Principal of the Firm 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 Tollway website. Refer to paragraph 4.3 for guidelines.

- Exhibit A: Proposed Staff
 - Required - Submit as a separate pdf document.
- 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/SDVOSB, this Exhibit is required.
 - Submit as a separate pdf document.
- Exhibit F: Veteran Small Business Participation and Utilization Plan
 - If the item includes a Veteran Goal, this Exhibit is required.
 - 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 19-2

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 Tollway if they change during contract performance), including the staff from the Sub-Consultants. **The personnel named in Exhibit A must also be listed on Exhibit D: Availability of Key Project Personnel.**

Project Manager			
Name:			
Firm:			
Category:			
License #:	IL Licensed Professional Engineer		
Year Registered:		State:	
Office Address:			
City:		State:	

Roadway Design			
Name:			
Firm:			
Category:			
License #:	IL Licensed Professional Engineer		
Year Registered:		State:	
Office Address:			
City:		State:	

Structural Design			
Name:			
Firm:			
Category:			
License #:	IL Licensed Professional Structural Engineer		
Year Registered:		State:	
Office Address:			
City:		State:	

Resident Engineer			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Materials Coordinator			
Name:			
Firm:			
Category:			
License #:			
Year Registered:		State:	
Office Address:			
City:		State:	

Document Technician			
Name:			
Firm:			
Category:			
License #:	Documentation Certification Number- IDOT class S-14		
Year Registered:		State:	
Office Address:			
City:		State:	

Materials QA Technician			
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:	

**Exhibit A – Proposed Staff
PSB 19-2, continued**

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:	

Exhibit A – Proposed Staff

PSB 19-2, continued

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-consultant list firm name also.

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

Exhibit A continued
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# 19-2

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 ISTHA, 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 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 ISTHA 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 ISTHA, 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 ISTHA 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 Consultant

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:

Consultant 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-ISTHA (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-ISTHA						
Total						

EXHIBIT C

Current Obligations that Your Firm Has Subcontracted for The Illinois State Toll Highway Authority

(Firm's Legal Name)

Subcontract Fee is the total Subconsultant fee negotiated in a subcontract and includes all additional Subconsultant fees in supplements and Extra Work Orders.

Fee Remaining to be earned is the "Subcontract Fee" less:

- (1) The fee billed to your firm and,
- (2) The actual and estimated fee for work completed subsequent to the last submitted invoice up to the date of issuance of this Bulletin.

PSB Item #	Job #	Name of Subconsultant	Sub-contract Fee	Fee Remaining To Be Earned					
				0-6 Months		7-18 Months		>18 Months	
				Design	Constr.	Design	Constr.	Design	Constr.

EXHIBIT D

AVAILABILITY OF KEY PROJECT PERSONNEL

Note: *The last column shall reflect the actual percentage of time to be spent on the proposed project, i.e., 20 percent is 20%

Name	Proposed Position	Current Projects	Percent of Time on Current Projects	Date Projects Completed	*Percent of Time to be Devoted to this Item / Proposed Position

**EXHIBIT E – DBE
PARTNERING FOR GROWTH PROGRAM
FOR
DISADVANTAGED BUSINESS ENTERPRISES (DBEs)
PSB: 19-2 ITEM: Item**

**MEMORANDUM OF UNDERSTANDING
BETWEEN:**

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

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 Tollway’s Partnering for Growth (formerly known as Partnership-Mentor/Protégé) Program for DBEs. The purpose of the Program is to facilitate the Tollway’s professional services consultants 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 Tollway,
- C. Continuing technical and nontechnical support for DBE firms that have limited experience providing professional services to the 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 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.)** %__%

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

A. Has the Prime consultant served as a Mentor on a 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 consultant currently serving as a Mentor on a 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 consultant mentored the Protégé on another 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 Tollway as a Prime consultant?? If yes, list date, Contract #, and description of scope for each project(s): YES NO

<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 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>
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance

C. Is the DBE firm currently participating in a Mentor/Protégé Agreement on a 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>
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance

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>
PTB	Award \$	Mentored	Assistance
PTB	Award \$	Mentored	Assistance
PTB	Award \$	Mentored	Assistance

- E. If the Protégé has been mentored in the same Area of Assistance proposed on this project for a 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 Tollway’s Partnering for Growth Program.

Should the proposer, after contract negotiation, wish to modify the ‘Plan to Achieve Diversity Goal’, the awarded consultant 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 AND SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESSES (VOSBs)
PSB: 19-2 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 Tollway’s Partnering for Growth (formerly known as Partnership Mentor/Protégé) Program for VOSB’s. The purpose of the Program is to facilitate the Tollway’s professional services consultants 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 Tollway,
- G. Continuing technical and nontechnical support for VOSB firms that have limited experience providing professional services to the 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

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 consultant served as a Mentor on a 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

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

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

Areas of Assistance:

Assistance

F. Has the Prime consultant mentored the Protégé on another 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 Tollway as a Prime consultant? If yes, list date, Contract #, and description of scope for each project(s): YES NO

<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 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>
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance

C. Is the VOSB firm currently participating in a Mentor/Protégé Agreement on a 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>
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance
Contract	Award \$	Mentored	Assistance

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>
PTB	Award \$	Mentored	Assistance
PTB	Award \$	Mentored	Assistance
PTB	Award \$	Mentored	Assistance

- E. If the Protégé has been mentored in the same Area of Assistance proposed on this project for a 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 proposer, after contract negotiation, wish to modify the 'Plan to Achieve Diversity Goal', the awarded consultant 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

VETERAN-OWNED, SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS PARTICIPATION

The Tollway hereby notifies all potential contractors 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-consultant. **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/SDVOB , 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/SDVOB 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/SDVOB , 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/SDVOB 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 and Service-Disabled Veteran-Owned Small Business Enterprise Directory

Firms listed in the Department of Central Management Services VOSB/SDVOB 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/SDVOB certified firms on Illinois Tollway contracts may be eligible to be counted toward the fulfillment of VOSB/SDVOB 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/SDVOB 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/SDVOSBE. 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/SDVOB 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/SDVOB firms’ listed work categories are eligible to be counted toward the fulfillment of VOSB/SDVOB 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/consultants to:
 - Conduct their own investigation to determine the capability and capacity of the VOSB/SDVOB firm(s) to satisfactorily perform the proposed work; and
 - Ensure the VOSB/SDVOB has a current VOSB/SDVOB certification letter and/or No Change Affidavit.

This registry lists the most current Department of Central Management Services VOSB/SDVOB 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 consultant 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/SDVOSB) 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/SDVOSB 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/SDVOSB vendor, the entire goal is met and no subconsulting with a CMS certified VOSB/SDVOSB 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 or SDVOSB.

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/SDVOSB 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/SDVOSB vendor under its supervision; and the commitment of management, supervisory personnel, and operative personnel employed by the certified VOSB/SDVOSB 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/SDVOSB vendor.
2. An agreement between a vendor and a certified VOSB/SDVOSB vendor in which a certified VOSB/SDVOSB 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/SDVOSB vendor. Failure to cooperate by Vendor and certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB Vendor Participation:** The Utilization Plan documents work anticipated to be performed, or provided by all certified VOSB/SDVOSB vendors and paid for upon satisfactory completion/delivery. Only the value of payments made for the work actually performed by certified VOSB/SDVOSB 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/SDVOSB vendor shall be counted towards the goal. The entire amount of that portion of the contract that is performed by the certified VOSB/SDVOSB 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/SDVOSB vendor performs toward the goal. A vendor shall also count the dollar value of work subcontracted to other certified VOSB/SDVOSB vendor. Work performed by the non- certified VOSB/SDVOSB party shall not be counted toward the goal. **Work that a certified VOSB/SDVOSB vendor subcontracts to a non-certified VOSB/SDVOSB vendor will not count towards the goal.**
 - 5.3. Certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB vendor participation. In determining whether a certified VOSB/SDVOSB vendor is such an extra participant, the Agency shall examine similar transactions, particularly those in which certified VOSB/SDVOSB 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. **Vendors will not be permitted to correct goal deficiencies after the SOI due date.** 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.

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/SDVOSB 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/SDVOSB 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/SDVOSB vendor commitments or substitute certified VOSB/SDVOSB vendors without the prior written approval of the Agency.** Unauthorized changes or substitutions, including performing the work designated for a certified VOSB/SDVOSB 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/SDVOSB vendor to resolve the problem. Where there has been a mistake or disagreement about the scope of work, provided the certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB 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/SDVOSB vendor to meet insurance, or licensing requirements;
 - 7.3.7. The certified VOSB/SDVOSB vendor's withdrawal of its SOI; or
 - 7.3.8. Decertification of the certified VOSB/SDVOSB vendor.
- 7.4.** If it becomes necessary to substitute a certified VOSB/SDVOSB vendor or otherwise change the Utilization Plan, Vendor must notify the Agency in writing of the request to substitute a certified VOSB/SDVOSB 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/SDVOSB vendor. Documentation of a replacement certified VOSB/SDVOSB vendor, or of good faith efforts to replace the certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB vendors have a fair opportunity to submit a proposal on the new scope of work.
- 7.7.** A new certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB vendor and final payment to the certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB 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 Number 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 subcontractor 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/SDVOSB and plans to fully meet the goal through self-performance.
- Vendor has identified certified VOSB/SDVOSB subcontractor(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/SDVOSB 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/SDVOSB 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/SDVOSB vendors to respond to the solicitation. Vendor must determine with certainty if the certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB 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/SDVOSB vendor participation, even when Vendor might otherwise prefer to perform these work items.
- Make a portion of the work available to certified VOSB/SDVOSB vendors and selecting those portions of the work consistent with their availability, so as to facilitate certified VOSB/SDVOSB vendor participation.
- Negotiate in good faith with interested certified VOSB/SDVOSB vendors. Evidence of such negotiation must include the names, addresses, email addresses, and telephone numbers of certified VOSB/SDVOSB vendors that were considered; a description of the information provided regarding the project scope for the work selected for subconsulting and evidence as to why additional agreements could not be reached for certified VOSB/SDVOSB vendors to perform the work. A Vendor using good business judgment may consider a number of factors in negotiating with certified VOSB/SDVOSB 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/SDVOSB 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/SDVOSB vendors if the price difference is excessive or unreasonable.
- Thoroughly investigate the capabilities of certified VOSB/SDVOSB vendors and not reject them as unqualified without documented reasons. The certified VOSB/SDVOSB 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/SDVOSB 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: _____ Project/Solicitation Number: _____

Name of Prime Vendor: _____ VOSB Compliance Contact: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Name of Certified VOSB Vendor: _____

Address: _____ VOSB Compliance Contact: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Type of agreement: Services

Anticipated start date of the Certified VOSB Vendor: _____

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:

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):
D/B/A):

Certified VOSB Vendor (Company Name and

Signature

Signature

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____



ILLINOIS TOLLWAY

STANDARD BUSINESS TERMS AND CONDITIONS

ILLINOIS TOLLWAY CONTRACT NO.: _____

CONTRACTOR/CONSULTANT (NAME): _____

1. PAYMENT TERMS AND CONDITIONS:

- 1.1 Minority Contractor 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 subcontractors according to the terms of their respective contracts, and (iv) provide lien waivers to the State upon request. 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 to ensure understanding of prevailing wage requirements at 217-782-6206 or (<https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/2018-Rates.aspx>).
- 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 subcontractors 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 subcontractor 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 subcontractors 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 subcontractors 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 subcontractors, 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 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, subcontractors or agents. Neither Party shall be liable for incidental, special, consequential or punitive damages.
10. **INDEPENDENT CONTRACTOR:** Vendor shall act as an independent contractor 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 subcontractors 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 subcontractors officers, employees or agents. Vendor or subcontractor 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 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 **subcontractors 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 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 Tollway nor shall the 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 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 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 "Tollway".

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

25.1.5.3 The Tollway is not currently an appropriated agency.

25.2 **Report of a Change in Circumstances:** The Vendor agrees to report to the 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 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 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 Tollway requires contractors to report all payments received and/or paid to other firms pursuant to this contract in the form prescribed by the Tollway.

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-Contractor/Consultant Information/Delinquent Debt Review
Contractor/Consultant
Sub-Contractor/Consultant
FEIN**

Date: _____ **Project Number:** _____

Project Name: _____

**DELINQUENT DEBT REVIEW
CONTRACTOR/
CONSULTANT**

Sub-Contractor/Consultant Disclosure.

Will you be using any sub-consultants/contractors? 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-Contractors/Consultants that will be utilized in the performance of this Contract, together with the anticipated dollar value (Sub-Contractors) or percentage (Sub-Consultants) each is expected to receive pursuant to this Contract. The list of sub-contractors/consultants should include but not be limited to sub-contractors/consultants, 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-Contractors/Consultants 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 subcontractor certifications as shown on the Standard Subcontractor Certification form available from the State.

Delinquent Payment. 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.

Contractor/Consultant: _____

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 subcontractors including those identified in the Bid 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-Contractor(s)/Consultant(s)</u>	<u>Sub-Contractor/Consultant FEIN</u>	<u>Address</u>	<u>General Type of Work</u>	<u>Anticipated Amount of Contract to be Paid (to extent known) Sub-Contractor (dollar value) or Sub-Consultant (percentage)</u>

Signature: _____

Date: _____

Printed Name: _____

PART IV: REPRESENTATIONS AND INSTRUCTIONS

4.1 SELECTION CRITERIA

Members of the Consultant 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 Consultant Selection Committee.

Selection of professional consultants by the Tollway is based on the firm’s professional qualifications, related experience, expertise, and availability of key personnel to be assigned to the project and what is best for the Tollway. SOIs will be evaluated based on the following criteria:

- Related experience and technical competence of the personnel and experience of the firms and/or Subconsultants proposed.
- Familiarity 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 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.

Consideration will also be given to the quality and scope of DBE (Reference Section 2.5 for definition of “DBE”), VOSB/SDVOB and Partnering for Growth (formerly Mentor Protégé proposals).

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

4.2 SCHEDULE FOR CONSULTANT SELECTION

The Tollway anticipates selecting consultants based on this estimated schedule:

Task	Date Due
Publish	August 23, 2019
Last Day for Questions no later than 4:30:00 pm Central Time	August 30, 2019
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.	September 9, 2019
Qualifications Review Complete	September 13, 2019
Tier 1 Scoring Due	September 16, 2019
Selection Committee Meeting:	Week of September 18, 2019
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	October 2019
Notice to Proceed	TBD

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 consultant, 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 VOSB/SDVOSBs. 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 VOSB/SDVOSB goal as applicable for the item. Include the proposed percentage of work to be completed by proposed DBE and VOSB/SDVOSB firms (Percentages shall match those submitted with the SOITEAM data).

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 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 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.

Your firm is prequalified for one year based on the firm's fiscal year and to remain prequalified the firm must submit the applicable portions of the "Statement of Experience and Financial Condition" (SEFC) to IDOT within six months. IDOT is giving the firm time to gather and complete information; it is not expected firms to be able to submit data immediately. The firm remains prequalified during this six 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 subcontractor to meet prequalification requirements on a project.

4.4 SUBMITTAL INSTRUCTIONS

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

A security key is required to submit your SOI for PSB 19-2 in e-Builder. This key for PSB 19-2 is unique to each company and must be obtained prior to submitting a SOI. The individual submitting the SOI must input the key prior to the SOI submission.

The security key request form, e-Builder user manual work instruction and a recorded instructional videos can be found in e-Builder. The link to the resources is:

<https://app.e-builder.net/public/PublicFolderView.aspx?FolderID={dc0355ee-4323-458e-91b5-547c6655b5f5}>

Each firm is responsible for controlling the distribution of this key within it's firm and ensuring only authorized staff can submit an SOI on behalf of the company. The Illinois Tollway will verify the correct key was used for each SOI upon reviewing the SOI submission. Use of an incorrect security key may cause the SOI to be deemed as non-responsive.

Firms that are teaming and preparing a SOI will use the assigned code name 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 prepared 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 19-2.01 Questions and RFIs@docs.e-builder.net](mailto:PSB_19-2.01_Questions_and_RFIs@docs.e-builder.net) at least 10 days (August 30, 2019 at 4:30:00 pm (CT) prior to the **submittal date, of September 9, 2019 @ 4:30:00 pm (CT)**. The subject line should read: PSB 19-2 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 Tollway via the e-Builder PSB 19-2 SOI process located at the following: <http://www.e-builder.net>

The 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.

SOI e-Builder submittals must be received by **September 9, 2019, 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 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 Tollway Website, PSB and Exhibits, please refer to the Table of Contents.

4.4.2 NAMING AND LABELING INSTRUCTIONS

- The 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 Tollway.
- To determine the designated SOI Firm Name Code go to the Tollway's website under Doing Business>Construction and Engineering - see Consultant 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 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 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 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 Consultant, 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 consultant or subconsultant information in the SOITEAM data section, please follow the below instructions:
 - Under the “Prime Consultant Firm Name” enter the Team Code name as provided by the Tollway, followed by the actual firm name of the Team Lead in parenthesis.
 - Subconsultants (Team participants) to the Teaming Agreement are to be listed under “Subconsultant Firm Name” by identifying the Team Code Name followed by the actual firm name in parenthesis.
 - Subconsultants to a Team member are to be listed after the Team member, followed by the participating partner’s name in parenthesis.
 - Below is a sample of how the Team members and subconsultants are to be entered and submitted within the SOITEAM data section:

Firm Information Group By Show Filter Select All Row Height 1x Download Template Import Delete

To import SOI Team data: Click the "Download Template" link to the left of the "Import" button immediately above. Open the downloaded spreadsheet, enter the SOI Team information, and save. Click the "Import" button and choose the template. Click "Import."

#	SOITEAM Firm Name	Team Member Role	% of Work to be Completed by Consultant	Role of consultant	D/M/WBE Status	Ethnicity
Grand Totals (0 Items)						

Add New Item for Firm Information

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

4.4.4 INSTRUCTIONS FOR e-Builder SUBMITTAL

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

Separate SOIs and required forms must be uploaded according to the e-Builder directions for each item number for which firms wish to be considered.

The Word and/or PDF documents available (except for SOIs) on the Tollway website are labeled as follows:

Form	File naming convention - Example –	Directions
<p>SOI – Statement of Interest Includes cover sheet, executive summary, organizational chart and relevant project experience For each Item submittal, use firm’s 2-6 character SOI Firm Name Code (this example = abc), immediately followed by the 2-digit Item Number (i.e., 01 through 99). See Section 4.3.4 for the SOI basic format (examples abc02, abc09 and abc24 are the SOIs for the submitted Items)</p> <p>Teaming Agreement SOI use the team’s unique 2-6 character SOI Team Name Code</p>	<p>abc02.pdf</p> <p>abcxyz02_TM.pdf</p>	<p>Submit as a separate document on e-Builder</p> <p>Submit as a separate document on e-Builder</p>
<p>Illinois Tollway Standard Business Terms and Conditions</p> <p>Teaming Agreement Illinois Tollway Standard Business Terms and Conditions.</p>	<p>abcTC.pdf</p> <p>abcTC_TM.pdf defTC_TM.pdf ghiTC_TM.pdf</p>	<p>Submit as a separate document on e-Builder</p> <p>Submit as a separate document on e-Builder for each Team member</p>
<p>Illinois Board of Elections Registration document</p> <p>Teaming Agreement Illinois Board of Elections Registration document</p>	<p>abcBOE.pdf</p> <p>abcBOE_TM.pdf defBOE_TM.pdf ghiBOE_TM.pdf</p>	<p>Submit as a separate document on e-Builder</p> <p>Submit as a separate document on e-Builder for each Team member</p>
<p>Forms A or B (Disclosures) – are required. To submit use your 2-6 character SOI Firm Name Code followed by DS.</p> <p>Teaming Agreement Forms A or B (Disclosures) – are required. Use the unique 2-6 character SOI Firm Name Code for EACH individual Team firm name followed by DS_TM (Example: abcDS_TM.pdf, defDS_TM.pdf and ghiDS_TM.pdf).</p>	<p>abcDS.pdf</p> <p>abcDS_TM.pdf defDS_TM.pdf ghiDS_TM.pdf</p>	<p>Submit as a separate document on e-Builder</p> <p>Submit as a separate document on e-Builder for each Team member</p>

Exhibit E – DBE - Partnering for Growth Program Plan, if proposing a mentor-protégé arrangement, attach the required Exhibit E	abcExE_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 Exhibit E	abcExE_VOSB.pdf	Submit as a separate document on e-Builder
Exhibit F - Veteran Small Business Participation, Utilization Plan and Letter of Intent	abcExF.pdf	Submit as a separate document on e-Builder
Firm’s Commitment and Signature Form.	abcFCS.pdf	Submit as a separate document on e-Builder
DBE and VOSB/SDVOSB Evidence (certifications)	DBE_VOSB_Certs.pdf	Submit as a separate document on e-Builder
Security Key Request		Submit to ebuilder@getipass.com

- 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 consultants 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 #
 - Insufficient users/authorization on Security Key Request Form
 - Changing anonymous e-Builder PSB account profile entries
 - Submitting too close to the deadline
- SOI Grid Data
 - Leaving blank spaces
 - Percentage does not equal 100% – this percentage should include the prime and subs
- 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. SOI 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 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 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 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 Tollway will take. Any such written complaint must be received by the 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 – <https://www.illinoistollway.com/>

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

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

Consultant 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=35&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>

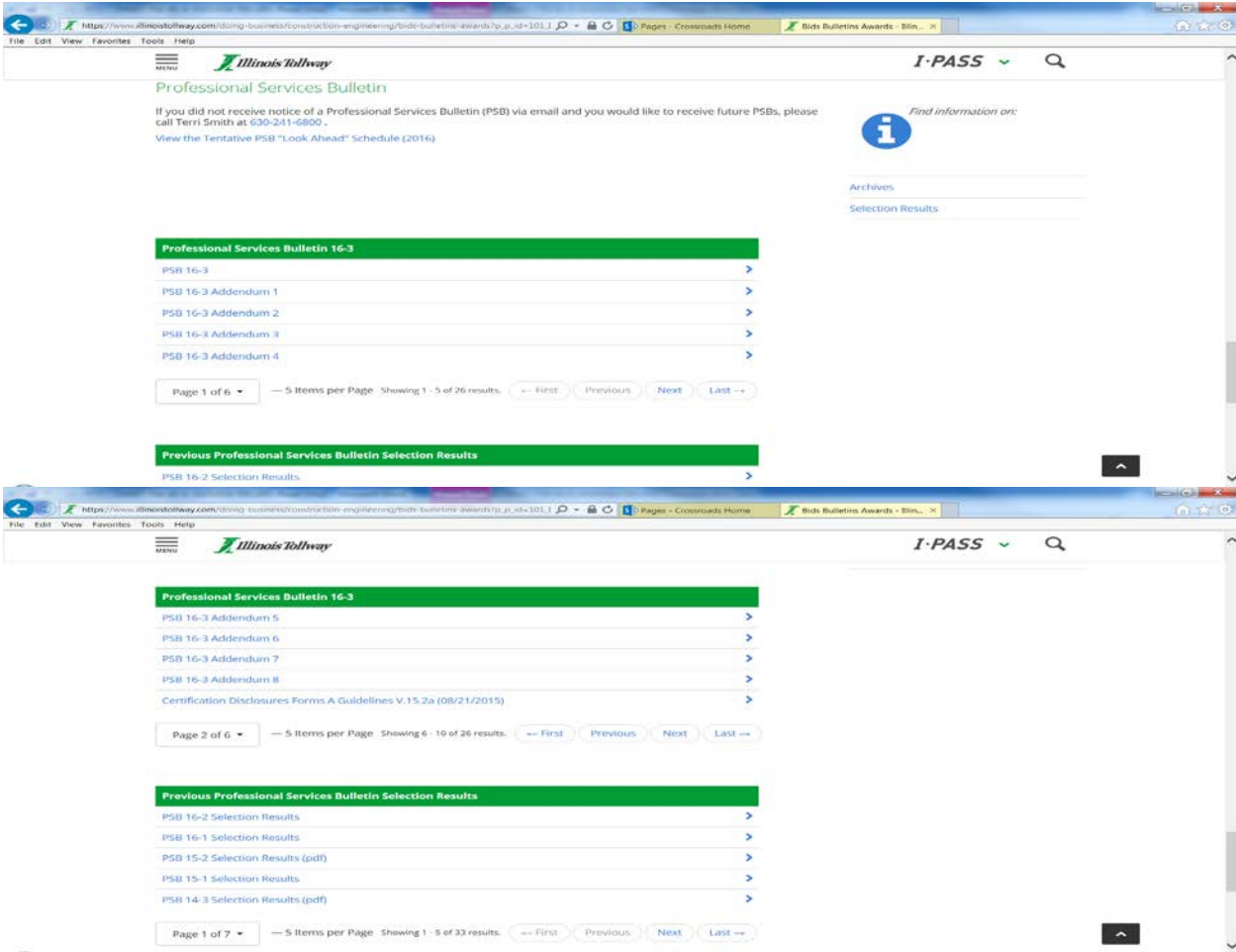
4.8 ILLINOIS ePROCUREMENT BidBuy NOTICE

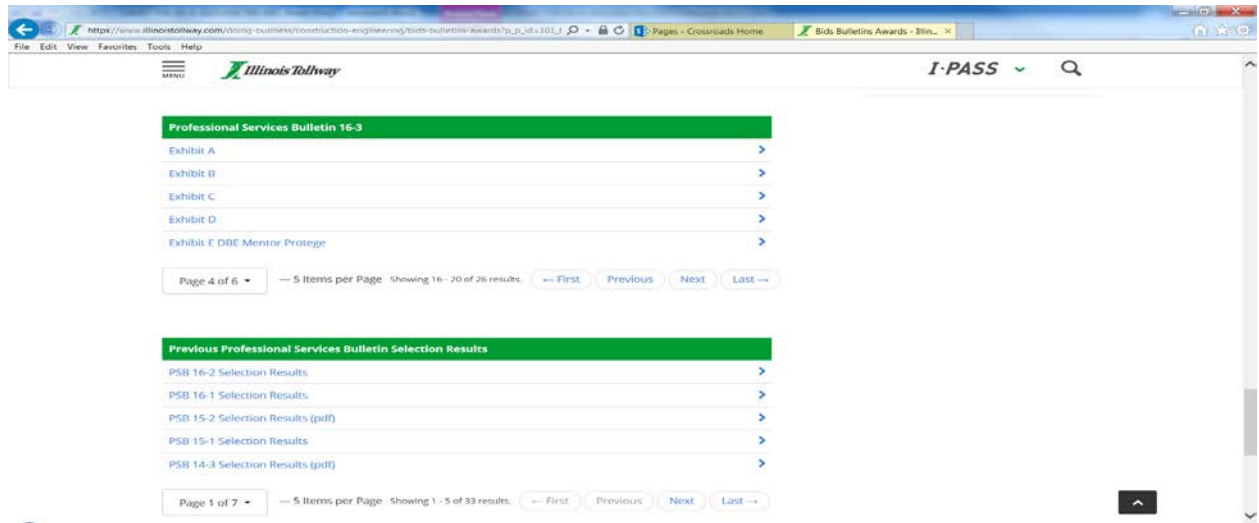
To register in the Illinois eProcurement System, please follow these instructions:

- Go to <https://www.bidbuy.illinois.gov/bs/>
- 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 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? / Consultant 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 19-2 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.
- These exchanges shall not provide an opportunity for the Firm to revise its SOI, but may address:
 - Deficiencies
 - Errors
 - Omissions
- Responses are due to the Tollway on the due date established by the Tollway. Discussions may be initiated by the 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 three (3) required documents as stated in the PSB:
 - SOI
 - Disclosures (DS)- Forms A or Forms B
 - Exhibit F (VOSB/SDVOB Utilization Plan and Letter of Intent)
- Omission of State of Illinois requirements
- Inability to meet eligibility requirements as stated in 44 Ill. Admin. Code 625.70, Confirmation of Eligibility.