BULLETIN SCHEDULE
(except otherwise noted)

Submittals for projects appearing in this Professional Services Bulletin are due by 11:30 a.m., April 17, 2017.

The projects from this bulletin are scheduled to be presented at the June 13, 2017, Board Meeting.

NOTICE TO RECIPIENTS: Please read carefully and follow all rules and instructions in this document.

REMINDER: You are able to access the 255 Form (Revised July 2016) in the reference library section of the CDB website. Use only this version of the form for submittal.

Posted to website April 3, 2017

Board Meeting results can be found on the CDB website June 14, 2017.

www.illinois.gov/cdb

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Project No.  Project Description
102-340-018  Department of Natural Resources
Replace Water Control Structures
Moraine Hills State Park, McHenry County

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GENERAL INFORMATION:

The procurement of design services by the Capital Development Board (CDB) is governed by the Illinois Compiled Statutes; Illinois Procurement Code, 30 ILCS 500 and Architectural, Engineering and Land Surveying Qualifications Based Selection Act, 30 ILCS 535.

This Professional Services Bulletin (PSB) is the advertisement to procure design services whose official notification is made via the CDB website, www.illinois.gov/cdb. Significant revisions to the text of the Bulletin will only appear in “RED” the first time the changes are included in the Bulletin. Because of this, it is imperative that firm’s take a few minutes to review the instructions each time a Bulletin is published. Failure to follow these instructions could result in rejection of the submitting firm’s 255 Form submittal.

The responsible State Purchasing Officers for procurements under this Bulletin are Mike Hays, Ken Morris and Jerry Burlingham.

Listed below are important guidelines, instructions and general information. Please read the following information carefully. Questions related to any information in the PSB, including instructions and submittal procedures should be directed to the QBS Department at 217/524-6400.

Unless otherwise specified, submittal(s) are to be sent to: Qualifications Based Selection (QBS) Department
Capital Development Board
3rd Floor, William G. Stratton Building
401 South Spring Street
Springfield, IL 62706

or via e-mail at: CDB.QBS@illinois.gov

The CDB is not responsible for submittal(s) sent to any individual within the CDB or to another office.

SUBMITTAL REQUIREMENTS:

- **Prequalification Requirements in Accordance with 44 Illinois Administrative Code 980.130.**

  - All Architect/Engineers (A/E’s) submitting statements of qualifications for a project shall be prequalified with the CDB prior to the date and time that the submittal(s) are due. Failure to be prequalified will result in rejection of the submittal(s).

  - Consultants that will be performing architectural, engineering or land surveying professional services for the Prime A/E submitting the 255 Form shall be prequalified with the CDB prior to the date and time that the submittal(s) are due. Failure of the professional consultants to be prequalified shall result in rejection of the Prime A/E’s submittal(s).

  - Contact the CDB Contracts Pre-qualification Division at cdb.vendorreg@illinois.gov or at 217/782-2864 regarding the prequalification process.
E-mail.

CDB has implemented an electronic process for submission of the 255 Form, via e-mail to CDB.QBS@illinois.gov. The CDB encourages A/E’s to use this new method of submission.

Standard Business Terms and Conditions.

Prior to entering into a contract with the CDB, all A/E’s must submit a fully executed copy of the Standard Business Terms and Conditions. This document can be obtained at the following link: http://www.illinois.gov/cdb/business/library/Pages/255Form.aspx or can be downloaded from the reference library section of the CDB website.

Disclosures and Certifications.

All A/E’s submitting statements of qualifications for a project have two options for providing the required disclosures and certifications.


Option 2: Forms B – Requires an Illinois Procurement Gateway (IPG) Registration Number. This option allows for reduced documentation when using an approved IGP registration number.

Forms A and Forms B can be obtained at the following link: http://www.illinois.gov/cdb/business/library/Pages/255Form.aspx or can be downloaded from the reference library section of the CDB website. Please ensure you are using the most recent Forms A, version 15.2a, to ensure payment from the Illinois Comptroller’s Office.

The Illinois Procurement Gateway is located at http://ipg.vendorreg.com. The IPG is a web-based system that serves as the primary location for entering, organizing and reviewing vendor information. The IPG allows vendors to provide disclosures, registrations and other documentation needed to do business with a State agency or university in advance of a particular procurement, thereby reducing the number of documents needed to be submitted with a bid or proposal. The State reviews information submitted through the IPG to register vendors in advance of submitting offers for contracts. Upon approved registration, vendors receive a registration number that may be used when submitting the required forms. Reviews may exceed two weeks when information is incomplete or inaccurate.

The forms must be completed in their entirety and signed. Failure to provide a completed Forms A or Forms B, whichever is applicable, along with the submittal, shall be a material deficiency and will result in rejection of the submittal.

Projects included in this Bulletin are subject to other Procurement Code requirements which will include, but not be limited to, the submittal of consultant subcontracts over $50,000 in value, financial disclosures, conflicts of interest and certifications of all primes and those consultants over $50,000 in contract value (renewal on an annual basis).
Highlights of the Procurement Code include, but are not limited to, consultant financial disclosures and subcontracts to be submitted to the CDB; annual re-certifications of all primes and consultants; contracts, subcontracts and other project documentation to be available to the Chief Procurement Officer, State Purchasing Officer and Procurement Compliance Monitors for review; and, procurement communications reporting and lobbyist communication reporting.

The subcontracts, disclosures and certifications from the consultants are not to be submitted until after the execution of the Prime A/E contract.

- **Joint Ventures.**

Two or more prequalified A/E’s may submit a 255 Form as a Joint Venture. If a Joint Venture submits a 255 Form, the CDB may require disclosure of the contractual arrangement between the members of the Joint Venture prior to selection award. At a minimum, the Joint Venture documents shall identify the consent of the insurance underwriters to insure the Joint Venture is in accordance with the CDB requirements. If awarded the project, the parties of the subsequent contract will be the CDB and the Joint Venture. For partnership arrangements between firms who do not have a contractual joint venture relationship, one firm shall submit the 255 Form as the Prime A/E and the other firm(s) shall be listed as a consultant.

The following requirements apply to Joint Ventures:

- Each member of a Joint Venture must submit a complete Forms A or Forms B, whichever is applicable. For more information, please see the Disclosures and Certifications section of this Bulletin under the Submittal Requirements.

- Each member of a Joint Venture shall be prequalified with the CDB as an A/E. The Joint Venture does not need to submit a separate prequalification form; however, each member of the Joint Venture shall be prequalified separately under the CDB A/E prequalification process as described in this section.

**PREQUALIFICATION:**

- If you require assistance or have questions regarding the prequalification process, contact the CDB Contracts Prequalification Division at cdb.vendorreg@illinois.gov or at 217/782-2864. Any significant changes in the existing information provided in your firm’s prequalification application form must be submitted within ten days.

- Any firm providing architectural, engineering, or land surveying must be prequalified with the CDB.

- To verify that all design firms (prime and/or consultants) are currently prequalified with the CDB, please search the CDB Vendor database at: http://www.illinois.gov/cdb/services/Pages/VendorSearch.aspx.

- To obtain prequalification forms you may download them from the CDB website, http://www.illinois.gov/cdb/business/library/Documents/AEprequal.doc.
The CDB requires within its prequalification process that all firms obtain an Illinois Department of Human Rights eligibility number.

If selected, the CDB prequalification is required until the issuance of the contract. It is the responsibility of all firms to maintain a current CDB prequalification status.

If a firm’s (or their consultant’s) prequalification expires during the selection, award or contract negotiation process, the CDB reserves the right to remove the submittal from consideration, recommend another firm for final selection or cease negotiations of a contract and commence negotiations with another firm.

Corporations, LLPs and LLCs shall be in good standing with the Illinois Secretary of State, Corporation Division, to be granted prequalification and issued a contract.

Firms must be properly licensed in the respective profession(s) with the Illinois Department of Professional Regulation.

**SUBMITTAL PROCEDURES:**

- The 255 Form can be obtained at the following link: [http://www.illinois.gov/cdb/business/library/Pages/255Form.aspx](http://www.illinois.gov/cdb/business/library/Pages/255Form.aspx) or can be downloaded from the reference library section of CDB website. A copy of this form is no longer included in this publication. Use only the version of the form, dated July 2016, for submittal.

- The CDB will accept 255 Form submittals in hard copy format or through e-mail submission.
  - Hard copy submittals must include one original of the 255 Form for each project submittal. The submittal must also include one original Standard Business Terms and Conditions and one original Forms A or Forms B. Please do not staple the original submittal, but rather attach with a binder clip.
  - E-mail submittals must be submitted in a PDF format for each project submittal, as well as a Standard Terms and Conditions and Forms A or Forms B. All submittals must be sent to [CDB.QBS@illinois.gov](mailto:CDB.QBS@illinois.gov). An e-mail will be sent to the sender’s e-mail address to confirm receipt of the submittal. This confirmation e-mail is not an automated reply and therefore for submittals received after hours or over a weekend the confirmation e-mail will be sent on the next business day during normal business hours. It is the submitting firm’s responsibility to ensure the 255 Form submittal and all required documentation is attached to the e-mail.

- By making a submittal, the firm attests that it has read and agrees or conforms to the Standard Business Terms and Conditions and certifications subject to Forms A and Forms B.

- Please do not include pictures or other graphics. The submittal is not intended to be a marketing brochure. Provide only the information requested. It is not necessary to submit a copy of your CDB prequalification letter.
Cover/transmittal letters on the 255 Form or accordion binders will not be accepted. The 255 Form is the only information accepted as the submittal.

The name of the firm making the submittal must be the legal name as provided on that firm’s prequalification application.

The firm making the submittal must be the office location where the work is being performed. The office location must be prequalified either as the home office or branch office. Branch offices must be prequalified. Failure for branch offices to be pre-qualified will result in disqualification.

For Joint Venture submittals, all members of the Joint Venture must be identified on the front page of the 255 Form, the design discipline identified for each member and the anticipated percentage of services to be provided by each member. The office location of each Joint Venture member must be prequalified with the CDB.

The original submittal must contain the signature of a person authorized to execute business for the firm.

Submittal(s) for more than one project may be mailed or packaged together. Separate envelopes are not required. For electronic submittal: A separate e-mail must be received for each project submittal.

The submittal shall include the names of persons who will perform the services, including their project assignment or duties, as well as a resume of their experience and expertise that qualifies them to perform the assignment. This includes the listed consultant’s designated staff.

The A/E shall clearly indicate the anticipated percentage of the services that will be performed by each listed consultant.

The Prime A/E must use the consultants and staff as submitted in their 255 Form. Consultants are considered first tier and shall hold a contract directly with the firm submitting the 255 Form.

Project team changes will not be allowed without prior written approval of the CDB’s Executive Director.

Faxed submittal(s) will not be accepted.

Submittal(s) received after 11:30 a.m. (CST) on the designated date will be disqualified. If a delivery service (USPS, UPS, and FedEx) is used, the CDB strongly encourages that submittals be delivered one day before the deadline date.

Do not include any additional information such as a prequalification letter, minority certification, etc.

Do not include the name of your firm on the consultant page.

Do not include fractions when showing the percentages of work done by any consultants.
When showing the percentage of work performed by consultants in Item #7 of the 255 Form, the number should reflect the total of percentage as shown under the heading “Percentage” in the second column of the consultant page. For example, if you have two consultants and one is doing 10 percent MBE/FBE and another is doing 5 percent MBE/FBE, then 15 percent is what you will put in Item #7.

REJECTION OF SUBMITTALS:

A material deficiency will result in an immediate disqualification. Material deficiencies include:

- Submittals received after the designated due date and time as stated on the PSB.
- Submittals received from a branch office that is not prequalified with the CDB.
- Failure of any of the members of the Joint Venture to be prequalified.
- Failure of the Prime A/E firm to be prequalified.
- Failure of the consultants (providing construction-related professional services) to be prequalified will result in rejection of the Prime A/E’s submittal(s).
- Failure to properly identify the members of the Joint Venture and the services to be provided by each member at the time of the 255 Form submittal.
- Determination by the CDB that the contractual arrangement between Joint Venture members is not approved.
- Any incorrect, incomplete or misleading information given on the 255 Form may result in the rejection of the submittal. Please be sure to have the information completed in its entirety.
- Failure to comply with 30 ILCS 500/50-35 by not submitting the applicable Forms A or Forms B.
- If a firm’s (or their consultant’s) prequalification expires during the selection, award or contract negotiation process, the CDB reserves the right to remove the submittal from consideration, recommend another firm for final selection or cease negotiations of a contract and commence negotiations with another firm.

Technical deficiencies will be rejected if not corrected with seven days of submittal:

- Failure to sign the 255 Form submittal(s).
- Failure to submit the disclosure of the contractual arrangement between members of a Joint Venture when requested by the CDB.
- Including pictures or any graphics.
- Any other technical deficiency specifically identified in the project solicitation.
SELECTION PROCESS:

- Selection of design firms by the CDB is not based on competitive bidding but on the firm’s professional qualifications. Consideration criteria may include, but are not limited to, experience and expertise of professional personnel assigned to the project, relevant project experience, prior performance, willingness to meet time requirements, proximity to site, workload/recent selections and participation by the Department of Central Management Services (CMS) certified firms with MBE, FBE and VBE.

- The CDB strongly encourages MBE/FBE/VBE firms to apply for selection as the Prime A/E and to seek participation as a consultant with Prime A/E firms.

- The CDB will only accept MBE/FBE/VBE firms certified by CMS as a MBE or FBE or VBE. The CMS certified MBE/FBE/VBE firms are listed in a database located at https://www.illinois.gov/cms/business/sell2/Pages/VendorSearch.aspx. The MBE/FBE/VBE certification with CMS shall be in good standing no later than the close of business the day before the 255 Form submittal date.

- For each project with an estimated basic services fee of $75,000 or more, MBE/FBE/VBE goals will be applicable for the A/E design team. The CDB Fair Employment Practices (FEP) Department will set participation goals for minority and female-owned businesses and veteran-owned businesses. See individual project description notice sheet for specific goal information.

- The VBE goals can be satisfied by a combination of veteran-owned small business (VOSB) and/or service disabled veteran-owned small business (SDVOSB) firms certified by CMS.

- It shall be the policy of the CDB to apply the ten day cure provision to goals established for CMS certified veteran-owned businesses.

- Firms can only be used to satisfy one goal, MBE, FBE or VBE, not multiple goals. Only CMS certified firms will count toward meeting the goals.

- Subsequent to the 255 Form submittal deadline, members of the A/E Selection Committee are not available to discuss project specifics. The CDB procedures ensure that all members of the committee are provided with detailed information concerning prior performance, current projects and all submittal information provided by the A/E firms.

- For interview level projects, all parties, including all consultants, shall be available to participate in the interview process. Not all firms that submit will be interviewed. The A/E Selection Committee will select three to five (typically four) firms to participate in the interview process.

- Results of the selection process are available on the CDB website (www.illinois.gov/cdb) the day after the Board Meeting as designated on the respective Bulletin cover.
New Business Enterprise Act Changes – Public Act 99-0462

On August 25, 2015, Governor Rauner signed into law (Senate Bill 1334) Public Act 99-0462, which amends the Business Enterprise for Minorities, Females and Persons with Disabilities Act (BEP Act), effective immediately. Public Act 99-0462 amends the BEP Act regarding the use of businesses owned by minorities, females and persons with disabilities for the procurement of goods and services by State agencies, universities and community colleges. The new law will applies to solicitations posted after August 2015.

The key provisions are as follows:

- An aspirational goal for contracts for construction and A/E services of not less than 20 percent of State contracts.
- A cure period not to exceed ten days for A/E’s and construction contractors whose bids or proposals are otherwise responsive, but fail to meet the MBE/FBE/VBE goals.
- The deficiency in the bid or proposal may only be addressed, within ten days of bid/submittal due date by:
  - meeting the goal by contracting with additional MBE/FBE/VBE firms or, where applicable, persons with disabilities; or
  - granting of waiver through the CDB Good Faith Effort (GFE) process.

**GOAL CURE PROCEDURE:**

- Any offeror that fails to meet BEP or Veteran Business Program (VBP) goals shall be notified and afforded a period not-to-exceed ten (10) calendar days after the submittals are due to cure that deficiency or submit GFE documentation to the CDB. Failure to cure a deficiency or submit GFE documentation within the 10-day cure period will result in rejection of the submittal.

- An A/E seeking to cure a goal deficiency during the allowable ten day cure period, shall submit an amended 255 Form, comprised of changes made to meet or exceed published goals. The deficiency in the submittal may only be cured by contracting with additional CMS certified consultants sufficient to meet or exceed the goals.

- The amended 255 Form shall be returned by e-mail to the CDB QBS staff member requesting the information.

- Upon receipt of the amended 255 Form, the QBS staff will verify that goals have been met. If the goals have been met, the firm’s submittal will move to the next steps in the selection process. If the goals have not been met, all GFE documentation will be sent to the FEP Department for a GFE determination. A waiver may be granted if an A/E or construction contractor provides sufficient evidence to the CDB that a GFE was made to find sufficient minority, female or veteran-owned business enterprises willing and able to perform the work.
GOOD FAITH CRITERIA:

- An A/E attempting to demonstrate that it made a GFE to meet minority, female and veteran-owned business enterprise goals shall submit:
  
  - All information indicating why the specified goal cannot be met.
  
  - A list of all minority, female and veteran business enterprises that were contacted.
  
  - Copies of all solicitation letters to minority, female and veteran business enterprises containing, at a minimum:
    
    - Project title and location.
    - Classification of work items for which consultants are sought.
    - Date, time and place responses are due.
    - Returnable acknowledgement of the solicitation.
  
  - Evidence, such as a log of telephone contact, including time and date of call, telephone number and name of person spoken to.
  
  - Any other evidence of GFE or other relevant information in support of the request.

- Upon review, the CDB may reject a submittal based on insufficient evidence of a GFE.

DEBRIEF MEETING POLICY:

- All successful and unsuccessful offerors may request a debrief meeting within 7 days of an A/E selection being posted to the CDB website. The request may be made in writing or by telephone. To the extent practicable, the meeting will occur within 30 days of receipt of a request.

- The meeting shall be conducted in person, by teleconference or by any other method deemed acceptable by the CDB. The scope of the meeting shall be limited to the offeror’s capabilities and to the submittal and/or interview being addressed. The meeting will only occur in a scheduled meeting or teleconference with the Chairman of the Selection Committee or their designee. The meeting may be limited to 30 minutes. No more than 3 persons may attend an in-person meeting on behalf of the offeror.

- No meeting will be conducted if any firm or team protests the procurement or takes legal action against CDB. In such cases, the meeting shall be delayed until any protests or legal actions have been resolved.
Requests should be submitted to:

Qualifications Based Selection (QBS) Department
Capital Development Board
3rd Floor, William G. Stratton Building
401 South Spring Street
Springfield, IL 62706

or by telephone to: 217/524-6400

FEE NEGOTIATION:

To ensure that the completion of the project is not delayed by extended negotiations before the start of the contract work, the CDB representative negotiating the contract will state the length of time the firm will be limited to in preparing its estimate of effort and cost. Should the CDB be unable to successfully negotiate a contract with the recommended A/E, the CDB will immediately proceed to negotiate with the second ranked firm.

The determination of compensation for the performance of basic services is through negotiation of fees and services with the CDB based on the following criteria:

- The project type classification.
- The scope of basic services required to complete the agreed upon project scope.
- The degree of difficulty of the scope of basic services’ tasks as applied to the particular project.
- The proposed project construction budget. (Used primarily as a benchmark reference.)

Projects shall be classified as either new construction (N) or remodeling (R). Each classification is broken down into three levels of complexity as described below:

Group I  Generally, the most complex projects in both design and detail and shall involve complex programs, mechanical systems, code requirements, etc.

Group II  Generally, projects with normal or average complexity may include a combination of more and less complex elements in the scope.

Group III  Generally, these projects shall be of simple or repetitive construction without any great degree of special finish or design effort. May include projects where equipment purchases comprise a large portion of the construction budget.

The services to be provided by the firm will conform to requirements included in the latest version of the CDB Professional Services Agreement, the Design and Construction Manual, the Standard Documents for Construction and the Centralized Fee Negotiation Professional Services and Fees Handbook.
State Comptroller Act - 15 ILCS 405/23.9
Minority Contractor Opportunity Initiative

The Act requires a fee of $15 to cover expenses related to the administration of the Minority Contractor Opportunity Initiative. Any vendor awarded a contract of $1,000 or more from this solicitation 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.

Supplement to the Design and Construction Manual (DCM)

Effective with the PSB 222, the supplement to the DCM will be added to the Professional Services Agreement (contract) for all projects selected on or after February 14, 2017.

The supplement includes updates regarding applicable Building Codes and required Building Code Analysis, the Domestic Products Act, Green Building Requirements, Division of the Work, Geotechnical Testing and Reports, Environmental Testing and Reports and Record Construction Drawings.


Prevailing Wage Requirements

Pursuant to Illinois Compiled Statutes 820 ILCS 130/.01 et seq. the Illinois Department of Labor (DOL) has established a prevailing rate of wages for on-site materials testers for the following counties:

Boone  Carroll  Cook  DeKalb  DuPage  Grundy  Kane  Kankakee  Kendall  Lake  Lee  McHenry  Ogle  Will  Winnebago

A/E’s and their consultants selected for projects in these counties must comply with all applicable provisions of the Prevailing Wage Act 820 ILCS 130/.01 et seq.

Material Testers are defined by the DOL as:

MATERIAL TESTER I:  Hand coring and drilling for testing of materials; field inspection of uncured concrete and asphalt.

MATERIAL TESTER II:  Field inspection of welds, structural steel, fireproofing, masonry, soil, facade, reinforcing steel, formwork, cured concrete, and concrete and asphalt batch plants; adjusting proportions of bituminous mixtures.

Note: the prevailing wage has not been established for the counties not listed above.

All of the above-mentioned requirements shall be effective for all contracts entered into as a result of selections from PSB 185 and all subsequent Bulletins shall require that the A/E comply with the above requirements. These requirements shall also be applicable to contracts resulting from all other types of A/E selections on or after May 14, 2013.
Apprenticeship and Training Requirements

(Revised effective March 26, 2015)

To ensure the highest quality and safety for on-site construction related work, all selected A/E’s and/or their consultants will be required by contract to participate in applicable apprenticeship and training programs approved by and registered with the United States Department of Labor’s Bureau of Apprenticeship and Training for all on-site construction related activities, including but not limited to material testing and drilling.

Pursuant to policy established by the CDB, apprenticeship and training requirements will be applicable to projects located in the following counties:

Boone  Carroll  Cook  DeKalb  DuPage  Grundy  Kane
Kankakee  Kendall  Lake  Lee  McHenry  Ogle  Will
Winnebago

A/E’s and their consultants selected for projects in these counties must comply with all applicable provisions regarding apprenticeship and training.

Note: the apprenticeship and training requirement has not been established for the counties not listed above.

All of the above-mentioned requirements shall be effective for all contracts entered into as a result of selections from PSB 208 and all subsequent Bulletins shall require that the A/E comply with the above requirements. These requirements shall also be applicable to contracts resulting from all other types of A/E selections on or after March 26, 2015.
The Moraine Hills State Park is a 2,200 acre natural area located in McHenry County, acquired in 1939.

The scope of work provides for replacing approximately six existing water control structures with a new pre-engineered, pre-cast concrete box culvert. The scope also provides for construction of a three-sided concrete weir wall to serve as the water control structure and to maintain the pool elevation of Yellow Head Marsh. The requirements for restoration of paving surfaces must be coordinated with the McHenry County Department of Transportation.

Due to the project’s proximity to wetlands-dependent avian species nesting areas, no construction activities may occur between March 15th and July 15th.

There are no MBE/FBE/VBE goals applied to the A/E team but participation is encouraged.