

Capital Projects Manual

for the
Illinois Public Community Colleges



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Illinois Community College Board
CAPITAL PROJECTS MANUAL

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Introduction

This manual is designed primarily for use by those persons at Illinois public community colleges who are responsible for planning and keeping records of college facilities. The Illinois Community College Board (ICCB) is mandated by law to approve the expenditure of state funds for purchase of sites and the construction of facilities and “to determine efficient and adequate standards for community college physical plants.” Upon approval of state-funded capital projects, the ICCB is responsible for developing an annual capital budget request which includes a priority listing of projects for submission to the Illinois Board of Higher Education (IBHE). The Public Community College Act and ICCB Rules also require ICCB approval of some locally funded construction projects.

The manual is to be used along with the Public Community College Act, as amended (herein referred to as the Act), and ICCB Rules 1501.601 through 1501.609. A copy of the appropriate ICCB Rules is included as Appendix E. The Capital Development Board’s rules also may be used in conjunction with this manual. A copy of these rules is available from the ICCB upon request.

It is important that accurate records of available facilities be kept. The ICCB Facility Inventory File is the official record of facilities at each college. As this record is changed only at the request of the college (by the submission of appropriate changes), new buildings should be added or changes in existing facilities submitted to the ICCB Information Technology division as soon as possible after completion.

The following sections of this manual present information useful when considering a capital project. Various types of projects are discussed in terms of classification, approval procedures, and criteria for approval. In addition, other capital matters such as progress reports, insurance, leasing, application forms, facility codes, ICCB rules, facility inventory classification guidelines, and the quality-based selection process to choose an architect can be found in the several appendixes located in the back of the manual.

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Section I
COMMUNITY COLLEGE CAPITAL RAMP
(RESOURCE ALLOCATION MANAGEMENT PROGRAM)

A college may request state funding for up to 75 percent of total project costs of any type of project listed in ICCB Rule 1501.603 (see also Section 5-4 of the Act). The vehicle for requesting state funds is the Community College Capital RAMP (Resource Allocation Management Program) request submitted to the ICCB in July of each year. ICCB staff review all requests submitted in RAMP to determine their eligibility for funding (see ICCB Rule 1501.603b). Eligible projects are then rated and prioritized in accordance with ICCB Rule 1501.603c. The projects receiving the highest evaluation are submitted to the ICCB for its consideration. Approved projects comprise the annual ICCB budget request to the IBHE.

The following are activities that need to take place in conjunction with a request for state funds.

Site Acquisition
(not common since all community colleges have primary sites)

Site Search and Selection (Primary Site). The primary college site is the site where chief college administrators and administrative functions are located, comprehensive student services and activities are provided, and the complete college instructional curricula are offered regularly.

Local district officials may conduct a preliminary study of available sites. Following this initial study, a detailed feasibility study should be conducted, preferably with the assistance of an architect. Minimally, the feasibility study should consider the location of the proposed site in relation to geography and population of the entire district and in relation to sites of the district's other colleges (if any); the impact on the surrounding environment; accessibility to the site by existing and planned highways and/or streets; cost of development of the site in relation to topography, soil condition, and utilities; size of the proposed site in relation to projected student population and land cost; the number, location, and characteristics of alternate sites considered; and the proper location of the site in relation to existing institutions of higher education. Before ICCB and IBHE approvals are requested, Capital Development Board (CDB) technical evaluation of the preferred site is required.

After a site is selected, the college is requested to provide the ICCB with the following:

1. A resolution by the local board of trustees stating that:
 - a. Local board of trustees has authorized purchasing the site.
 - b. The local share of funds is available.
2. Copies of three appraisals of the property by independent appraisers.
3. A copy of the feasibility study.
4. A copy of the CDB evaluation of the site.

5. A written request to the ICCB for approval to purchase the site.

These documents may be included as part of the RAMP submission.

Site Search and Selection (Secondary Site). Prior to acquisition, colleges wishing to acquire a new site and/or structure for purposes other than a primary site shall submit for ICCB consideration the following:

1. A resolution by the local board of trustees stating that:
 - a. Local share of funds is available to procure the site.
 - b. The programs offered have been approved by the ICCB or application for approval of these stated programs is pending.
 - c. The board has studied the site/structure and programs and approves the plan.
2. Copies of at least two appraisals of the property by independent appraisers.
3. Verification that the condition of the facility is not a threat to public safety. This shall include tests for structural integrity, asbestos, toxic materials, underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not preclude the procurement of the site/structure, but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)
4. Identification of the location of the site and its relationship to the main campus and to community colleges and other higher education facilities in contiguous districts.
5. Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site structure.

Site Purchase. When state funds are appropriated, the college will work with CDB staff to purchase the site. If local funds are being utilized, the college may proceed to purchase the site after receiving the ICCB approval. CDB assistance may be obtained if desired. It is more common to see secondary site acquisitions completed as a locally funded project.

District Site and Construction Master Plan

Each district will be required to submit and maintain a districtwide site and construction master plan. The purpose of the plan is to appraise the ICCB of possible new permanent site locations within the district. The plan should have a three-year horizon and be updated as the local board of trustees formalizes plans to construct or acquire a new site. It should be noted that the locally approved plan must be filed with the ICCB two months prior to the request for approval of a project or site acquisition.

It is not necessary for the plan to reveal the specific location of a site to be acquired. Rather, the plan should address the need to construct a permanent facility in an area of the district which will serve a specific population. The district may state, for instance, that a skills center which includes approximately 10,000 square feet should be constructed close to the central business

district. This project then would be shown on a map of the district along with the current permanent college sites. Since this is only a plan, the district will be free to modify the statement at any time. However, a new plan must be submitted to the ICCB two months prior to the request for a new project.

Specifically, the master plan should include a map of the district showing the location of all facilities owned by the district or leased for a period exceeding five years and a narrative describing the district's:

1. Current permanent facilities where additions are planned.
2. General plans for future site acquisition or acquisition/construction of permanent facilities either on the primary site or secondary sites. The location may be identified in terms of the general geographic area within the district.
3. Proposed schedule for acquiring additional sites, constructing additions to existing facilities, or acquiring/constructing new permanent facilities.
4. Intended use of all proposed site acquisitions and facility acquisition/construction.

Construction of New Facilities

Planning/Design Phase

- A. Selection of Architect/Engineer. The local board of trustees may recommend an architect/engineer (A/E) to the CDB. The college must be able to document that the Quality-Based Selection (QBS) process was followed on selecting the architect, see Appendix G on QBS process. The CDB will appoint a panel to review the district's selection and recommend acceptance or rejection. If rejection is recommended, the district will have the opportunity to submit another name. Alternatively, a list of pre-qualified A/Es may be requested from the CDB to facilitate A/E selection. The final selection will be presented to the CDB to facilitate A/E selection. The final selection will be presented to the CDB for approval at its next meeting.
- B. Technical Reviews. The CDB will conduct technical reviews from initial schematic drawings through final working drawings on each project. A local community college representative should attend all CDB technical review sessions to provide a continued evaluation of the design of proposed facilities as they relate to the programmatic and functional needs of the college.

Project scope and/or budget changes must be approved by the ICCB as specified in ICCB Rule 1501.605.

Request for Release of State-Appropriated Funds. Written notification should be given to the ICCB that the college is ready to proceed with the project. ICCB will work with the CDB to obtain a release of construction funds from the Governor's Office of Management and Budget.

Establishment of a Trust Fund. Prior to signing the architect and/or engineering contract, the local board of trustees and the CDB will establish a joint trust account which will include funds equal to 40 percent of the A/E and construction management contracts. This trust account will cover contract obligations through the design development stage of the project. The CDB will require the full local commitment prior to the request for bid.

Bidding and Awarding of Contracts. The CDB will handle bidding and the awarding of contracts for all state-funded capital projects. Under certain circumstances, a college may engage in an intergovernmental agreement with the CDB which would allow the local district to handle the bidding and awarding of contracts. Under this arrangement, the district will not receive state funds until the agreement is formalized. Moreover, it will be liable for any funds obligated prior to entering into the agreement. In order to determine eligibility for an intergovernmental agreement, a district should contact the CDB project manager assigned to its specific project. Contracts awarded pursuant to such agreements will be subject to the State Purchasing Act.

Section 3-27.1 of the Public Community College Act mandates that contracts for repair, maintenance, remodeling, or construction over \$50,000 must be awarded by competitive bids. Additionally, this section limits expenditures beyond the contract amount that are attributable to unforeseen circumstances to 10 percent of the contract amount. Changes less than 10 percent of the contract amount can be negotiated with the contractor.

Changes in Budget or Scope. The ICCB approval for changes in the budget or scope is not required if the amount of the modification does not increase or decrease the approved total by more than 5 percent. Each district is responsible for maintaining accurate and up-to-date records of change orders and modifications as each project progresses. At the completion of a project, the college will submit a reconciliation of the budget and scope to the ICCB. The reconciled amounts should total less than 5 percent of the approved budget/scope.

Changes in the ICCB approved budget and scope will require ICCB approval provided the aggregate modifications increase or decrease the budget or scope greater than 5 percent of the approved amount. The ICCB President/CEO has the authority to approve the requested change.

A request to change the budget/scope will require ICCB approval at that point when the summed total of the modifications increases or decreases the ICCB approved total budget/scope by an amount greater than 5 percent.

For instance, project A was approved for \$100,000 to construct a 10,000 square foot facility. During the course of the project, a change order costing \$2,000 is necessary during the first month, a second change order costing \$2,000 is required during the second month, and a third order is necessary in month three which costs \$3,000, and any change order will cause the project budget to increase above the \$100,000 approved amount. ICCB approval is not required for change orders number 1 and 2. However, when the college learns that change order number 3 is needed it should apply to the ICCB for approval of change order number 3 only, since this would raise the total project budget to \$107,000 which is more than 5 percent over the approved

budget. In the event only the first two change orders are necessary, the college would provide this information in a reconciliation at the completion of the project. No ICCB approval would be required in the second scenario.

Completion of Project. Local districts will be requested by the CDB to sign Certificates of Substantial Completion by Contractors. Final acceptance of the completed project also must be signed by the college. The CDB, through its project manager, will determine and initiate action involving acceptance of substantial completion and final acceptance of the completed project.

Remodeling and Rehabilitation Projects

Local districts may request state funding for major remodeling and rehabilitation projects according to ICCB Rule 1501.603c. The ICCB and IBHE will integrate remodeling and rehabilitation projects in annual capital budget requests using the eligibility and priority criteria outlined for capital projects.

Section II

LOCALLY FUNDED CAPITAL PROJECTS

Projects Funded through Bond Sales, Tax Levies, or Accumulated Revenue

Requests for approval of locally funded site acquisitions, new construction, and/or remodeling projects may be submitted to the ICCB at any time, but sufficient time must be allowed for evaluation by the ICCB; generally this is one month. The request must be submitted and approved before planning or project funds are expended by the local college. The request must be made via completion of an “Application for Approval of a Locally Funded New Construction Project” (see Appendix A) or an “Application for Approval of a Locally Funded Remodeling Project” (see Appendix A), a combination of the two, or an “Application for Approval of a Site Acquisition (see Appendix A).

Locally funded projects will be administered by the college following ICCB approval, although the CDB will assist or administer the project if requested to do so. A local district employee may be appointed project manager, or a professional project manager may be hired. The hiring of an architect; planning, bidding, and awarding of contracts; and supervision of the project are the responsibility of the local district. The local district is responsible not only for complying with bidding requirements, but for complying with building codes (1501.603f2) and for following other state and federal construction regulations (e.g., handicapped accessibility).

Locally Funded Project Approval Criteria and Procedures

Criteria. Locally funded capital projects are site acquisition or construction projects financed through bond sales, tax levies, or accumulated fund balances. Not all locally funded capital projects require ICCB approval. This section describes the criteria a district should consider when determining whether or not a project requires approval.

Locally funded projects (with the exception of site acquisitions) not required to have ICCB approval include any project which is less than \$250,000 regardless of the work being performed. This allows colleges to modify various spaces in the college to meet immediate needs. One project should not be broken into several components in an effort to avoid approval. The sum total of the component parts should be considered as a single project.

Also exempt from approval are projects which meet the definition of maintenance as specified in ICCB Rule 1501.601. This definition allows colleges to perform routine and ordinary maintenance projects without ICCB approval.

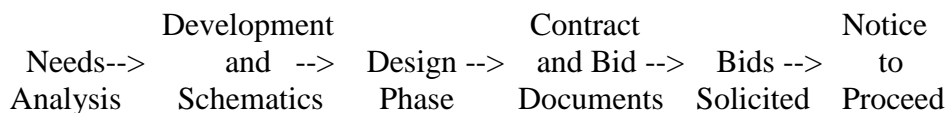
Finally, any project not creating a change in room use classification as defined in the Postsecondary Education Facilities Inventory and Classification Manual is exempt from ICCB approval. For instance, if a project simply would remodel and modernize several classrooms, then no approval is required. However, if the project, for example, resulted in a change from the classroom designation to an office designation, then the project should have ICCB approval. Whenever a change in room use classification will result from the project, ICCB approval should be obtained, provided the estimated total cost is greater than \$250,000.

Regardless of whether the project requires approval, any changes in the net assignable square footage should be reported to the ICCB as an update to the Facilities Master File. Assignable square footage for each facility is an important criterion used by the ICCB when considering approval of requests for locally and state-funded projects. Gross square footage of owned space may also be used as a basis for allocation of state funds.

Utilization of existing facilities also is a prime criterion in the approval process. These data are determined by the ICCB using the annual fall submission of S6 records and classrooms and laboratories identified on the Facilities Master File.

Procedures. The appropriate approval process for a locally funded capital project depends upon the estimated dollar value of the project. A project estimated to cost in excess of \$2.5 million requires ICCB review sooner in the planning process than does a project estimated to cost less than \$2.5 million.

Each project should be considered in the context of the following flowchart:



For projects in excess of \$2.5 million, the ICCB is to be notified in writing concerning the district's interest in pursuing the specific project. This notification should be forthcoming upon completion of the needs analysis. The letter should state that the college has identified a need for a major capital project and include a description of the general scope of the project. The ICCB will respond to the college regarding any initial concerns with the project and will provide recommendations for subsequent action on the project.

All other projects also may be submitted after the needs analysis phase; however, this is not mandatory. If submitted at this stage of development, ICCB staff will review the project and offer appropriate feedback.

All projects require ICCB approval during the design phase of the development process. Typically, this would be midway through the project design. Request for approval must be made via completion of an "Application for Approval of a Locally Funded Construction Project." Project approval will be based on the substantial scope and programs that the college intends to offer. Budget approval will specify an acceptable range. Receipt of ICCB approval may require the college to modify the project; however, this should be possible with minimal cost for redesign and without restricting the progress of the project. Final ICCB approval is contingent upon receipt of the final project scope and budget as bid. In other words, the college should bid the project and notify the ICCB regarding the actual budget and final scope. Provided these amounts are within the ranges approved earlier, the ICCB will acknowledge the bid amounts as the official budget and scope. Any subsequent changes must be submitted for re-approval according to the criteria described for changes in project budget and scope in ICCB Rule 1501.605.

Projects Financed through Loans from Financial Institutions

When a project is financed in part by a loan from a financial institution, both the loan arrangement and the project itself must be approved by the ICCB and the IBHE (see Section 3-37 of the Act). In addition to the application for approval of the project, the local district must submit copies of the loan arrangement and other agreements which demonstrate that sources of revenue other than local taxes, student tuition, and state appropriations are sufficient to finance the construction or acquisition of the facility and to pay operating costs for the life of the installment arrangement.

Projects Financed through Gifts or Donations

Projects to be financed through gifts or donations (e.g., local foundations) are to be considered as locally funded projects and require ICCB approval.

Projects Financed through the Use of Federal Funds

Energy Conservation Grants (if available). Colleges may apply for energy grants under the National Energy Act through the Illinois Department of Natural Resources during the specified time period. If the college receives a grant, it must request ICCB approval of the project. The ICCB will consider approval of such projects in the same manner as all other requests for capital construction.

Other Federal Grants. Colleges receiving federal grants for construction projects must request approval as outlined for a locally funded project. If the college plans to request state funds in RAMP to help defray the cost of the project, it must fund at least 25 percent of the total project cost, since the state plus federal share combined cannot exceed 75 percent. If no state funds are requested, there is no limitation on the project.

Secondary Sites

A district may find it to the benefit of the College, students, and the taxpayers to locally fund the acquisition of land and/or buildings away from the main campus for educational purposes. The college shall follow the same steps as required in Section I Site Acquisition (without IBHE or CDB review). The steps and procedures outlined in Section I may also be found in ICCB administrative rule 1501.604g. The college should complete an Application for Approval of a Site Acquisition (see Appendix A) and submit the additional required documentation as attachments to the Capital Projects application form.

Changes or Cancellation of a Previously ICCB Approved Project

When a change in scope or budget of a locally funded project (protection, health and safety funded or otherwise) occurs that meet the requirements of ICCB administrative rule 1501.605 the college is required to obtain ICCB approval for such changes. The college should use the guidance found in Administrative Rule 1501.605 Section I of Appendix E Project Changes and Changes in Budget or Scope sections of this manual to determine when a change in either the scope of work to be completed and/or estimated costs to complete the project requires ICCB approval. While the college is not required to resubmit a revised budget application, they may do so if it is more efficient to notify the ICCB in this manner. If they do submit a revised project application it should highlight differences between the original application and the revised application. Otherwise, the college should submit a cover letter referencing the ICCB approved project number and requesting ICCB approval of such changes. Additional documentation (such as bid award detail, additional local Board approval, etc.) should be provided with the cover letter to thoroughly explain the change.

If the college chooses to cancel a project, the college should notify the ICCB in writing. Any supporting documentation to explain the cancellation should be submitted with the written notification.

Section III

PROTECTION, HEALTH, AND SAFETY PROJECTS

Purpose

Protection, health, and safety projects are authorized by Section 3-20.3.01 of the Public Community College Act. The purpose of this funding is to alter and repair the facilities of a district such that the health and safety of the occupants may be protected, energy may be conserved, handicapped accessibility may be increased, the structural integrity of the physical plant may be preserved, or environmental hazards corrected.

General Scope

Alteration and repair projects where protection, health, and safety monies are used should be restricted in scope to those construction features or procedures which directly affect the health and safety of the facility's occupants, increase the facility's accessibility for environmentally limited persons, decrease total energy consumption, or preserve a facility's structural integrity.

Overview

Protection, health, and safety monies offer a community college a method of funding repairs and alterations as described in the General Scope when no operations and maintenance funding is available to pay for such projects. The legislative debate immediately preceding the passage of this provision specified that funds are "emergency authority in life-threatening situations to make repairs upon their facilities." Further statements specified that these funds are not to be used for "additional levy money for just plain maintenance items." Projects requested under this section of the Act will be evaluated on specific criteria and the college may be asked to provide independent documentation which demonstrates that the project falls within one of the identified categories. Projects failing to meet the criteria will not be eligible for funding under the protection, health, and safety provisions.

Specifically, each project will be evaluated on the basis of how well the parameters of the project meet the criteria listed in ICCB Rule 1501.608. Project documentation must demonstrate clearly that all criteria are met. This should include how the project poses a threat to the occupants, the calculations determining the energy payback period, how accessibility will be increased, or how the project will protect the structure of the buildings. For instance, if a building is not in compliance with a specific code, the code should be cited and a description included.

A fundamental approval consideration is the degree to which the problem addressed by the project was foreseeable and avoidable. The more foreseeable--and thus avoidable--the problem could have been, the less merit the project has under protection, health, and safety provisions.

Funding

Section 3-20.3.01 of the Public Community College Act provides two methods of funding protection, health, and safety projects. ICCB approval is required for either method. Upon approval, the ICCB will issue a certificate of approval authorizing the college to sell bonds or levy a tax. The law permits a college to have a total of \$4.5 million in protection, health, and safety bonds outstanding at any one time (higher for districts 522 and 536). Taxes may be levied up to \$.05 per \$100 of equalized assessed valuation for any one year. Also, projects may be funded using both bond proceeds and tax levy authority.

The college may accumulate excess funds from approved projects whose actual costs were less than budgeted and funded. **For example**, an ICCB approved \$75,000 fire alarm system upgrade project may have been completed for \$65,000. The \$10,000 excess funds available may be allowed to accumulate for another eligible protection, health, and safety project. However, even projects funded from excess funds require submission of a project application and prior ICCB approval.

Approval Process

When applying for approval of a protection, health, and safety project, the college must complete the appropriate forms (see Appendix A). The scope of work narrative of the project should include all major components involved in the repairs or alterations. This information should provide enough detail to completely and accurately define the project's scope. Each project application should include a detailed cost breakdown certified by a state-licensed architect or engineer. The programmatic justification narrative should provide enough information to demonstrate the appropriateness of using protection, health, and safety funds to finance the project. When the project is using structural integrity as the justification, the architect or engineer must certify the need using the appropriate form. Energy conservation projects require an eight-year payback in order to be eligible for protection, health, and safety funding. Calculations and certification by an architect or engineer documenting the expected payback period should be included with the application. Any additional information which will substantiate the legitimacy of the project under protection, health, and safety criteria should be submitted with the application. If subsequent to ICCB approval, a change in budget or scope of work of a protection, health, and safety funded project is necessary the college should follow the guidance in Section II Locally Funded Projects-Changes or Cancellation of a Previously ICCB Approved Project.

Projects

Each project will be evaluated independently. Projects may have several component parts as long as each of these components clearly relates to the same objective. Projects not demonstrating a common objective will be considered as separate projects. Projects which are not clearly related should be submitted and considered as individual projects.

Section IV

OTHER CAPITAL PROJECTS

Capital Renewal Grants

These grants are funded from the proceeds of the Capital Development Bond Fund which has specific restrictions on the uses of these monies. The following criteria should be considered when requesting capital renewal grants:

1. The project should provide long-term benefits.
2. The project should be durable and not consumed in use.
3. The project should significantly add to the value of the capital asset or appreciably prolong the life of the capital asset.
4. The project expenses should not be recurring.
5. The project should not be of a temporary nature.
6. A remodeling project may change the program use or significantly update the area. Redecorating should not be requested.

These projects will not be approved if new space is generated.

Capital renewal projects may include the following types of work: architectural planning and engineering (in relation to a specific repair or renovation project); demolition (in preparation for additional work); site preparation and improvement; utility work; reconstruction or improvement of existing buildings or structures; replacement of fixed equipment; and any other work which significantly increases the service potential of a building or structure.

Appropriations for capital renewal grants are made to the Capital Development Board for the Illinois Community College Board, and as in the past, the CDB will manage all grant projects. The use of CDB in-house design services may be available depending on the nature of the project and the availability of CDB staff. **Colleges must request these services or those of an architectural firm.**

These funds generally have not lapsed at the end of the fiscal year and may be combined with any Build Illinois or other capital renewal funds that are unobligated if the state provides adequate bonding authority to finance the appropriation.

Excerpts from ICCB rules relating to the Capital Renewal Grant are included for your information.

Administrative Rules of the Illinois Community College Board**SUBPART E: FINANCE****Section 1501.501 Definition of Terms**

Capital Renewal Grants. Capital renewal grants are state grants allocated proportionally to each community college district based on the latest fall on-campus nonresidential gross square feet of facilities as reported to and certified by the ICCB. Such grants are to be utilized for miscellaneous capital improvements such as rehabilitation, remodeling, improvement, and repair; architect/engineer services; supplies, fixed equipment, and materials; and all other expenses required to complete the work.

Section 1501.516 Capital Renewal Grants

- a) Districts may apply annually to the ICCB for approval of capital renewal grant projects. Requests for ICCB approval of capital renewal grant projects shall be submitted using forms prescribed by the ICCB.
- b) Expenditures of funds from this grant are limited to capital renewal projects that are within the scope of the definition of capital renewal grants contained in Section 1501.501.
- c) Funds received from this grant shall be accounted for in the Operations and Maintenance Fund (Restricted) [see Section 1501.511(a)(7)].
- d) Other sources of funding may be added to capital renewal grant funds to finance larger projects.
- e) Projects shall be designed and constructed to meet all applicable facilities codes as specified in Section 1501.603(f).
- f) Authority to approve capital renewal grant projects is delegated to the ICCB or its President/CEO.

Section V

CREDIT FOR PREVIOUSLY CONSTRUCTED OR ACQUIRED FACILITIES WHICH ARE INITIALLY LOCALLY FUNDED

On September 18, 1978, the ICCB certified \$28.5 million in eligible credits and resolved to discontinue in the future the practice of approving locally funded projects for future state reimbursement credit. The amount certified by the ICCB represents an eligible credit which will be applied only toward the 25 percent local funding share of a state-funded capital project. This credit will be applied toward the local share by ICCB staff when developing the annual capital budget request. Credits do not represent funds available for appropriation to a district and are not applicable to any other type of project.

Section VI

MATCH CONTRIBUTION - APPROVAL OF SPENDING LOCAL FUNDS TO MEET THE 25 PERCENT MATCH REQUIREMENT

At times the college may request approval of a project component (i.e., planning, a portion of state-funded construction/remodeling request) to be funded locally and performed before the project receives state funding (see Section I - Community College Capital RAMP). Where a project meets certain criteria, the college may request approval to apply the locally funded costs of that component toward the 25 percent match requirement of the total project. The college should make their request in writing, and it should be submitted with the locally funded project application. In order to be approved as a match contribution, the following criteria shall be met.

1. The project toward which the 25 percent match is to be satisfied must be on the ICCB recommended state-funded capital project list.
2. The request shall meet an immediate/urgent need of the district/college.
3. The component requested must be part of the scope of work narration of the project on the ICCB recommended state-funded capital project list.

The ICCB must approve of the match contribution, and the college will need to contact the Capital Development Board in order to keep them apprised of the work performed and how it relates to the proposed project requested on the ICCB recommended state-funded capital project list.

The college should keep in mind that approval of a match contribution is not a commitment of state dollars to the project on the ICCB recommended state-funded capital project list and will therefore only be allowed as a match specifically to that one specific state-funded capital project request. In no case will the match contribution serve to increase the state's share of a state-funded project above 75 percent. If the project never receives state funding, the match contribution approval is null and void. The match contribution cannot be applied to unrelated capital project requests. Further, a match contribution is not a "construction credit." See the section on construction credits for an explanation.

If a match contribution has been approved, the college should report the approved match contribution as local match on subsequent RAMP requests until the project has received state funding or the

college decides not to pursue state funding.

Section VII

CONSTRUCTION DEFECTS OR DEFICIENCIES

A local district may request state funding for the entire cost of repairing or replacing state-funded facilities deemed to be unsafe or unhealthy if the problem has been caused by defective materials, workmanship, or design. Such a request normally is included with the RAMP submission but may be submitted to the ICCB at any time. The request must include information concerning the apparent problem and the results of any tests or studies made by college officials or professional architects or engineers (see Section 5-12 of the Act).

The ICCB will submit necessary information concerning the problem to the CDB. The CDB will evaluate the problem with staff and professional architects/engineers. If the problem is judged to be unhealthy and/or unsafe, and if it was caused by defects or deficiencies in original construction or design, the CDB will be asked to certify the problem as a construction defect or deficiency. If the project is certified, state funds will be requested to correct the problem.

Section VIII

LEASING OF FACILITIES

Leases of Five Years or Less

Local district officials may lease or rent facilities for time periods of five years or less at their own discretion, and do not require ICCB approval. Copies of local board of trustees action on such leases or rentals should be kept on file for state auditing purposes. However, leases five years or less with automatic or unilateral renewal options by either party generally are considered as greater than five years and will require ICCB approval. See the Section VIII, subsection entitled "Leases Longer than Five Years" for required information for ICCB consideration for approval.

Leases Longer than Five Years

In accordance with Section 3-38 of the Act, the local district shall request ICCB approval for any lease of rooms, buildings, or land for longer than five years. Such a request will specify location, size, need, and intended use of facilities. A copy of the proposed lease should accompany the request.

The ICCB will consider the request based on a study of the lease document, the college's justification of need, and the ability of the college to operate and maintain the additional space.

A request for approval of a lease which either transfers ownership or provides for an option to purchase land and buildings at the end of the lease term shall demonstrate that the college's justification of need and their ability to operate the additional space is not a temporary need and is in the best interests of the college.

Section IX

HANDICAPPED ACCESSIBILITY REQUIREMENTS

The Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, as Amended

The Americans with Disabilities Act was signed into law in July 1990. This law is a wide ranging civil rights statute that prohibits discrimination against people with disabilities. Colleges were introduced to the issue of accessibility with the passage of the Rehabilitation Act of 1973. The regulations implementing Section 504 of that act become effective in June 1977 and required that no handicapped individual shall solely by reason of the handicap be denied benefits of or be subjected to discrimination under any program receiving federal financial assistance. In order to comply with this regulation, the concept of program accessibility was used and colleges designed a plan to provide programmatic accessibility to handicapped students. The ADA of 1990 is even more comprehensive in that it contains requirements for new construction, alterations or renovations to buildings and facilities, communications, transportation, and requires reasonable modifications of policies and practices that may be discriminatory.

Requests for handicapped accessibility projects must be submitted to the ICCB for approval as outlined for other capital projects. These projects may be submitted for state funding, or they may be locally financed. Qualifying projects may be submitted for up to 75 percent state funding. CDB technical assistance must be utilized if state funding is requested. Section 3-20.3.01 of the Public Community College Act (protection, health, and safety) also provides for funding such projects.

Illinois Accessibility Code (Title 71 Ill. Admin. Code, Ch. 1, Section 400)

This code is applicable for both locally and state-funded projects when new construction, alterations, additions, historic preservation restorations, or reconstruction is undertaken. Leased facilities constructed after May 1, 1988, should be in compliance with the minimum requirements of the code. Leased buildings constructed prior to May 1, 1988, should be in compliance with the accessibility code applicable at that time.

Section X

INSURANCE OF FACILITIES

The CDB requires that contractors providing services to the state provide builders risk and fire and casualty insurance for facilities being constructed, renovated, or remodeled. This insurance will be carried until the project reaches substantial completion or the facility is occupied by the college. It is the college's responsibility to obtain insurance for the facility at substantial completion or occupancy. Insurance on locally funded projects is the total responsibility of the local college from start of construction.

Section XI

PROGRESS REPORTS

In accordance with ICCB Rule 1501.607 and Section 5-10 of the Act, the local district shall submit a construction progress status report for all projects as of January 1 of the current year on forms provided by the ICCB. Such reports shall be submitted by January 31 of each year through completion of the project, with the final cost of the project reported when a project reaches 100 percent completion. The Statement of Final Construction Compliance for PHS Projects and the Statement of Final Completion of State and Locally Funded Projects (see Appendix C) for all other projects should be completed and mailed with the progress status report when a project reaches 100 percent completion.

Section XII

DEMOLITION OF BUILDINGS

When a college-owned facility is to be demolished, the college should notify the ICCB in writing prior to demolition of the structure. The notification should include the extent to which the razed facility will affect the square footage in the college's Facilities Master File. For instance, if the facility to be removed is a temporary classroom consisting of 1,000 net assignable square feet, the notice should indicate the fact that total temporary facilities will be reduced by 1,000 net assignable square feet. This information must be sent to the college's MIS coordinator so that local facility files will reflect accurately the square footage of campus facilities.

Section XIII

FACILITIES REPORTING

F3, F6, B3 and R3 Data

Annually colleges should report their F3, F6, B3 and R3 Data to the ICCB by submitting the F3,

F6, B3, & R3 records. The submitted data will reflect any changes made to the total of assignable square feet or gross square feet since the prior year. Gross square feet should only change from year to year if the college acquires more buildings, builds a building, builds an addition, or demolishes buildings. The facilities data also allows the college to provide other details that may change from year to year such as the value of buildings, the condition of facilities, replacement costs, etc. The ICCB generates an edit report, the FIUS reports, and the C1-C16 report when the college submits their facilities data. See the ICCB MIS Manual for more information on the facilities data reporting requirement and deadlines for submission. The college should coordinate staff responsibilities to ensure the ICCB generated reports are reviewed for reasonableness from year to year and errors, if any, corrected in a timely fashion.

Acreage and Planned Projects

Land/acreage is not captured in the facilities data reporting but rather is reported on separate manual spreadsheets submitted annually. Total owned acreage should only change when land is acquired or sold. However, as this report does capture the use of the acres, the allocation/distribution of acres may change from year to year without new acquisitions or sales if a college is changing the use of existing owned land by infrastructure improvements or building projects. Gross square feet (GSF) of space either planned or actually in construction will be reported on separate manual spreadsheets as well. The GSF reported on this report should reflect projects that have received a state appropriation (not just on the ICCB list of recommended projects waiting for an appropriation) or locally funded projects approved by your Board. Re-appropriated state funds should not be shown in the year specific column. A project to be funded by a state appropriation would only appear in the “approved or under construction” columns after the initial year of appropriation. The reporting format for the land/acreage and GSF is not found in the ICCB MIS Manual but rather is distributed generally by e-mail each year in July. Again, the college should coordinate staff responsibilities to ensure college data are reviewed for reasonableness from year to year and all changes are accounted for. Since these data are not processed against an ICCB edit program and no ICCB edit or reports are generated the college must carefully review the accuracy of this information and correct errors, if any, before the data is submitted to the ICCB in a timely fashion.

Appendix A
Project Application Forms

CAPITAL PROJECT APPLICATION FORM

(One Application Form per Project)

District/College and District # _____

Contact Person _____ Phone # _____

Project Title _____

Project Budget \$ _____ () check here if the proposed project is to be financed with a combination of local, state,

federal, foundation gifts, etc and disclose on funding attachment 2

Date _____

Application Type (check the appropriate application type and follow instructions):

_____ Site acquisition-- see ICCB administrative rule 1501.604 d) or g) for additional material requirements and check here _____. (If this is a site acquisition and only land is being acquired ---no building--- then check here _____) --complete/submit Sections I and II with additional material requirements (if acquisition includes remodeling or new construction then you should also check the other appropriate application type and include description in the narrative portion of the application)

_____ Locally Funded New Construction--complete/submit Sections I and II.

_____ Locally Funded Remodeling--complete/submit Sections I and III.

_____ Locally Funded New Construction and Remodeling--complete/submit Sections I, II, and III.

_____ Protection, Health and Safety (PHS)--complete/submit Section I and Attachment PHS.

_____ Capital Renewal Project--complete/submit Section I and the three forms in the Architect Forms section of this manual. (Note: two of these should be completed by the architect.)

Section I (submit for ALL project approval requests)

- A. Board of trustees action--attach a copy of the local board's resolution and certified minutes
- B. A detailed description of the project's programmatic justification (*complete the narration section and attach*)
- C. A detailed description identifying the scope of work to be accomplished (*complete the narration section and attach*)
- D. Board of trustees approved budget (*use the appropriate format on Attachment #1--top half of form for any project except PHS and bottom half of form for PHS projects only*)
- E. Funding source (*use the appropriate format on Attachment #2*)

- F. Locally funded project budget and certification form (Attachment #3) OR Attachment PHS.

Section II

- A. Is the requested project included in the District Site and Construction Master Plan? (See ICCB Rule 1501.602c for a definition of such a plan) Yes _____ No _____

If no, please update your District's Site and Construction Master Plan and submit to the ICCB. Anticipated date of completion

- B. Submit the new square footage allocation (*use Square Footage Summary Attachment*) (*If land acquisition only then not necessary to complete this form*)

- C. Has the site been determined professionally to be suitable for construction purposes?
Yes _____ No _____

If yes, how was suitability determined (i.e., soil borings, inspection for hazardous materials, etc.)

Section III

- A. Submit the new square footage or the remodeled square footage allocation (*use Square Footage Summary Attachment*)

**Project Programmatic Justification
and Scope of Work**

**INSTRUCTIONS FOR COMPLETION OF THE
PROJECT PROGRAMMATIC JUSTIFICATION NARRATIVE**

These instructions are intended to provide the college with a baseline of the type of information to describe the programmatic benefits of the proposed project. For PHS projects, this section should primarily focus on and provide support for statutorily allowed expenditures for the protection, health and safety of faculty, students, staff, and visitors, fire protection/prevention systems, ADA accessibility, environmental protection, or a lawful order requiring the college to make improvements for the health and well being of faculty, students, staff and visitors. The length of the programmatic description should reflect the magnitude and complexity of the proposed project. Descriptions of work to be performed should be addressed in the Scope of Work section.

A narrative setting forth the specific purposes for which the project is requested must be presented. The programmatic justification should clearly describe the project explaining the rationale, the instructional areas affected, and functional relationships between instruction and the project. A PHS justification will focus on the allowable PHS activities/components and/or appropriate PHS authority. To assist in the development of a clear and concise programmatic justification, the following questions are presented for consideration. A programmatic justification does not necessarily lend itself to a question and answer format. The programmatic justification narrative should provide answers to the following questions for ICCB staff to better understand the project and consider it for approval.

1. What will the proposed project accomplish? PHS justification should include regulatory requirements (reference specific code requirements)
2. State how the project will meet the instructional objectives of the college.
3. How will the new or remodeled space better serve instructional/programmatic areas as compared to existing facilities?
4. What facilities are already available to meet the above-referenced objectives? (Should be reflected on the Square Footage Summary form if remodeling existing facilities.)
 - a. What is the current utilization rate of space designated for this instructional/programmatic area?
 - b. Why are existing facilities considered inadequate? Describe the condition of existing space designated for this instructional/programmatic area.
 - c. What factors are driving the need for new space? State the factors/conditions such as changes in enrollment patterns or enrollment mix, insufficient or inadequate types of space, an emerging local district issue/relationship/partnership, etc., which demonstrates programmatic need.
5. Is the project a part of the college master plan? (If not, explain why it is a priority and is the master plan being updated?)

Square footage discussed and explained in this section should also be reported on the Square Footage Summary form.

Programmatic Justification

Provide an explanation of the programmatic impact of the proposed project.

**INSTRUCTIONS FOR COMPLETION OF THE
SCOPE OF WORK NARRATIVE**

These instructions are intended to provide the college with a baseline of the type of information to describe the construction/work elements of the project. The length of the scope of work description should reflect the magnitude and complexity of the proposed project. Descriptions of the programs residing in the effected space should be addressed in the Programmatic Justification Narrative section.

This narrative is a statement setting forth the proposed work and defining the design parameters. The scope of work narrative should explain the nature of the work to be performed, general building conditions, and a site analysis. To assist in the development of a clear and concise scope of work narrative, the following questions are presented for consideration. A scope of work narrative does not necessarily lend itself to a question and answer format. The scope of work narrative should provide answers to the following questions for ICCB staff to better understand the project and consider it for approval.

1. What does the project include? Clearly describe the site(s), building(s), room(s), structure(s), equipment, utilities, land, and site improvements (i.e. landscaping, parking lot areas/spaces) affected by this proposed project. Describe the project using the applicable budget categories listed in Attachment #1 Project Budget. Clearly identify the name and address of any structures included in the project.
2. How does the proposed project relate to other ongoing or proposed projects?
3. Are there any state or federal rules or regulations which may impact the project budget? (IEPA, Historic Preservation, etc.) If so, be sure that costs of compliance are included in the estimated project costs?

Scope of Work

Provide an explanation of the specific work to be performed as part of this project.

Attachment #1 Project Budget

Check One: (LOCALLY FUNDED -other than Protection, Health, and Safety- see below)

- New Construction**
- Remodeling**

Project Name _____

	Budget Amounts	
	New Construction	Remodeling
Land		N/A
Site Development		N/A
Construction (including Fixed Equipment)		
Mechanical		
Electrical		
General Conditions		
Contingency (10%)		
A/E Professional Fees		
Total		

Approved by the _____ Board of Trustees

Date _____

Signed _____, Chairperson

_____, Secretary

Protection, Health, and Safety Project Name _____

	Budget Amounts
Project Costs	
Contingency	
A/E Professional Fees	
Total	

Attachment #2 Funding Source

District/College Name _____

Project Name _____

Check the source(s) of funds:

Available fund balance _____ Fund name(s): _____
(Including excess funds from
previously approved protection,
health, and safety projects)

Bond Proceeds _____ Type of bond issuance(s): _____
(including protection, health,
and safety bonds)

Protection, Health, and _____ Tax rate/fiscal year: _____
Safety Tax Levy
(ILCS 805/3-20.3.01)

Contract for Deed _____ Term of Contract for Deed in months: _____
(ILCS 805/3-36)

Lending Arrangement with a _____ Term of Lending Arrangements in months: ____
Financial Institution
(ILCS 805/3-37)

Lease Agreement _____ Term of Lease in months: _____
(ILCS 805/3-38)

Capital Renewal Funding _____ Proposed Fiscal Year Source(s): _____

Attachment #3
Locally Funded Project
 (other than a Protection, Health, and Safety Project—see separate form)

Budget and Certification

Name and address of architect/engineer providing the estimate:

I certify that the recommended construction project description and cost figures referred to herein were prepared by me or under my supervision, and to the best of my knowledge the description of the existing conditions and cost funds become available. I further certify that the project has been designed to meet the codes and standards required in Illinois Community College Board Rule 1501.604.

Architect/Engineer's Signature	Date
--------------------------------	------

Illinois Registration or License Number

Seal

Proposed budget: Use Attachment #1 and provide additional budget information on a separate sheet of paper, if necessary, to further explain the project budget.

Attachment PHS

The following four pages should be submitted only with PHS applications, when applicable. Generally, the signature and certification page are submitted with every PHS Project Application. It is not necessary to submit with a project financed with other local tax dollars or other sources of funding even though the project may have structural integrity or energy conservation implications.

Protection, Health, and Safety Signature/Certification Page

	<u>Check if Applicable</u>
Budget Certification (see attachment, always required)	_____
Structural Integrity Certification (see attachment, if applicable)	_____
Energy Conservation Certification (see attachment, if applicable)	_____
Feasibility Study Identifying Need of the Project (district generated document)	_____
Other District Documentation to Support the Justification of this Project	_____

We certify we have examined this application for the approval of a protection, health, and safety project, as defined in the project narration (programmatic and scope), the certifications listed above and any other documentation which may support this project as being eligible to be funded through a protection, health, and safety tax levy or from the proceeds of a protection, health, and safety bond issuance, as referenced in Attachment #2 (Funding Source).

Further, we certify the Board has approved the architect’s recommended budget, as referenced in Attachment #1 (Project Budget) and this project(s) meets the requirements of 110 ILCS 805/3-20.3.01 of the Act for proposed project(s) to make repairs or alterations which provide for the protection, health, and safety of students, faculty, and visitors.

Approved by the _____ Board of Trustees

Date _____

Signed _____, Chairperson

_____, Secretary

PROTECTION, HEALTH, AND SAFETY PROJECT**Budget and Certification**

Name and address of architect/engineer providing the estimate:

I certify that the recommended construction project description and cost figures referred to herein were prepared by me or under my supervision, and to the best of my knowledge the description of the existing conditions and cost funds are true and accurate. I further certify that the project has been designed to meet the codes and standards required in Illinois Community College Board Rule 1501.608 and meets the qualifications for an eligible protection, health, and safety project as defined in Section 3-20.3.01 of the Public Community College Act.

Architect/Engineer's Signature

Date _____

Illinois Registration or License Number

Seal

Proposed budget: Use Attachment #1 and provide additional budget information on a separate sheet of paper, if necessary, to further explain the project budget.

PROTECTION, HEALTH, AND SAFETY PROJECT

Structural Integrity

Name and address of architect/engineer providing the estimate:

I certify that the proposed project is necessary because the current condition of the facility poses a threat to the structural integrity of the facility.

Architect/Engineer's Signature

Date _____

Illinois Registration or License Number

Seal

PROTECTION, HEALTH, AND SAFETY PROJECT

Certification for Energy Conservation

Name and address of architect/engineer providing the estimate:

I certify that the methods and calculations used to determine the estimated energy usage, cost savings, and payback period, as submitted in the attached, meet or exceed those prescribed by industry standards. I further certify that the historic energy costs used in these calculations reflect accurately those of the college.

Architect/Engineer's Signature

Date_____

Illinois Registration or License Number

Seal

**Square Footage
Summary Attachment**

Square Footage Summary Attachment

District/College Name _____

Project Name _____

Identify the increased square footage associated with a new construction project or provide a detailed summary of the space affected by this project. If additional explanation is necessary, please include in the scope of work narrative.

	<u>Net Assignable Square Feet</u>		
	<u>(Use this column for new construction only)</u>	<u>(Use these columns for remodeling projects only)</u>	
	New Square Footage	Existing Square Footage	Remodeled Square Footage
Classrooms	_____	_____	_____
Laboratories	_____	_____	_____
Offices	_____	_____	_____
Study	_____	_____	_____
Special Use	_____	_____	_____
Support	_____	_____	_____
Other	_____	_____	_____
Total NASF	_____	_____	_____
Total Gross Square Feet (GSF)	_____	_____	_____
Efficiency (NASF / GSF)*	_____ %	_____ %	_____ %

*Minimum acceptable efficiency is 70 percent.

Architect Forms

(Capital Development Board Forms that need to be completed for state funded projects managed by the CDB such as Capital Renewal Projects)

- 1) Higher Education A/E Recommendation Form - - to be completed by the college
 - a. If you have not conducted a QBS process specifically to choose an architect for this project, then in addition to the Higher Education A/E Recommendation Form the CDB requires, you will need to provide the following:
 - A letter listing projects completed by the architect, whom you are recommending, that have a satisfactory working relationship (see sample letter included)
 - The letter should be addressed to the Illinois Capital Development Board and included with your application to the ICCB
 - The letter should list projects completed by the architect within the last five years, the projects' costs and completion dates
 - The letter should expressly state that the college district does have a satisfactory working relationship with the architect in accordance with exceptions granted by 50 ILCS 510
- 2) State of Illinois Financial Disclosures and Conflicts of Interest - - to be completed by the architect
- 3) Standard Business Terms and Conditions /Certifications - - to be completed by the architect

Date Sent to CDB:	For CDB Board Meeting Date:	Date Received by CDB:	
CONTACT PERSON:	PHONE NO:	FAX NO.	
HIGHER EDUCATION A/E RECOMMENDATION FORM			
CDB Project No.:	Appropriation Amount:	Estimated Total Project Cost:	
Project Title and Location:			
Project Scope of Work:			
This Firm is Recommended Because:			
#1 Architect/Engineer-Name/Address			
Total number of "Staff" Team assigned to this Project:			
Total number of "Licensed" Team assigned to this Project:			
Percent of Work to be completed by: Prime % Consultants %			
Is the Prime firm or any of its consultants a certified M/FBE: Yes No <input type="checkbox"/> Prime is FBE			
Consultants Anticipated for this Firm:			
Name/Address	Type of Work	% of Work	M/FBE

#2 Architect/Engineer-Name/Address			
Total number of “Staff” Team assigned to this Project			
Total number of “Licensed” Team assigned to this Project:			
Percent of Work to be completed by: Prime Consultants			
Is the Prime firm or any of its consultants a certified M/FBE: Yes No Consultant is MBE			
Consultants Anticipated for this Firm:			
Name/Address	Type of Work	% of Work	M/FBE
#3 Architect/Engineer-Name/Address			
Total number of “Staff” Team assigned to this Project:			
Total number of “Licensed” Team assigned to this Project			
Percent of Work to be completed by: Prime Consultants			
Is the Prime firm or any of its consultants a certified M/FBE: Yes No <input type="checkbox"/> Consultant is FBE			
Consultants Anticipated for this Firm:			
Name/Address	Type of Work	% of Work	M/FBE

SUMMARY OF A/E SELECTION PROCESS	
DATE OF ADVERTISEMENT:	
NUMBER OF SUBMITTALS:	
NUMBER OF MINORITY OWNED FIRMS: (MUST BE CERTIFIED WITH CMS OR IDOT)	
NUMBER OF FEMALE OWNED FIRMS:	
DATE OF INTERVIEWS:	
NUMBER OF INTERVIEWS:	
APPROVED AT BOARD OF TRUSTEES MEETING DATE:	

Sample Satisfactory Working Relationship Letter

(To be submitted with your ICCB Capital Renewal Funded Project Application. While this is only a sample letter, your letter should minimally contain the illustrated key information.)

Date

**Illinois Capital Development Board
William G. Stratton Building
401 S. Spring Street, 3rd Floor
Springfield, Illinois 62706**

CDB Staff:

The Board of Trustees of _____ Community College recommends the firm of Architect 1 Architects of _____, Illinois to be the architect for the _____ project. The college district has had a satisfactory working relationship with this architectural firm.

Architect 1 Architects is recommended based on the following:

- Previous work at the college
- Previous work for Illinois Community Colleges includes: 123 College, 456 Community College, 789 College, etc.
- CDB prequalified
- Familiarity with the college's campus and facilities

As support for our decision to not proceed with a new QBS process at this time, a listing of projects successfully completed by the architect over a number of years follows.

<u>Project Name</u>	<u>Architect Used</u>	<u>Date Completed</u>	<u>Completed Project Costs</u>
ABC	Arch 1	12/31/12	\$4,467,910
DEF	Arch 1	8/30/11	\$8,765,431
GHI	Arch 1	7/15/10	\$3,456,789
JKL	Arch 1	4/15/08	\$678,901

Please contact me if you have any questions or I can provide any clarifications.

Sincerely,

John or Jane Doe
ABC Community College District
123 Anywhere Street
Anywhere, IL 62XXX
Office Phone: 999-999-9999

STATE OF ILLINOIS FINANCIAL DISCLOSURES AND CONFLICTS OF INTEREST

Financial Disclosures and Conflicts of Interest forms (“forms”) must be accurately completed and submitted by the vendor, any parent entity(ies) and any subcontractors. There are **nine** steps to this form and each must be completed as instructed in the step heading, unless otherwise provided. A bid, offer, or proposal that does not include this form may be considered not responsive. The State/Public University will consider this form when evaluating the bid, offer, or proposal or awarding the contract.

The requirement of disclosure of financial interests and conflicts of interest is a continuing obligation. If circumstances change and the previously submitted form is no longer accurate, disclosing entities must provide an updated form.

Separate forms are required for the vendor, any parent entity(ies) and any subcontractors.

Subcontractor forms must be provided with a copy of the subcontract within 20 days after execution of the State/Public University contract or after execution of the subcontract, whichever is later, for all subcontracts with an annual value of more than \$25,000.

This disclosure is submitted for:

Vendor Vendor’s Parent (100% ownership) Subcontractor >\$25,000 Subcontractor’s Parent Entity > \$25,000

Project Name and IPB Number	Click here to enter text.
Vendor Name	Click here to enter text.
DBA	Click here to enter text.
Parent (100% ownership)	Click here to enter text.
Subcontractor	Click here to enter text.
Instrument of Ownership or Beneficial Interest	Choose an item. <input type="checkbox"/> If you selected Other, please describe: Click here to enter text.

STEP 1 SUPPORTING DOCUMENTATION SUBMITTAL

(All vendors complete regardless of annual contract value)
(Subcontractors with subcontract annual value of more than \$25,000 must complete)

You must select one of the five options below and select the documentation you are submitting. You must provide the documentation the applicable section requires with this form.

Option 1 - Publicly Traded Entities

- 1.A. I will complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 1.B. I have attached a copy of the Federal 10-K.

Option 2 - Privately Held U.S. Entities with more than 200 Shareholders

- 2.A. I will complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

OR

- 2.B. I will list in Step 2, Option A each qualifying individual or entity holding any ownership share in excess of 5% and have attached information Federal 10-K reporting companies are required to report under 17 CFR 229.401.

Option 3 - Privately Held U.S. Entities with 200 or fewer Shareholders, Members, or Owners, and Not Including Sole Proprietorships

- 3.A. I will complete Step 2, Option A for each qualifying individual or entity holding any ownership or distributive income share in excess of 5% or an amount greater than 60% (\$106,447.20) of the annual salary of the Governor.

Option 4 – Not-for-Profit Entities

- I will complete Step 2, Option B.

Option 5 - Sole Proprietorships

- I will skip to Step 3.

STEP 2

DISCLOSURE OF FINANCIAL INTEREST OR BOARD OF DIRECTORS

(All vendors, except sole proprietorships, must complete regardless of annual contract value)
 (Subcontractors with subcontract annual value of more than \$25,000 must complete)

Complete **either** Option A (for all entities other than not-for-profits) or Option B (for not-for-profits).

OPTION A – Ownership Share and Distributive Income

Ownership Share – If you selected Option 1.A., 2.A., 2.B., or 3.A. in Step 1, provide the name and address of each individual and their percentage of ownership if said percentage exceeds 5%, or the dollar value of their ownership if said dollar value exceeds \$106,447.20.

Check here if including an attachment with requested information in a format substantially similar to the format below.

Name	Address	Percentage of Ownership	\$ Value of Ownership
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Distributive Income – If you selected Option 1.A., 2.A., or 3.A. in Step 1, provide the name and address of each individual and their percentage of the disclosing vendor’s total distributive income if said percentage exceeds 5% of the total distributive income of the disclosing entity, or the dollar value of their distributive income if said dollar value exceeds \$106,447.20.

Check here if including an attachment with requested information in a format substantially similar to the format below.

Name	Address	% of Distributive Income	\$ Value of Distributive Income
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Please certify that the following statements are true.

I have disclosed all individuals or entities that hold an ownership interest of greater than 5% or greater than \$106,447.20.

Yes No

I have disclosed all individuals or entities that were entitled to receive distributable income in an amount greater than \$106,447.20 or greater than 5% of the total distributable income of the disclosing entity.

Yes No

OPTION B – Disclosure of Board of Directors (Not-for Profits)

List members of your board of directors. Please include an attachment if necessary.

Name	Address
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.

STEP 3

LOBBYIST OR AGENT

(Complete only if contract has an annual value over \$25,000)
 (Subcontractors with subcontract annual value of more than \$25,000 must complete)

Yes No. Is your company represented by or do you employ a lobbyist or other agent required to register under the Lobbyist Registration Act (lobbyist must be registered pursuant to the Act with the Secretary of State) or other agent who is not identified through Step 2, Option A above and who has communicated, is communicating, or may communicate with any State/Public University officer or employee concerning the bid or offer? If yes, please identify each lobbyist and agent, including the name and address below and complete Step 6 for each individual.

Name	Address	Relationship to Disclosing Entity
Click here to enter text.	Click here to enter text.	Click here to enter text.

Describe all costs/fees/compensation/reimbursements related to the assistance provided by each representative lobbyist or other agent to obtain a State/Public University contract: [Click here to enter text.](#)

STEP 4**PROHIBITED CONFLICTS OF INTEREST**

(All vendors must complete regardless of annual contract value)

(Subcontractors with subcontract annual value of more than \$25,000 must complete)

Step 4 must be completed for each individual or entity disclosed in Step 2, Option A above. Please provide the name of the individual or entity for which responses are provided: [Click here to enter text.](#)

1. Do you hold or are you the spouse or minor child who holds an elective office in the State of Illinois or hold a seat in the General Assembly? Yes No
2. Have you, your spouse, or minor child been appointed to or employed in any offices or agencies of State government and receive compensation for such employment in excess of 60% (\$106,447.20) of the salary of the Governor? Yes No
3. Are you or are you the spouse or minor child of an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority? Yes No
4. Have you, your spouse, or an immediate family member who lives in your residence currently or who lived in your residence within the last 12 months been appointed as a member of a board, commission, authority, or task force authorized or created by State law or by executive order of the Governor? Yes No
5. If you answered yes to any question in 1-4 above, please answer the following: Do you, your spouse, or minor child receive from the vendor more than 7.5% of the vendor's total distributable income or an amount of distributable income in excess of the salary of the Governor (\$177,412.00)? Yes No
6. If you answered yes to any question in 1-4 above, please answer the following: Is there a combined interest of self with spouse or minor child more than 15% (\$354,824.00) in the aggregate of the vendor's distributable income or an amount of distributable income in excess of two times the salary of the Governor? Yes No

STEP 5**CONFLICTS OF INTEREST RELATING TO PERSONAL RELATIONSHIPS**

(Complete only if contract has an annual value over \$25,000)

(Subcontractors with subcontract annual value of more than \$25,000 must complete)

Step 5 must be completed for each individual or entity disclosed in Step 2, Option A above.

Please provide the name of the individual or entity for which responses are provided: [Click here to enter text.](#)

1. Do you currently have, or in the previous 3 years have you had State employment, including contractual employment of services? Yes No
2. Has your spouse, father, mother, son, or daughter, had State employment, including contractual employment for services, in the previous 2 years? Yes No
3. Do you hold currently or have you held in the previous 3 years elective office of the State of Illinois, the government of the United States, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois? Yes No
4. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding elective office currently or in the previous 2 years? Yes No
5. Do you hold or have you held in the previous 3 years any appointive government office of the State of Illinois, the United States of America, or any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois, which office entitles the holder to compensation in excess of expenses incurred in the discharge of that? Yes No
6. Do you have a relationship to anyone (spouse, father, mother, son, or daughter) holding appointive office currently or in the previous 2 years? Yes No
7. Do you currently have or in the previous 3 years had employment as or by any registered lobbyist of the State government? Yes No
8. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) that is or was a registered lobbyist? Yes No
9. Do you currently have or in the previous 3 years had compensated employment by any registered election or re-election committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? Yes No
10. Do you currently have or in the previous 2 years had a relationship to anyone (spouse, father, mother, son, or daughter) who is or was a compensated employee of any registered election or reelection committee registered with the Secretary of State or any county clerk in the State of Illinois, or any political action committee registered with either the Secretary of State or the Federal Board of Elections? Yes No

STEP 6

EXPLANATION OF AFFIRMATIVE RESPONSES

(All vendors must complete regardless of annual contract value)

(Subcontractors with subcontract annual value of more than \$25,000 must complete)

If you answered “Yes” in Step 4 or Step 5, please provide on an additional page a detailed explanation that includes, but is not limited to the name, salary, State agency or university, and position title of each individual.

STEP 7
POTENTIAL CONFLICTS OF INTEREST
RELATING TO DEBARMENT & LEGAL PROCEEDINGS

(Complete only if contract has an annual value over \$25,000)
(Subcontractors with subcontract annual value of more than \$25,000 must complete)

This step must be completed for each individual or entity disclosed through Step 2 and Step 3.

1. Within the previous ten years, have you had debarment from contracting with any governmental entity? Yes No
2. Within the previous ten years, have you had any professional licensure discipline? Yes No
3. Within the previous ten years, have you had any bankruptcies? Yes No
4. Within the previous ten years, have you had any adverse civil judgments and administrative findings? Yes No
5. Within the previous ten years, have you had any criminal felony convictions? Yes No

If you answered “Yes”, please provide a detailed explanation that includes, but is not limited to the name, salary, State agency or university, and position title of each individual. [Click here to enter text.](#)

STEP 8

DISCLOSURE OF CURRENT AND PENDING CONTRACTS

(Complete only if contract has an annual value over \$25,000)
 (Subcontractors with subcontract annual value of more than \$25,000 must complete)

If you selected Option 1, 2, 3, or 5 in Step 1, do you have any contracts, pending contracts, bids, proposals, or other ongoing procurement relationships with units of State of Illinois government? Yes No.

If “Yes”, please specify below. Attach an additional page in the same format as provided below, if desired.

Agency/University	Project Title	Status	Value	Contract Reference/P.O./Illinois Procurement Bulletin #
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.
Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.	Click here to enter text.

Please explain the procurement relationship: [Click here to enter text.](#)

SIGN THE DISCLOSURE

(All vendors must complete regardless of annual contract value)
 (Subcontractors with subcontract annual value of more than \$25,000 must complete)

This disclosure is signed and made under penalty of perjury for all for-profit entities by an authorized officer or employee on behalf of the bidder or offeror pursuant to Sections 50-13 and 50-35 of the Illinois Procurement Code. This disclosure information is submitted on behalf of:

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

Signature: _____

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

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

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

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

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

STANDARD BUSINESS TERMS AND CONDITIONS

APRIL 2012

1 AVAILABILITY OF APPROPRIATION (30 ILCS 500/20-60): This contract is contingent upon and subject to the availability of funds. The State, at its sole option, may terminate or suspend this contract, in whole or in part, without penalty or further payment being required, if (1) the Illinois General Assembly or the federal funding source fails to make an appropriation sufficient to pay such obligation, or if funds needed are insufficient for any reason, (2) the Governor decreases the Department's funding by reserving some or all of the Department's appropriation(s) pursuant to power delegated to the Governor by the Illinois General Assembly; or (3) the Department determines, in its sole discretion or as directed by the Office of the Governor, that a reduction is necessary or advisable based upon actual or projected budgetary considerations. Contractor will be notified in writing of the failure of appropriation or of a reduction or decrease.

2 AUDIT/RETENTION OF RECORDS (30 ILCS 500/20-65): 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 under 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 three 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 three years from the later of final payment under the term or completion of the subcontract. If federal funds are used to pay contract costs, the Vendor and its subcontractors must retain its records for five years. Books and records required to be maintained under this section shall be available for review or audit by representatives of: the procuring Agency, the Auditor General, the Executive Inspector General, the Chief Procurement Officer, 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.

3 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.

4 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.

5 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.

6 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.

7 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.

8 INDEMNIFICATION AND LIABILITY: The Vendor shall indemnify and hold harmless the State of Illinois, its 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 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.

9 INSURANCE: Vendor shall, at all times during the term and any renewals, maintain and provide a Certificate of Insurance naming the State as additional insured for all required bonds and insurance. Certificates may not be modified or canceled until at least 30 days notice has been provided to the State. Vendor shall provide: (a) General Commercial Liability-occurrence form in amount of \$1,000,000 per occurrence (Combined Single Limit Bodily Injury and Property Damage) and \$2,000,000 Annual Aggregate; (b) Auto Liability, including Hired Auto and Non-owned Auto, (Combined Single Limit Bodily Injury and Property Damage) in amount of \$1,000,000 per occurrence; and (c) Worker's Compensation Insurance in amount required by law. Insurance shall not limit Vendor's obligation to indemnify, defend, or settle any claims.

10 INDEPENDENT CONTRACTOR: Vendor shall act as an independent contractor and not an agent or employee of, or joint venturer 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 checks.

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>). In compliance with the Illinois and federal Constitutions, the Illinois Human Rights Act, the U. S. Civil Rights Act, and Section 504 of the federal Rehabilitation Act and other applicable laws and rules the State does not unlawfully discriminate in employment, contracts, or any other activity.

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 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 notwithstanding any provision to the contrary that may be found in this contract.

STANDARD CERTIFICATIONS

Vendor acknowledges and agrees that compliance with this section and each subsection for the term of the contract and any renewals is a material requirement and condition of this contract. By executing this contract Vendor certifies compliance with this section and each subsection and is under a continuing obligation to remain in compliance and report any non-compliance.

This section, and each subsection, applies to subcontractors used on this contract. Vendor shall include these Standard Certifications in any subcontract used in the performance of the contract using the Standard Subcontractor Certification form provided by the State.

If this contract extends over multiple fiscal years including the initial term and all renewals, Vendor and its subcontractors shall confirm compliance with this section in the manner and format determined by the State by the date specified by the State and in no event later than July 1 of each year that this contract remains in effect.

If the Parties determine that any certification in this section is not applicable to this contract it may be stricken without affecting the remaining subsections.

1. As part of each certification, Vendor acknowledges and agrees that should Vendor or its subcontractors provide false information, or fail to be or remain in compliance with the Standard Certification requirements, one or more of the following sanctions will apply:
 - the contract may be void by operation of law,
 - the State may void the contract, and
 - the Vendor and its subcontractors may be subject to one or more of the following: suspension, debarment, denial of payment, civil fine, or criminal penalty.

Identifying a sanction or failing to identify a sanction in relation to any of the specific certifications does not waive imposition of other sanctions or preclude application of sanctions not specifically identified.

2. Vendor certifies it and its employees will comply with applicable provisions of the U.S. Civil Rights Act, Section 504 of the Federal Rehabilitation Act, the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) and applicable rules in performance under this contract.

3. Vendor certifies it is not in default on an educational loan (5 ILCS 385/3). This applies to individuals, sole proprietorships, partnerships and individuals as members of LLCs.
4. Vendor (if an individual, sole proprietor, partner or an individual as member of a LLC) certifies it has not received an (i) an early retirement incentive prior to 1993 under Section 14-108.3 or 16-133.3 of the Illinois Pension Code, 40 ILCS 5/14-108.3 and 40 ILCS 5/16-133.3, or (ii) an early retirement incentive on or after 2002 under Section 14-108.3 or 16-133.3 of the Illinois Pension Code, 40 ILCS 5/14-108.3 and 40 ILCS 5/16-133, (30 ILCS 105/15a).
5. Vendor certifies it is a properly formed and existing legal entity (30 ILCS 500/1.15.80, 20-43); and as applicable has obtained an assumed name certificate from the appropriate authority, or has registered to conduct business in Illinois and is in good standing with the Illinois Secretary of State.
6. To the extent there was a incumbent Vendor providing the services covered by this contract and the employees of that Vendor that provide those services are covered by a collective bargaining agreement, Vendor certifies (i) that it will offer to assume the collective bargaining obligations of the prior employer, including any existing collective bargaining agreement with the bargaining representative of any existing collective bargaining unit or units performing substantially similar work to the services covered by the contract subject to its bid or offer; and (ii) that it shall offer employment to all employees currently employed in any existing bargaining unit performing substantially similar work that will be performed under this contract (30 ILCS 500/25-80). This does not apply to heating, air conditioning, plumbing and electrical service contracts.
7. Vendor certifies it has not been convicted of bribing or attempting to bribe an officer or employee of the State of Illinois or any other State, nor has Vendor made an admission of guilt of such conduct that is a matter of record (30 ILCS 500/50-5).
8. If Vendor has been convicted of a felony, Vendor certifies at least five years have passed after the date of completion of the sentence for such felony, unless no person held responsible by a prosecutor's office for the facts upon which the conviction was based continues to have any involvement with the business (30 ILCS 500/50-10).
9. If Vendor, or any officer, director, partner, or other managerial agent of Vendor, has been convicted of a felony under the Sarbanes-Oxley Act of 2002, or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953, Vendor certifies at least five years have passed since the date of the conviction. Vendor further certifies that it is not barred from being awarded a contract and acknowledges that the State shall declare the contract void if this certification is false (30 ILCS 500/50-10.5).
10. Vendor certifies it is not barred from having a contract with the State based on violating the prohibition on providing assistance to the state in identifying a need for a contract (except as part of a public request for information process) or by reviewing, drafting or preparing solicitation or similar documents for the State (30 ILCS 500/50-10.5e).
11. Vendor certifies that it and its affiliates are not delinquent in the payment of any debt to the State (or if delinquent has entered into a deferred payment plan to pay the debt), and Vendor and its affiliates acknowledge the State may declare the contract void if this certification is false (30 ILCS 500/50-11) or if Vendor or an affiliate later becomes delinquent and has not entered into a deferred payment plan to pay off the debt (30 ILCS 500/50-60).
12. Vendor certifies that it and all affiliates shall collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with provisions of the Illinois Use Tax Act (30 ILCS 500/50-12) and acknowledges that failure to comply can result in the contract being declared void.
13. Vendor certifies that it has not been found by a court or the Pollution Control Board to have committed a willful or knowing violation of the Environmental Protection Act within the last five years, and is therefore not barred from being awarded a contract (30 ILCS 500/50-14).
14. Vendor certifies it has not paid any money or valuable thing to induce any person to refrain from bidding on a State contract, nor has Vendor accepted any money or other valuable thing, or acted upon the promise of same, for not bidding on a State contract (30 ILCS 500/50-25).
15. Vendor certifies it is not in violation of the "Revolving Door" section of the Illinois Procurement Code (30 ILCS 500/50-30).
16. Vendor certifies that it has not retained a person or entity to attempt to influence the outcome of a procurement decision for compensation contingent in whole or in part upon the decision or procurement (30 ILCS 500/50-38).
17. Vendor certifies it will report to the Illinois Attorney General and the Chief Procurement Officer any suspected collusion or other anti-competitive practice among any bidders, offerors, contractors, proposers or employees of the State (30 ILCS 500/50-40, 50-45, 50-50).
18. In accordance with the Steel Products Procurement Act, Vendor certifies steel products used or supplied in the performance of a contract for public works shall be manufactured or produced in the United States, unless the executive head of the procuring agency grants an exception (30 ILCS 565).
19. a) If Vendor employs 25 or more employees and this contract is worth more than \$5000, Vendor certifies it will provide a drug free workplace pursuant to the Drug Free Workplace Act.

b) If Vendor is an individual and this contract is worth more than \$5000, Vendor shall not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the performance of the contract (30 ILCS 580).

20. Vendor certifies that neither Vendor nor any substantially owned affiliate is participating or shall participate in an international boycott in violation of the U.S. Export Administration Act of 1979 or the applicable regulations of the U.S. Department of Commerce. This applies to contracts that exceed \$10,000 (30 ILCS 582).

21. Vendor certifies it has not been convicted of the offense of bid rigging or bid rotating or any similar offense of any state or of the United States (720 ILCS 5/33 E-3, E-4).

22. Vendor certifies it complies with the Illinois Department of Human Rights Act and rules applicable to public contracts, including equal employment opportunity, refraining from unlawful discrimination, and having written sexual harassment policies (775 ILCS 5/2-105).

23. Vendor certifies it does not pay dues to or reimburse or subsidize payments by its employees for any dues or fees to any "discriminatory club" (775 ILCS 25/2).

24. Vendor certifies it complies with the State Prohibition of Goods from Forced Labor Act, and certifies that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been or will be produced in whole or in part by forced labor, or indentured labor under penal sanction (30 ILCS 583).

25. Vendor certifies that no foreign-made equipment, materials, or supplies furnished to the State under the contract have been produced in whole or in part by the labor or any child under the age of 12 (30 ILCS 584).

26. Vendor certifies that it is not in violation of Section 50-14.5 of the Illinois Procurement Code (30 ILCS 500/50-14.5) that states: "Owners of residential buildings who have committed a willful or knowing violation of the Lead Poisoning Prevention Act (410 ILCS 45) are prohibited from doing business with the State until the violation is mitigated".

27. Vendor warrants and certifies that it and, to the best of its knowledge, its subcontractors have and will comply with Executive Order No. 1 (2007). The Order generally prohibits Vendors and subcontractors from hiring the then-serving Governor's family members to lobby procurement activities of the State, or any other unit of government in Illinois including local governments if that procurement may result in a contract valued at over \$25,000. This prohibition also applies to hiring for that same purpose any former State employee who had procurement authority at any time during the one-year period preceding the procurement lobbying activity.

28. Vendor certifies that information technology, including electronic information, software, systems and equipment, developed or provided under this contract will comply with the applicable requirements of the Illinois Information Technology Accessibility Act Standards as published at www.dhs.state.il.us/iitaa. (30 ILCS 587)

29. Vendor certifies that it has read, understands, and is in compliance with the registration requirements of the Elections Code (10 ILCS 5/9-35) and the restrictions on making political contributions and related requirements of the Illinois Procurement Code (30 ILCS 500/20-160 and 50-37). Vendor will not make a political contribution that will violate these requirements. These requirements are effective for the duration of the term of office of the incumbent Governor or for a period of 2 years after the end of the contract term, whichever is longer.

In accordance with section 20-160 of the Illinois Procurement Code, Vendor certifies as applicable:

Vendor is not required to register as a business entity with the State Board of Elections.

or

Vendor has registered **and has attached a copy** of the official certificate of registration as issued by the State Board of Elections. As a registered business entity, Vendor acknowledges a continuing duty to update the registration as required by the Act.

VENDOR (show Company name and DBA)

Signature _____

Printed Name _____

Title _____ Date _____

Address _____

Appendix B
Sample Board Resolutions

The following sample board resolution is for illustrative purposes only and is intended to highlight key elements needed for approval of a protection, health, and safety funded project. The sample resolution assumes that no excess PHS funds are currently available in the operations and maintenance restricted fund and clearly identifies what the source of funding will be to finance the project, the college's approval of the project, and the college's ability or lack of ability to pay for such project from the Operation and Maintenance Fund of the district. The college should consult their legal counsel if questions arise about contents of their resolution for specific projects.

**Resolution to Approve Protection,
Health, and Safety Projects**

- A. **Whereas**, pursuant to the provisions of the statutes of the State of Illinois, Community College District #123, is authorized to complete necessary projects dealing with health or safety of students, employees or visitors; and
- B. **Whereas**, there is a need for repair and alteration of certain facilities of ABC Community College District #123; and
- C. **Whereas**, Section 3-20.3.01 of the Public Community College Act authorizes the Board of Trustees, by proper resolution which specifically identifies the projects, to levy a tax to pay for such repairs or alterations upon the equalized assessed value of all the taxable property of the district at a rate not to exceed .05 percent per year for a period sufficient to finance such repairs or alterations; and
- D. **Whereas**, Section 3-20.3.01 of the Public Community College Act authorizes the Board of Trustees, by proper resolution which specifically identifies the projects, to sell protection health and safety bonds, not to exceed 4.5 million dollars, for such repairs or alterations and levy a tax sufficient to retire said outstanding bond issue over a period of years; and
- E. **Whereas**, the Board has received reports from a licensed professional architect that there are the following projects at ABC Community College which require repair and alterations, as defined in ICCB Rule 1501.601; and
- F. **Whereas**, those projects recommended for repair and alterations are:
- | | |
|--------------------|--------------------------|
| 1. Project #1 Name | Project #1 Budget Amount |
| 2. Project #2 Name | Project #2 Budget Amount |
- G. **Whereas**, the Board certifies these projects also meet the requirements of 805/3-20.3.01 of the Public Community College Act and are necessary projects for energy conservation, health or safety, environmental protection, or handicapped accessibility and not routine maintenance projects.

Now, be it resolved by the Board of Trustees of ABC Community College District #123, as follows:

1. The recitals set forth above are incorporated herein and made a part hereof.
2. The physical facilities described in the project(s) set forth above require alterations or repairs and are necessary to remove a health or safety hazard to the students, employees, or visitors of ABC Community College.
3. There are not sufficient funds available in the Operation and Maintenance Fund of ABC Community College to complete the project(s) set forth above.

4. The cost of the project set forth above, as determined in the certified estimate of a licensed architect, shall be financed in accordance with RECITAL C or RECITAL D (*specify which one*), as stated above, in the total dollar amount of \$_____.

5. Properly completed application forms shall be completed and forwarded to the President/CEO of the ICCB for approval of the above-referenced project(s).

Adopted this ___ day of _____ , 20XX.

Signed _____
Secretary of the Board

Date

Signed _____
Board Chairperson

Date

The following sample board resolution is for illustrative purposes only and is intended to highlight key elements needed for approval of a locally funded project. The specific scope of work for site acquisition, new construction or remodeling should be described, the project budget estimate/approved budget amount provided, and specific planned funding source will need to be tailored to fit your specific board resolution and project. This sample assumes there adequate funds available from a prior bond issuance. If the assumption is incorrect then the resolution language should be changed to reflect the facts. Further, if this resolution is for the acquisition of a secondary site then the resolution should be modified to reflect which programs of instruction or services will be offered at the new site in accordance with ICCB administrative rules.

Resolution to Approve a Locally Funded Capital Project

- H. **Whereas**, pursuant to the provisions of the statutes of the State of Illinois, Community College District #123, has reviewed the need for (describe the nature of the work and insert here); and
- I. **Whereas**, said Board of Trustees, on advice of staff and its paid architects, finds that it is in the best interests of the College, student and taxpayers of the district to proceed with such (describe the nature of the work and insert here); and
- J) **Whereas**, the estimated amount to complete the project is \$_____.

Now be it resolved by the Board of Trustees of Community College District #123 as follows:

- 1) There are sufficient funds available in the Restricted Operation and Maintenance Fund of the College, from a previous bond issuance, to complete the project(s) set forth above.
- 2) Properly completed capital project application forms shall be completed and forwarded to the President/CEO of the ICCB for approval of the above referenced project(s).
- 3) The Administration is authorized to execute all documents, and to take all actions necessary, for approval and completion of these projects consistent with 110 ILCS 805/3-20.301 and 23 Illinois Administrative Code Section 1501.608.

Adopted this _____ day of _____ , 20XX.

Signed _____
Secretary of the Board

Date

Signed _____
Board Chairperson

Date

Appendix C

Statements of Final Completion of State and Locally Funded Projects and Final Construction Compliance for PHS Projects

Statement of Final Completion of State and Locally Funded Projects

ICCB Project Title _____

ICCB Project # _____

Name and address of architect/engineer providing the Statement of Final Completion:

Final cost and scope of the project:

Approved Budget \$ _____

Actual Cost \$ _____

Approved Scope:

Actual Scope:

Classrooms	_____	_____
Laboratories	_____	_____
Offices	_____	_____
Study	_____	_____
Special Use	_____	_____
Support	_____	_____
Other	_____	_____
TOTAL NASF	_____	_____
TOTAL GSF	_____	_____

I have reviewed the originally approved construction program, cost estimate, actual construction work in place, and contractor's pay records, and hereby certify that to the best of my knowledge the project has been constructed within the original or amended budget and has met applicable plans, codes, and specifications.

Architect/Engineer's Signature

Date

Illinois Registration or License Number

Seal

District Official's Signature

Date

Protection, Health, and Safety Project

Statement of Final Construction Compliance

ICCB Project Title _____

ICCB Project # _____

Name and address of architect/engineer providing the Statement of Final Construction Compliance:

Final cost of the project:

Approved Budget \$ _____ Actual Cost \$ _____

I have reviewed the originally recommended construction program, cost estimate, actual construction work in place, and contractor’s pay records, and hereby certify that to the best of my knowledge the project has been constructed within the original or amended budget and has met applicable plans, codes, and specifications.

Architect/Engineer’s Signature

Date

Illinois Registration or License Number

Seal

Approved by the _____ Board of Trustees

Date _____

Signed _____, Chairperson

_____, Secretary

Appendix D
Facilities Codes

Facilities Codes

All construction, remodeling, and rehabilitation of facilities, whether funded through local sources, are required to be in compliance with the latest editions of the following codes (ICCB Rule 1501.603f).

- f) Construction Standards. The standards listed in this subsection shall be applied in the design and construction of facilities.
 - 1) Building Efficiency. Campuswide building efficiency should be at least 70 percent. However, individual buildings may be below this level if they are high-rise (four or more floors), include a large number of small classrooms and/or labs, or if a large portion of the building is designed for custodial or mechanical purposes to serve the entire campus.
 - 2) Facilities Codes. All construction, remodeling, and rehabilitation of facilities shall be in compliance with the following standards:
 - A) All incorporations by reference refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified:
 - i) International Building Code, 2003 Edition (International Code Council, 4051 W. Flossmoor Rd., Country Club Hills, Illinois 60478-5795).
 - ii) International Mechanical Code, 2003 Edition (International Code Council, 4051 W. Flossmoor Rd., Country Club Hills, Illinois 60478-5795).
 - iii) National Electrical Code, (NFPA 70, 2002 Edition (National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471).
 - iv) National Fire Protection Association 101, Life Safety Code, 2003 Edition (National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471).
 - v) ASHRAE Standard 90.1-2001, Energy Standard for Buildings Except Low-Rise Residential Buildings, 2001 Edition (American Society of Heating, Refrigeration, Air Conditioning Engineers, 1791 Tullie Circle, Atlanta, Georgia 30329).
 - B) Illinois administrative rules that are referenced in this Part are:
 - i) Illinois Plumbing Code (77 Ill. Adm. Code 890).
 - ii) Illinois Accessibility Code (71 Ill. Adm. Code 400).
 - iii) Fire Prevention and Safety (41 Ill. Adm. Code 100).

- C) Any local building codes that may be more restrictive than the code listed above.
- 3) State of Illinois Building Related Requirements. To assist the architect in determining which codes might be applicable to a project, the Capital Development Board (CDB) Division of Building Codes and Regulations has assembled a Directory of Illinois Building Related Requirements that lists all the statutory requirements relative to State construction. It also includes a table of primary codes/standards/specifications for State of Illinois building requirements. This directory is available from the CDB Division of Building Codes and Regulations website (www.abc.state.il.us) or by calling (217) 557-7500.

Appendix E

ICCB Administrative Rules - Subpart F: Capital Projects

Administrative Rules of the Illinois Community College Board**SUBPART F: CAPITAL PROJECTS****Section 1501.601 Definition of Terms**

Alter. To remodel or modify a facility, without changing its original purpose or adding to its total dimensions, that would have been constructed differently had existing handicapped accessibility, energy conservation, or environmental protection laws, codes, or standards [as specified in Section 1501.603(f)(2)] been in effect at the time of construction.

Building Efficiency. "Building efficiency" is the ratio of the total net assignable square feet (NASF) of a building, which includes the interior of classrooms, class laboratories, offices, study areas, libraries, special or general use areas, and supporting areas for each of these space types, to the total gross square feet (GSF) of a building, which includes circulation areas, custodial areas, mechanical areas and structural areas plus the NASF as defined above.

Capital Project Design Phase. The design phase of a capital project includes development of detailed architectural plans, specifications, and cost estimates.

Capital Project Needs Assessment. Capital project needs assessment is the initial conceptualization and justification of the scope of the project.

Credits. "Credits" are capital project local contribution allowances certified by the ICCB at its Board meeting on September 18, 1987.

Facility. Any physical structure or entity that is necessary for the delivery of the district's programs and related services.

Hazard. A hazard is a risk or peril resulting from unsanitary conditions, deficiencies in codes specified in Section 1501.603(f)(2), conditions increasing the risk of fire, or conditions otherwise endangering human life to a degree greater than normal.

Licensed Architect or Engineer. An architect or engineer licensed by or registered with the Illinois Department of Professional Regulation.

Locally Funded. A "locally funded" project is a capital project funded totally from local district bond issues, local district operating funds, federal grants, foundation or other grants, gifts, student fees, or any nonstate-appropriated source.

Maintenance Project. A maintenance project is one which keeps a facility or asset in efficient operating condition, preserves the condition of the property, or restores property to a sound state after prolonged use.

Primary Site. A primary site includes any site constituting a campus as defined in Section 1501.301.

Repair. To rehabilitate or return a facility to its original condition after damage or deterioration, without changing its original purpose or adding to its total dimensions, when the condition of the facility poses a hazard to individuals or threatens the structural integrity of the facility.

Scope. "Scope" is a term relating to the parameters of the project, primarily the physical dimensions of the project and the function of space included therein.

Secondary Site. A secondary site is any location where the district maintains a permanent presence, but does not meet the criteria of a primary site.

State-Funded. A "state-funded" project is a capital project partially or fully funded with a state appropriation.

Structural Defect/Deficiency Project. A "structural defect/deficiency" project is a capital project which has a defect or deficiency directly attributable to inadequate design or construction, or defective construction materials.

Section 1501.602 Approval of Capital Projects

- a) Notwithstanding any provision to the contrary [see subsection b and Section 1501.604(b)], requests for approval of capital projects shall be submitted to the ICCB on the forms prescribed by the ICCB.
- b) A project requiring the expenditure of state or local funds for purchase, construction, remodeling, or rehabilitation of physical facilities at a primary or secondary site shall have prior ICCB approval, except the following: (1) locally funded projects that meet the definition of a maintenance project as defined in ICCB Rule 1501.601, or (2) locally funded projects that result in no change in room use, or (3) locally funded projects for which the total estimated cost is less than \$250,000.
- c) An updated District Site and Construction Master Plan shall be filed with the ICCB by July 1 of the year in which the district undergoes its recognition evaluation. The purpose of the plan is to apprise the ICCB of possible primary site new construction and secondary site acquisition/construction plans for the next five years throughout the district. The plan should be updated, as needed, to ensure that any project submitted for approval has been reflected in the district plan on file with the ICCB at least two months prior to submission of the project. Any primary site new construction or secondary site acquisition/construction projects must be reflected in the plan in order to receive consideration for approval. The plan, at a minimum, shall consist of a map of the district showing the location of all facilities owned by the district or leased for a period exceeding five years and a narrative describing the district's:
 - 1) Current permanent facilities where additions are planned.

- 2) General plans for future site acquisition or acquisition/construction of permanent facilities either on the primary site or secondary sites. The location may be identified in terms of the general geographic area within the district.
 - 3) Proposed schedule for acquiring additional sites, constructing additions to existing facilities, or acquiring/constructing new permanent facilities.
 - 4) The intended use of all proposed site acquisitions and facility acquisition/construction.
- d) The authority to approve locally funded projects is delegated to the President/CEO of the ICCB, who shall in turn report such actions to the ICCB.

Section 1501.603 State-Funded Capital Projects

- a) **Projects Eligible to Receive State Funds.** State funds may be requested for capital projects, both those to be purchased and those to be constructed, as defined herein. The funds shall be requested prior to construction and may include or consist of architectural and engineering fees associated with the project. Such projects shall consist of:
- 1) **Buildings, Additions, and/or Structures (including fixed equipment).** Types of buildings that may be included are:
 - A) Administration and student personnel services facilities.
 - B) Central utility facilities.
 - C) Classrooms.
 - D) Fine and applied arts classrooms and laboratories.
 - E) Libraries.
 - F) Occupational, technical, and semi-technical laboratories, shops, and classrooms.
 - G) Other structures used for the operation and maintenance of the campus.
 - H) Physical education instructional facilities.
 - I) Science laboratories and related science facilities.
 - J) Student areas appropriate to the needs of a commuter institution, including food services, lounge areas, study areas, storage lockers, child care facilities, and facilities for student activities such as newspaper editing and student government.
 - 2) Land.
 - 3) Movable Equipment.
 - 4) Utilities (those beyond a five foot perimeter of buildings).
 - 5) **Remodeling or Rehabilitation of Existing Facilities.** Such projects include provision for:
 - A) Access for handicapped students.
 - B) Emergency repairs (including construction defects/deficiencies).
 - C) Energy conservation.
 - D) Programmatic changes.

- 6) Site Improvements.
 - A) Clearance.
 - B) Drainage.
 - C) Earth movement.
 - D) Finish grading, seeding, landscaping.
 - E) Other work required to make land usable as a building site.
 - F) Parking.
 - G) Streets and walkways.
 - 7) Planning. A building project may be divided into sub-projects with planning funds (architect or engineering fees) requested for one fiscal year and construction funds requested in a subsequent year.
- b) Application Criteria for New Construction Projects at the Primary Site. In order for capital projects for new construction to be considered for state funding, the following requirements shall be met:
- 1) The information required under Section 1501.510(a) shall have been submitted.
 - 2) Certification of local board approval of the project(s) requested shall be provided.
 - 3) Certification shall be provided that funds or credits are available to provide the local share of the project(s) in accordance with Articles IIIA and V of the Act.
 - 4) Certification shall be provided that a suitable construction site is available. Suitability is determined through a site feasibility study and a Capital Development Board technical evaluation. The feasibility study shall address, at a minimum, the following:
 - A) The location of the site in relation to geography and population of the entire district and in relation to sites of the district's other colleges.
 - B) The impact on the surrounding environment, including the effect of increased traffic flow.
 - C) Accessibility to the site by existing and planned highways and/or streets.
 - D) Cost of development of the site in relation to topography, soil condition, and utilities.
 - E) Size of the proposed site in relation to projected student population (as determined by census data) and land cost.
 - F) The number, location, and characteristics (types of terrain, geography, roadway access, and suitability of the site for building purposes) of alternative sites considered.

- G) The location of the site in relation to existing institutions of higher education.
- 5) Requests for site acquisition shall include a local board of trustees authorization to purchase the site, a copy of the feasibility study, a local board of trustees resolution that local funds are available, a copy of the Capital Development Board evaluation, three appraisals of the property, and a written request for ICCB approval in addition to the information requested in the Resource Allocation and Management Plan/Community Colleges (RAMP/CC).
 - 6) Evidence of need for the space requested shall be provided either on a general enrollment basis as specified in Section 1501.603(e)(1)(C) or a specific program need basis as specified in Section 1501.603(e)(1)(D).
 - 7) The project shall be within the mission of a community college as set forth in Section 1-2(e) of the Act.
- (c) Application Criteria for Remodeling and Rehabilitation Projects. Projects to remodel and rehabilitate a facility shall require submittal of the following:
- 1) An application on forms prescribed by the ICCB.
 - 2) Certification of local board approval of the project(s) requested.
 - 3) Certification that funds or credits are available to provide the local share of the project(s) in accordance with Articles IIA and V of the Act.
 - 4) A summary detailing the effects of the remodeling on space usage (classrooms, laboratories, offices...).
 - 5) A justification statement regarding the need to remodel.
- d) Application Criteria for Secondary Site Projects. Projects for the acquisition/ construction of a new site and/or structure for purposes other than a primary site facility and projects for acquisition of sites and/or structures adjacent to the primary site shall require submittal of the following:
- 1) A resolution by the local board of trustees stating that:
 - A) Local funds or credits are available to provide the local share of the project(s) in accordance with Articles IIA and V of the Act.
 - B) The programs offered have been approved by the ICCB and Illinois Board of Higher Education (IBHE) or approval of these stated programs by those boards is pending.
 - 2) Copies of at least two appraisals of the property.
 - 3) Verification that the condition of the facility is not a threat to public safety. This shall include tests of structural integrity, asbestos, toxic materials,

underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not preclude the procurement of the site/structure but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)

- 4) Identification of the location of the site and its relationship to the main campus, community college facilities in contiguous districts, and other higher education facilities in contiguous districts.
 - 5) Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site/structure.
- e) **Project Priority Criteria.** All projects must meet requirements as stated in ILCS 805/5-3 and 5-4. Capital project priorities will be established within the categories named in Section 1501.603(a) according to the following criteria:
- 1) **New Facilities:** The acquisition of buildings/additions/structures through construction of new facilities or purchase of existing facilities. Includes planning, qualifying fixed and moveable equipment as necessary to support the new facility, land acquisition required for the facility, and any site improvements or utility work necessary to support the facility. All requests for new facilities must meet the criteria specified in either Rule 1501.603(b) for new construction at a primary site or 1501.603(d) for secondary site projects.

Each of the following criteria will be considered in establishing priorities for new facilities:

A) Type of space to be constructed (in priority order):

i) Instructional, study, office and student areas (all weighted equally):

Instructional space including basic classrooms, lecture halls, seminar rooms and other rooms used primarily for scheduled instruction, both credit and noncredit. These rooms may contain multimedia or telecommunications equipment. Space utilized as classroom service, i.e., projection rooms, telecommunication control booths, closets, etc., are included. **(FICM Codes 110 - 115).** Instructional space also includes laboratory facilities, both class and open, used for instructional purposes and service areas that serve as an extension of the activities of the laboratory **(FICM Codes 210 - 255).**

- Study areas including all library facilities, any rooms or areas used by individuals at their convenience, general learning labs, and any service areas necessary to support the activities of these rooms. **(FICM Codes 410 - 455).**
- Office facilities that provide work areas to support the academic, administrative, and service functions of the colleges. Also includes rooms such as student counseling rooms and testing

areas, staff conference rooms, file rooms, and break rooms **(FICM Codes 310 - 355)**.

- Student service areas include general use facilities such as child care facilities **(FICM Codes 640 and 645)**, food service facilities **(FICM Codes 630 and 635)**, lounge facilities **(FICM Codes 650 and 655)**, merchandise areas such as bookstores, student supply stores, or ticket outlet services **(FICM Codes 660 and 665)**, and rooms utilized for recreation and amusement **(FICM Codes 670 and 675)**. Meeting rooms used by the institution or the general public for a variety of nonclass meetings also are included **(FICM Codes 680 and 685)**.
 - ii) Support areas including central administrative computer and telecommunications rooms, maintenance shops, garages, warehouses, and storage facilities **(FICM Codes 710 - 765)**.
 - iii) Assembly areas including theaters, auditoriums, arenas, exhibition rooms, and concert halls used primarily for general presentations or performances. Includes areas that serve as an extension of the activities in that facility **(FICM Codes 610 - 625)**.
 - iv) Physical education areas used for physical education instructional programs, intercollegiate, and recreational activities. Includes areas such as gymnasias, athletic courts, swimming pools, and other special use athletic facilities **(FICM Codes 520, 523, and 525)**. **(Does not include specific classrooms more appropriately classified under FICM code series 100.)**
 - v) Special use facilities not included elsewhere such as armory, armory services, media production services, clinics, etc. **(FICM Codes 510, 515, and 530-590)**.
- B) Core Campus Considerations. Priorities will be assigned to colleges who do not have adequate core campus components in place. A core campus generally consists of classrooms, laboratories, student services, day care, learning resources/library, business and industry training services and facilities to support high enrollment programmatic areas.
- C) Space Criteria/Considerations.
- Utilization of Existing Space. Priorities will be assigned so that the higher utilization rate generated by weekly instructional hours for credit and noncredit courses offered at permanent locations owned by the college (college holds title, lease purchase, or purchasing contract for deed), the higher the priority will be assigned. Instructional hours are defined as those enrollments generated by students taking credit and noncredit courses.
 - Space per Student. Requests for space will be assigned priorities so that the less existing permanent space per student available at facilities owned by the college (college holds title, lease purchase, or contract for deed), the higher the priority assigned to the project.

- D) Program Considerations. Consideration will be given to the need for special facilities based on the programs to be housed in the requested facilities. Priorities will be assigned so that the greater the need for special facilities, the higher the priority. Criteria evaluated for need will include (not in priority order) but not be limited to:
- i) Documented need as evidenced by the college's accountability and productivity reviews.
 - ii) Labor market demand for completers of the program (as indicated by current manpower data).
 - iii) Unavailability of special facilities needed for the program.
 - iv) Other special needs or measures as described in the program justification statement submitted by the college with the project request.
- 2) Remodeling or Rehabilitation of Existing Facilities. Remodeling or rehabilitation projects will be evaluated on (1) structural considerations **and/or** programmatic considerations and (2) core campus considerations, if applicable to project. Requests for remodeling or rehabilitation projects must meet the criteria specified in Rule 1501.603(c). The following criteria will establish the order of remodeling/ rehabilitation projects:
- A) Structural Considerations (in priority order).
- i) Those projects which will reduce physical health and safety hazards to the student body and staff (e.g., structural defects/deficiencies, handicapped modifications).
 - ii) Overall condition of space and/or other structural integrity considerations.
 - iii) Those projects which will result in financial and/or natural resource savings (e.g., energy conservation).
 - iv) Those projects which will result in the development of more efficient utilization of existing space.
- B) Program Considerations. Consideration will be given to the need for remodeling or rehabilitation of facilities based on the programs to be housed in the facilities. Priorities will be assigned so that the greater the need for remodeling or rehabilitation the higher the priority. Criteria evaluated for need will include (not in priority order), but not be limited to:
- i) Documented need as evidenced by the college's accountability and productivity reviews.
 - ii) Labor market demand for completers of the program (as indicated by current manpower data).
 - iii) Unavailability of special facilities needed for the program.
 - iv) Other special needs or measures as described in the program justification statement submitted by the college with the project request.
- C) Core Campus Considerations. Priorities will be assigned to colleges who demonstrate the need for remodeling or rehabilitation of existing core

campus components due to either structural integrity issues or increased demand for services. A core campus generally consists of classrooms, laboratories, student services, day care, learning resources/ library, business and industry training services and facilities to support high enrollment programmatic areas.

- 3) Land. Requests for state funds for land purchases not related to new facilities acquisition will be evaluated based on the need to support existing campus facilities and services. Requests must meet applicable criteria specified in Rule 1501.603(b) for land purchases at the primary site or Rule 1501.603(d) for secondary site projects.
 - 4) Utilities. Utilities projects (beyond a five foot perimeter of buildings) not related to new facility acquisition will be evaluated based on the need to support existing campus facilities and services.
 - 5) Site Improvements. Site improvements not related to new facilities acquisition will be evaluated in conjunction with the facilities to which they relate and other demonstrated need.
 - 6) Additional consideration may be given to the priority ranking of a project if it had previous ICCB approval for planning or construction.
- f) Construction Standards. The following standards shall be applied in the design and construction of facilities:
- 1) Building Efficiency. Campuswide building efficiency should be at least 70 percent. However, individual buildings may be below this level if they are high-rise (four or more floors), include a large number of small classrooms and/or labs, or if a large portion of the building is designed for custodial or mechanical purposes to serve the entire campus.
 - 2) Facilities Codes. All construction, remodeling, and rehabilitation of facilities shall be in compliance with the following standards:
 - A) All incorporations by reference refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified:
 - i) International Building Code, 2003 Edition (International Code Council, 4051 W. Flossmoor Rd., Country Club Hills, Illinois 60478-5795).
 - ii) International Mechanical Code, 2003 Edition (International Code Council, 4051 W. Flossmoor Rd., Country Club Hills, Illinois 60478-5795).
 - iii) National Electrical Code (NFPA 70, 2002 Edition (National Fire Protection Association), 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471).

- iv) National Fire Protection Association 101, Life Safety Code, 2003 Edition (National Fire Protection Association), 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471.
 - v) ASHRAE Standard 90.1-2001, Energy Standard for Buildings Except Low-Rise Residential Buildings, 2001 Edition (American Society of Heating, Refrigeration, Air Conditioning Engineers, 1791 Tullie Circle, Atlanta, Georgia 30329).
- B) Illinois administrative rules that are referenced in this Part are:
- i) Illinois Plumbing Code (77 Ill. Adm. Code 890).
 - ii) Illinois Accessibility Code (71 Ill. Adm. Code 400).
 - iii) Fire Prevention and Safety (41 Ill. Adm. Code 100).
- C) Any local building codes that may be more restrictive than the code listed above.
- 3) State of Illinois Building Related Requirements. To assist the architect in determining which codes might be applicable to a project, the Capital Development Board (CDB) Division of Building Codes and Regulations has assembled a Directory of Illinois Building Related Requirements that lists all the statutory requirements relative to State construction. It also includes a table of primary codes/standards/specifications for State of Illinois building requirements. This directory is available from the CDB Division of Building Codes and Regulations website (www.ibc.state.il.us) or by calling (217) 557-7500.

Section 1501.604 Locally Funded Capital Projects

- a) All locally funded capital projects shall meet the same codes or standards listed in Section 1501.603(f)(2).
- b) Requests for ICCB approval of locally funded capital projects shall be submitted using forms prescribed by the ICCB. All locally funded capital projects must receive prior ICCB approval except those meeting any one of the following criteria:
 - 1) A project which meets the definition of a maintenance project as specified in Section 1501.601.
 - 2) A project which does not create a change in room use.
 - 3) A project which is less than \$250,000 regardless of the work being performed.
- c) Requests for ICCB approval of locally funded capital projects shall be submitted to the ICCB according to the following criteria:
 - 1) All capital projects other than those excluded in Section 1501.604(b) require ICCB approval during the design phase of the project.

- 2) Capital projects estimated to cost in excess of \$2.5 million shall be reported to the ICCB following a project needs assessment.
 - 3) The final budget and scope of the project shall be reported to the ICCB after bids are received but before contracts are awarded. If the budget or scope exceeds that approved by the ICCB, the project shall be resubmitted for approval.
- d) Application Criteria for New Construction Projects at the Primary Site. Applications for new construction projects submitted to the ICCB shall have attached to them the following:
- 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
 - 2) A statement identifying the source of local funds for the project.
 - 3) For primary sites, certification shall be provided that a suitable construction site is available. Suitability is determined through a site feasibility study. The feasibility study shall address, at a minimum, the following:
 - A) The location of the site in relation to geography and population of the entire district and its relation to sites of the district's other colleges, community college facilities in other contiguous districts, and other higher education facilities in contiguous districts.
 - B) The impact on the surrounding environment, including the effect of increased traffic flow.
 - C) Accessibility to the site by existing and planned highways and/or streets.
 - D) Cost of development of the site in relation to topography, soil condition, and utilities.
 - E) Size of the proposed site in relation to projected student population (as determined by census data) and land cost.
 - F) The number, location, and characteristics (types of terrain, geography, roadway access, and suitability of the site for building purposes) of alternative sites considered.
 - 4) Requests for primary site acquisition shall include three appraisals of the property.
 - 5) Evidence of need for the space requested shall be provided either on a general enrollment basis as specified in Section 1501.603(e)(4)(C) or a specific program need basis as specified in Section 1501.603(e)(4)(D).
 - 6) The project shall be within the mission of a community college as set forth in Section 1-2(e) of the Act.

- e) Application Criteria for Projects Funded in Accordance with Section 3-37 of the Act. In addition to the above, applications for projects proposed for funding in accordance with Section 3-37 of the Act must include:
 - 1) A copy of the proposed lease agreement showing that income is sufficient to pay the costs of constructing or acquiring and operating and maintaining the facility for the life of the installment loan arrangement entered into by the college.
 - 2) A copy of the loan arrangement entered into by the college showing the installment costs to be incurred by the college.
 - 3) Any other agreement between the college and another group which commits funds toward the project by that group.
- f) Application Criteria for Remodeling and Rehabilitation Projects. Projects to remodel and rehabilitate a facility shall require submittal of the following:
 - 1) A copy of the resolution or motion passed by the local board of trustees approving the budget and scope of the project.
 - 2) A statement identifying the source of local funds for the project.
 - 3) A summary detailing the effects of the remodeling on space usage (classrooms, laboratories, offices...).
 - 4) A justification statement regarding the need to remodel.
- g) Application Criteria for Secondary Site Projects. Projects for the acquisition/ construction of a new site and/or structure for purposes other than a primary site facility and projects for acquisition of sites and/or structures adjacent to the primary site shall require submittal of the following:
 - 1) A resolution by the local board of trustees stating that:
 - A) Funds are available to procure the site.
 - B) The programs offered have been approved by the ICCB and IBHE or approval of these stated programs by those boards is pending.
 - 2) Copies of at least two appraisals of the property.
 - 3) Verification that the condition of the facility is not a threat to public safety. This shall include tests of structural integrity, asbestos, toxic materials, underground storage tanks, and other hazardous conditions. (Findings regarding the existence of these hazards shall not preclude the procurement of the site/structure but the knowledge of the hazardous condition and any costs incurred in correcting the condition shall be incorporated into the total cost of procuring the facility.)

- 4) Identification of the location of the site and its relationship to the main campus, community college facilities in other contiguous districts, and other higher education facilities in contiguous districts.
 - 5) Identification of all estimated costs associated with the purchase and any subsequent construction and/or rehabilitation of the site/structure.
- h) Construction projects for use by the college which are financed in whole or in part by college foundations are to be submitted for ICCB approval as locally funded projects.

Section 1501.605 Project Changes

Changes in budget and/or scope to approved construction projects shall be submitted for approval according to the following criteria:

- a) Changes in budget/scope totaling five percent or less of the approved project budget/scope shall be reconciled at the completion of the project and submitted to the ICCB for information purposes.
- b) When changes in the project budget/scope have reached 5 percent, any subsequent change modifying the budget/scope of the project shall require approval by the ICCB President/CEO, prior to expenditure of funds on the additional work. The criteria which the ICCB President/CEO will use for approving changes in the project budget/scope will be the same as are listed in Sections 1501.603 and 1501.604 above.

Section 1501.607 Reporting Requirements

Each college shall submit the items listed below in a format prescribed by the ICCB and according to the schedules indicated;

- a) Progress reports of all construction projects by January 1 of each year.
- b) Course resource data showing the facilities used by each course offered for credit during the fall term within thirty (30) days after the end of the term.
- c) An inventory of its facilities and an update of this inventory annually as of the fall term within sixty (60) days after the end of the fall term.

Section 1501.608 Approval of Projects in Section 3-20.3.01 of the Act

Projects proposed for construction under the provisions of Section 3-20.3.01 of the Act shall meet the criteria listed below.

- a) Each proposed project shall meet the definition of "alter" or "repair" in Section 1501.601.
- b) Each proposed project shall meet the definition of "facility" in Section 1501.601 and be owned by the district or leased where the district has assumed the obligation to make alterations or repairs.

- c) Each proposed project shall not be considered a maintenance project.
- d) Projects to repair facilities shall be for the purpose of correcting a hazard.
- e) Each proposed project shall be one which is estimated by a licensed architect or engineer to cost \$25,000 or more, and if financed through bonds in accordance with Section IIIA of the Act, is estimated by a licensed or registered architect or engineer to cost no more than \$1,500,000. A project may have several component parts if these components clearly relate to the same objective.
- f) Each proposed project shall have prior approval of the ICCB or its Executive Director (subsequently changed to President/CEO).
- g) Each proposed energy conservation project shall provide an estimated "pay back" of eight years or less as certified by a licensed architect or engineer.
- h) Each project shall meet the codes specified in Section 1501.603(f)(2).
- i) An application for each proposed project shall be submitted to the ICCB for approval on forms prescribed by the ICCB and shall include all of the following:
 - 1) A certified copy of a lawful order of any federal, state, county, or municipal agency having authority in statute or ordinance to regulate the protection, health, or safety of individuals as such relate to community college facilities; a licensed architect or engineer's certification that the present condition of the facility poses a threat to the structural integrity of the facility; or a copy of the resolution indicating that the local board of trustees has determined that the proposed project is necessary for energy conservation, health or safety, environmental protection, or handicapped accessibility purposes.
 - 2) A copy of a statement that, in the judgment of the local board of trustees, there are not sufficient funds available in the Operations and Maintenance Fund of the district to fund the project.
 - 3) A certified copy of a licensed architect or engineer's estimated budget of the cost and scope of the project.
 - 4) A copy of the local board of trustees' action authorizing the project.

Section 1501.609 Completion of Projects Under Section 3-20.3.01 of the Act

When completed, each project shall be certified by a licensed or registered architect or engineer as having been constructed within the budget and having met applicable plans, codes, and specifications.

Section 1501.610 Demolition of Facilities

A district may demolish a facility owned by the district. The ICCB shall be notified upon demolition of the facility.

Appendix F

Postsecondary Education Facilities Inventory and Classification Manual (PEFI&CM)-Chapter 4 and Portions of Chapter 5

the manual can be found at the U.S. Department of
Education website : <http://nces.ed.gov/pubsearch>
by searching for publication #2006-160

Appendix G
Quality-Based Selection Process

Quality-Based Selection Guidelines Selection of an Architect

Introduction

Under Public Law 85-854 (50 ILCS 510) community colleges are required to base their selection of an architect, engineer, or land surveyor on demonstrated competence and qualifications for the type of services required. This statute mandates that a specific process and criteria be used when making a selection for locally funded capital projects. State-funded projects must follow a similar process as specified in Public Act 87-673. Fundamentally, there is little difference between these two statutes, and it appears that the intent of this legislation is to provide the institution with the most qualified professional as required by the nature of the project.

Community colleges which receive state appropriations for a specific project will be required to utilize the quality-based selection (QBS) process for each project. The Capital Development Board (CDB) has established QBS guidelines and procedures for selecting architectural/engineering firms and will make the selection for a college. A college may recommend an A/E firm for a project provided the college has proper documentation that demonstrates the QBS process was used.

Community college districts requesting state funding assistance for a capital project through the Resource Allocation Management Plan (RAMP) are not required to have the capital plan developed by a licensed architect. However, should a college choose to utilize the services of an architect in preparing the RAMP submission and wish to continue its relationship with the architect through the duration of the project, it is the college's responsibility to select an architect using the QBS process. The ICCB staff, in cooperation with the CDB staff, have compiled the following guidelines for selecting an architect/engineer using proper QBS procedures. Since fiscal year 1996, projects receiving state appropriations must use QBS procedures when selecting an architect. Use of these guidelines will facilitate acceptance of the A/E recommendation by the CDB.

Procedure

The following procedures are based on Public Act 87-673 which is applicable for state-funded projects and is administered by the CDB. Use of these procedures also will meet the requirements of PA 85-854 for locally funded projects.

Exceptions:

- If the contract for professional services will be less than \$25,000, QBS procedures are not required.
- Emergency situations requiring an A/E may permit the CDB Executive Director to exempt the project from the QBS process when public health is threatened.

Public Notice:

Requirement: Whenever a project will require professional services, a 14-day advance notice must be published in a professional services bulletin or advertised within the official state newspaper. The notice must include a description of the project, the services to be procured, the time and place for interested firms to submit a letter of interest, and if required in the notice, a statement of qualifications.

Action: A college may request the CDB to place a project scope and description in the next issue of the Professional Services Bulletin. This publication is mailed to all prequalified A/E firms. If the college selects not to use the Professional Services Bulletin, it will be necessary to place an advertisement/notice in the official state newspaper. (A sample of the notice is attached.) Colleges are encouraged to place the same notice in newspapers within the district.

All firms responding to the Professional Services Bulletin advertisement will be instructed to complete standard form #255. The CDB provides a copy of this form with each Professional Services Bulletin. Firms responding to the newspaper notice with a letter of interest should be sent a form on which the A/E can provide the information necessary for evaluation and selection. A college may use the #255 for these purposes.

Documentation: A copy of the advertisement and certification of publication. A copy of the Professional Services Bulletin containing the notification. Copies of all letters of interest. Copies of all standard evaluation forms submitted.

Prequalification:

Requirement: The Act requires a state agency (CDB) to maintain a list of prequalified professional service providers that want to provide architectural or engineering services. Prequalification requires an A/E firm to provide a summary of professional services offered, relevant project/work experience, and the type of personnel employed by the firm.

Action: The Professional Services Bulletin is mailed quarterly to all prequalified professional service firms. If a college uses a publication other than the Professional Services Bulletin, the college should have established its own prequalification criteria and list of prequalified professional service firms or specify that all interested parties must be CDB prequalified. Applications and forms for prequalification are available from the CDB.

Documentation: A copy of the notice stating that a firm is CDB prequalified or summary information stating the district's prequalification criteria. The list of the college's prequalified professional service firms.

Evaluation Procedures:

Requirements: A committee shall be formed to review the A/E firms submitting letters of interest and any A/E firms on the prequalified list which meet the specific project needs. The evaluation of interested firms should take into account qualifications, ability of professional personnel, past record and experience, performance data on file, willingness

to meet time requirements, location or proximity to the site, current workload of the firm, and any other qualifications stated in writing by the college.

The college may require the most qualified firms to make public presentations regarding their qualifications, approach to the project, and ability to furnish the required services.

In no case may the college seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, or percentage of construction cost, or any other measure of compensation, prior to making a selection and ranking of the three most qualified professional service firms.

Action: The college personnel should compile a "spreadsheet" report which lists all of the firms and the criteria to be evaluated. This sheet should identify those firms which do not meet necessary criteria such as past performance or appropriate qualifications. The report should be distributed to each selection committee member for their "ranking" of each firm based on the written project criteria. The ranking could be based on a numeric scale or some other appropriate basis which will enable the committee members to determine the most qualified A/E firm for the project. The evaluation criteria must be in writing and should be included as part of the public notice. The following list provides some criteria used for evaluation purposes:

Prequalification status	Prior performance
Proximity to the site	Appropriate disciplines on staff
Appropriate prequalification profiles and experience	Quality of consultants
Ability to meet work schedule	Prior work at the same location
Prior identical or similar work	MBE/FBE status
Proposed use of MBE/FBE consultants	Other factors deemed appropriate and placed into writing for this specific project

Documentation: Copy of the ranking sheets and a written summary of the committee's actions.

Selection Procedures:

Requirements: On the basis of the evaluations, discussions, and presentations, the committee must then select the three most qualified firms and rank them in order of qualifications. The district must then contact the firm ranked most preferred to negotiate a contract at fair and reasonable compensation. If fewer than three firms submit letters of interest, the district may proceed directly to ranking the firms and negotiation of a contract.

Action: The selection committee must consider all of the criteria and analyze the information submitted to determine the three most qualified firms. If an additional presentation is desired by the committee, each of the three firms shall be given an opportunity to make a presentation. From these three firms, the committee must determine which firm would best serve the college for this project. The discussions of the rankings should remain confidential and are not required to be made public.

Once the top firm is established, the college may initiate contract negotiations to determine a fair and reasonable compensation. If the project is to be **state-funded**, the fee negotiated will be applicable to costs incurred prior to the college receiving a state appropriation. These costs would include master planning, RAMP document preparation, and preliminary

project development. Once the project has received a state appropriation and the funds have been released by the Governor, the CDB must ratify the A/E selection and will negotiate an appropriate fee.

Documentation: The district should prepare records indicating the committee's selection of the top three firms in rank order. If fewer than three firms submitted letters of interest, this should be documented via a memorandum.

Contract Negotiations:

Requirements: The college must develop a written description of the scope of the proposed services. This description will be used as a basis for negotiation of the contract with the highest ranked firm. The negotiations should take into account the estimated value, scope, complexity, and professional nature of the services to be rendered. The college may not establish a maximum overhead rate or other payment formula designed to eliminate firms from contention or restrict the competition or the negotiation of fees.

The college must begin negotiations with the firm ranked most preferred. Should the college and the firm not reach an agreement, the college shall terminate negotiations with the first firm and begin negotiations with the second most preferred firm.

Action: A scope of proposed services must be developed in writing. This scope will be used as the basis for negotiations. The college should negotiate with the top firm to reach an equitable contract. These negotiations are confidential and only the final contract made public. If the college and the A/E firm cannot reach an agreement, the college must terminate the negotiations and begin negotiations with the second ranked firm based on the same scope of proposed services. If negotiations fail to result in a contract with the second firm, the process is repeated with the third ranked firm.

Documentation: The college should have a written scope of services to be provided which will be used as a basis for all contract negotiations. A final contract document upon which both parties have agreed.

Firm Performance Evaluation:

Requirement: Upon completion of a state-funded project, the college and the CDB shall evaluate the performance of the firm. The evaluation will be made available to the firm, who may make a formal written response. The evaluation and response will not be made available to any other person or firm and is not subject to the Freedom of Information Act.

Locally funded projects are not required to evaluate the performance of the A/E.

Action: If the project is state-funded, the CDB will perform the evaluation and maintain the documentation. Additionally, college staff will complete an evaluation of the professional services. Projects which are totally funded locally do not require a post-project evaluation. However, for future reference it is advisable for the college to maintain documentation as to the performance of the A/E.

Documentation: No documentation is required by the college.

Appendix H

Index of Changes to This Manual

February 2013 Capital Projects Manual

Summary of Changes/Updates

<u>Page/Section Affected</u>	<u>Description</u>
Cover	Changed fiscal year
Minor editing throughout for clarification	
Page i-iii	Added: <ul style="list-style-type: none"> • Changes or Cancellation of a Previously Approved Project reference in Section II in Table of Contents • Secondary Sites reference in Section II in Table of Contents • Section XIII - Facilities Reporting • Slight restructuring of Capital Projects Application form section • Added Appendix H to document changes to the manual
Page 1	Updated: contact information
Page 5	Updated: the threshold for projects that must be competitively bid from \$15,000 to \$50,000 to agree with prior changes to 110ILCS 05 3-27.1 (this has been practice since the statutory change). College bidding policies may be more restrictive.
Page 7	Updated locally funded project approval threshold reference from \$25,000 to \$250,000 as the result of a rule change a number of years ago (this has been practice since the rule change).
Page 8	Last sentence added to 1st paragraph to clarify the importance of maintaining and reporting accurate square footage information of space used by the district.
Page 9	New- added further guidance to Section II Locally Funded Capital Projects regarding secondary site acquisitions.
Page 10	New-added further guidance to Section II Locally Funded Capital Projects regarding changes in the scope or budget or cancellation of a project subsequent to original ICCB approval.
Page 12	Last sentence added in the Approval Process narrative to reference the new section added on page 10 on the topic changing the scope and/or budget of a project.

<u>Page/Section Affected</u>	<u>Description</u>
Page 12	Removed reference to \$25,000 minimum in the Project narrative (P.A 96-561 changed 110 ILCS 805 3-20.3.01).
Section IV	Deleted Part B ADA-Access for All grant section (a one-time grant in fiscal year 2000 that districts have already used).
Page 18-19	New-added a Facilities Reporting section XIII to raise the level of awareness of importance of establishing oversight of this data reporting requirement.
Appendix A	Deletes references to ADA-Access for All grants at the top of the Project Application form; on the fund source attachment #2; and the ADA Access for All certification since districts have already used the funds.
Page 24	Language added to clarify that part of the programmatic justification for PHS projects shall include reference to specific code compliance issues in item #1.
Page 29	Board signature section added on the estimated costs of locally funded projects. Locally funded projects (other than PHS funded projects) do not currently have a signed cost certification. This change will provide that certification.
Pages 39-57	Changed the Architect Recommendation Form section title to Architect Forms. Also, included the Illinois Capital Development Board (CDB) architect selection form since this is the form which the CDB requires be submitted with the project application and two additional forms (State of Illinois Financial Disclosures/Conflicts of Interest and the Standard Business Terms and Conditions/Certifications) that the CDB requires the selected architect to complete.
Page 59	Sentence added stating the illustrative sample resolution assumes there are no excess PHS funds available to fund the project.
Page 61	Per PA96-561 removed \$25,000 minimum.
Page 62-63	New-added a sample locally funded project approval Board Resolution
Pages 65-66	Lines added to report the project title and the ICCB project number on the statement of final costs/completion
Page 68-69	Updated the facilities codes section to make it consistent with administrative rules.
Page 72	Updated ICCB administrative rule excerpts to ensure they are most current. Specifically, rule1501.602b3 was changed to reflect the \$250,000 ICCB project approval threshold as one of three criteria

<u>Page/Section Affected</u>	<u>Description</u>
	for projects that require ICCB approval (this has been practice since the rule change).
Page 80	Updated ICCB administrative rule excerpts to ensure they are most current. Specifically, rule 1501.602b3 was changed to reflect the \$250,000 ICCB project approval threshold as one of three criteria for projects that require ICCB approval (this has been practice since the rule change).
Page 85	Appendix F - Updated the web link to access chapters 4 and 5 of the Postsecondary Educational Facilities Inventory and Classification Manual and the search procedures to find this document at the federal website. Chapters 4 and 5 are not included as text in this appendix
Page 91	New- added an Index of changes to this manual
Throughout	Pages have been renumbered, where necessary.