
STATE OF ILLINOIS

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES



REQUEST FOR PROPOSALS

IL Unified Certification Program (IL UCP) Internet Portal Project

UCP/BIP06: Version - 5

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SAMPLE CONTRACT FOR SERVICES

REQUEST FOR PROPOSALS

- ☒ Request for Proposals (RFP)
- ☐ Request for Proposals for Professional & Artistic Services (RFP P&A)

1. INTRODUCTION

- 1.1 PURPOSE:** The Illinois Department of Transportation is requesting offers from responsible vendors to meet the State's needs. A brief description is set forth below for your convenience, with detailed requirements found in Section 4 of the RFP, "Services Required from the Vendor." If you are interested and able to meet these requirements, we would appreciate and welcome an offer.

Upon completion of the RFP process, if you are the selected vendor, you will be expected to enter into a binding contract with the Agency/Buyer. The Contract for Services (the Contract) will follow the format and include the contractual terms as specified in the attached sample Contract for Services.

- 1.2 BACKGROUND:** The State of Illinois Department of Central Management Services (CMS) serves as the central procurement authority for the State of Illinois (the State). Agencies under the Governor utilize the procurement authority of CMS as Chief Procurement Officer to contract for supplies and services necessary for the operations of State government. A Chief Procurement Officer may, in turn, appoint a State Purchasing Officer (SPO) who has independent authority to contract for supplies and services necessary for the operations of State government. The Agency/Buyer or CMS is ultimately responsible for entering into the contract, monitoring performance, receiving the benefits derived under the contract, and making payments under the contract.

Please read the RFP and Contract form and submit your Offer in accordance with Section 5 of the RFP, "Instructions for Preparing and Submitting Offers."

If you have any questions, please contact the RFP Contact identified in Section 3 of the RFP, "Key Information about this RFP."

1.3 SUMMARY OF SERVICES REQUIRED:

Brief Description:

Based on the requirements of this RFP, together with any additional analysis performed by the proposed Business Analyst the Vendor will develop a project plan to manage the enhancements to the existing (IDOT) Certification (CER) Database. It is essential that the proposed Business Analyst and the Project Manager have an exceptional understanding of the existing database in order to determine the gap/fit between the existing database and the proposed product enhancements. Therefore, the Illinois Department of Transportation (IDOT) is seeking contractual services to perform a GAP analysis to determine the gaps between the current CER database and the proposed enhanced product. The proposed enhanced product (hereafter referred as the proposed product) will be accessible by all Illinois Unified Certification Program (IL UCP) Participants through a web internet portal that will include the functionality of the CER database and the requirements outlined in this RFP. The IDOT is also seeking contractual services to convert legacy data from five IL UCP Agencies. The proposed internet portal will incorporate a modern n-tier design with a centralized database server and application server at a single location and client workstations over a wide area network. The IDOT seeks contractual services through a single vendor. This RFP seeks candidates such as a Project Manager, an Application Developer with experience in programming and web development, a Business Analyst and a Technical Writer. The positions requested for this RFP may not be full-time positions for the length of the contract. The different roles may come in and out of the project based on the needs during the life of the project.

Where appropriate the Vendor should include schematics and diagrams that provide both a technical and conceptual explanation of their interpretation of the proposed product and functionality.

Additionally, qualifications and prior experience of the Vendor are of great importance to overall success of this project. The Vendor shall provide a resume and other supporting documentation demonstrating that the proposed candidates meets the qualification set forth in this RFP.

The Vendor will be responsible for meeting all the requirements, milestones and deliverables indicated in this RFP. The Vendor, during the Implementation Phase, will be responsible for demonstrating that the proposed product has been fully tested, approved/accepted, meets the requirements and works in accordance to the proposed functionality described in this RFP.

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2. DEFINITIONS

Whenever used in this RFP, Contract, or amendment, including schedules and exhibits to this RFP or Contract, the following terms will have the meanings defined below.

Any objections or questions regarding the definitions should be raised with the Agency/Buyer during the RFP process.

- 2.1 Acceptance:** the point in time when the product or equipment has been fully installed and operates in compliance with the Agency/Buyer's order and the Contract, or the State otherwise indicates acceptance in writing.
- 2.2 Affiliates:** any person, firm, corporation (including, without limitation, service corporation and professional corporation), partnership (including, without limitation, general partnership, limited partnership and limited liability partnership), limited liability company, joint venture, business trust, association or other entity that now or in the future directly or indirectly controls, is controlled by, or is under common control with Vendor.
- 2.3 Agency/Buyer:** the agency, board, department or commission of State government responsible for entering into the Contract, monitoring performance, receiving the benefits derived from the Contract and making payments under the Contract.
- 2.4 Change of Control:** any transaction or combination of transactions as a result of which (a) ownership of a vendor changes, (b) the sale or transfer of fifty percent (50%) or more of the beneficial ownership occurs or, (c) the divestiture, in whole or in part, of the business unit or division of a party that is obligated to produce the products and services occurs.
- 2.5 CMS:** the State of Illinois Department of Central Management Services and any successor organizations.
- 2.6 Code:** the Illinois Procurement Code, 30 ILCS 500/1-5 et seq. Unofficial versions of the Code and Standard Procurement Rules (44 Ill. Adm. Code 1), which are applicable to this procurement, may be viewed at <http://www.purchase.state.il.us/>.
- 2.7 Contract:** the "Contract for Services" included with the State's Request for Proposals.
- 2.8 Confidential Information:** any material, data, or information disclosed by either Party to the other that, pursuant to agreement of the parties or the State's grant of a proper request for confidentiality, is not generally known by or disclosed to the public or to Third Parties including, without limitation: (a) all materials, know-how, processes, trade secrets, manuals, confidential reports, services rendered by State, financial, technical and operational information, and other matters relating to the operation of a Party's business; (b) all information and materials relating to Third Party vendors of State that have provided any part of State's information or communications infrastructure to State; (c) software; and (d) any other information that the Parties agree should be kept confidential. See also subsection 7.2.7 of Section 7 of this RFP, "Public Records and Requests for Confidential Treatment."
- 2.9 Filing:** where applicable, an instrument or document submitted to a regulatory body for review and approval to allow the Vendor(s) to make the Services contained therein available for consumption.
- 2.10 ILCS:** Illinois Compiled Statutes. An unofficial version of the ILCS can be viewed at <http://www.ilga.gov/legislation/ilcs/ilcs.asp>.
- 2.11 Offer:** the Offer consists of the Technical Proposal, Price Proposal, and all required forms and certifications—completed, signed, and returned by the Vendor.

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- 2.12 Offer Firm Time:** offers shall remain firm and unaltered after opening for the number of days shown. An Offer may be accepted, subject to successful contract negotiations, at any time during the Offer Firm Time.
- 2.13 Order:** any written request from CMS or an Agency/Buyer for services and/or products and/or equipment pursuant to this Contract.
- 2.14 Parties:** the State of Illinois and the Vendor.
- 2.15 Performance Guarantee:** the Vendor's commitment to place some or all of its fee at risk contingent upon the Agency/Buyer's satisfaction with the work to be performed.
- 2.16 Professional & Artistic Services:** those services provided under contract to a State Agency by a person or business, acting as an independent contractor, qualified by education, experience and technical ability including, without limitation, installation, implementation, integration, custom programming, conversion, training, consulting and any other similar services that may be provided by Vendor(s) independently or in conjunction with a Third Party hereunder.
- 2.17 RFP/RFP P&A:** the State's Request for Proposals (Professional & Artistic Services, if applicable).
- 2.18 Responses:** when used in association with the term "RFP" refer to the Vendor's(s') replies, clarifications, revisions, and additions to the State's Request for Proposals.
- 2.19 Security:** the Vendor may be required to provide offer security (e.g., bond, cashier's check, money order or irrevocable letter of credit) with the Offer and performance security within ten (10) days of acceptance of the Offer unless a different time is specified herein. Security shall be in the form of a bond unless otherwise agreed. In the event a bond is used, a surety licensed to do business in Illinois must issue the bond on a form acceptable to the Agency/Buyer. The security shall be forfeited if the selected Vendor withdraws its Offer before the expiration of the Offer Firm Time or after the Agency/Buyer issues a Notice of Intent to Award, does not honor the terms in its Offer, or does not negotiate contract terms in good faith. Security submitted by Vendors will be returned when the Offers expire, are rejected, or the Agency/Buyer enters into a contract with the successful Vendor, whichever is earliest.
- 2.20 State:** the State of Illinois, as represented through any agency, department, board, or commission.
- 2.21 State Facility:** any facility, site or location owned, managed, controlled or operated by the State.
- 2.22 State Liaison:** when applicable, the CMS employee who shall act as a centralized liaison between Vendor(s) and Agency/Buyer with respect to all matters relating to the administration of this Contract.
- 2.23 Third Party:** any entity other than the Agency/Buyer, Vendor(s), or any of their respective Affiliates.

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3. KEY INFORMATION ABOUT THIS RFP

3.1 REFERENCE NUMBER: UCP/BIP06

3.2 RFP CONTACT: The RFP Contact, identified below, is the sole point of contact regarding the RFP from the date of issuance until selection of the successful Vendor.

Karen Woker

Phone: (217) 524-3507

Illinois Department of Transportation

Fax: (217) 782-3409

2300 South Dirksen Parkway

Springfield, IL 62764

E-mail: Karen.Woker@Illinois.gov

3.3 QUESTIONS: Please direct all questions (and requests for American Disabilities Act accommodations) to the RFP Contact. Do not discuss this RFP with any person other than the Project Contact. Questions received less than seven calendar days prior to the due date and time may be answered at the discretion of the Agency/Buyer. When the answer to a question regarding the RFP may result in a material change to the RFP, we will respond in writing. In that case, we will either send the answer to all eligible recipients of the RFP or post the answer in the Illinois Procurement Bulletin, which may be viewed at <http://www.purchase.state.il.us/>. Only written answers to questions will be binding on the State.

3.4 SUBMISSION DEADLINE AND PROCUREMENT TIMETABLE: The following dates are set forth for informational and planning purposes; however, the Agency/Buyer reserves the right to change the dates.

Issue RFP

10/17/07

Due Date and Time for Offers

11/26/07 1:30 pm (central)

Opening Date and Time

11/26/07 1:30 pm (central)

Anticipated Announcement of Successful Vendor 02/01/08

3.5 VENDOR CONFERENCE: A non-mandatory Vendor Conference will be held on November 1, 2007 at 1:30 pm (central) at the Harry Hanley Building located at 2300 S. Dirksen Parkway in Room 214. Attendance is optional. The purpose of the Vendor Conference is to discuss with prospective Vendors the work to be performed and allow prospective Vendors an opportunity to ask questions regarding the RFP. Oral discussions at the Vendor Conference will not be considered part of the RFP unless confirmed in writing by the Agency/Buyer and incorporated into this RFP. The conference may be recorded. Questions asked at the conference that cannot be adequately answered during the conference may be deferred. A copy of the questions and answers will be posted on the Illinois Procurement Bulletin, which may be viewed at <http://www.purchase.state.il.us/>.

3.6 NUMBER OF COPIES: Submit a signed original and 8 copies of the Offer in a sealed envelope or container. (Pricing must be sealed separately from the technical portion of your proposal.) Proposals should be bound with paper clips, rubber bands, or in folders, no binders please.

Submit a signed original and 8 copies of the Offer in a sealed envelope or container. (Pricing must be sealed separately from the technical portion of your proposal.)

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Electronic Format Requested: No

Submit one (1) copy of the Utilization Plan – response to Attachments E and F – which must also be sealed separately from the technical portion and from the pricing portion of your proposal

3.7 SUBMIT OFFERS TO: LABEL ENVELOPES/CONTAINERS

Illinois Department of Transportation

Attn: Bill Grunloh

RFP Title: IL UCP internet Portal

2300 South Dirksen Parkway

Label: UCP/BIP 06

Springfield, IL 62764

Due Date & Time: 11/26/07 1:30 pm

3.8 OPENING: The State will open all offers that are submitted in a proper and timely manner, and will record the names and other information specified by law and rule. All offers become the property of the State and will not be returned except in the case of a late submission. Offers will be opened at the Submission Location.

Illinois Department of Transportation

Attn: Bill Grunloh

RFP Title: IL UCP internet Portal

2300 South Dirksen Parkway

Label: UCP/BIP 06

Springfield, IL 62764

3.9 BID BONDS OR OTHER SECURITY:

Offer: \$0 Performance: \$0

We will accept cashier's checks, money orders or irrevocable letters of credit for bonds unless a bond is specifically required by law.

3.10 OFFER FIRM TIME:

90 Days from Opening

3.11 PROTEST REVIEW OFFICE:

CENTRAL MANAGEMENT SERVICES

Phone: (217) 782-2141

Attn: Director

Fax: (217) 524-1800

715 STRATTON OFFICE BUILDING

TDD: (217) 782-2000

SPRINGFIELD, IL 62706

3.12 SMALL BUSINESS SET-ASIDE: ☐ Yes ☒ No. If "Yes" is marked this has been set-aside for award to qualified small businesses in Illinois (30 ILCS 500/45-45). A small business (including affiliates) has annual sales for its most recently completed fiscal year less than (1) \$10,000,000 for a wholesaler; (2) \$6,000,000 for a retailer or business selling services; (3) \$10,000,000 for a construction business; and (4) must have less than 250 employees if a manufacturer. For complete requirements and to qualify your business in the Small Business Set-Aside Program, visit http://www.sell2.illinois.gov/bep/Set_Aside.htm or contact the CMS Small Business Specialist at 866-ILL-BUYS, TDD 800-526-0844.

4. SERVICES REQUIRED FROM THE VENDOR

The Agency/Buyer will detail the specific requirements and needs for which the Contract is to address. This section will include the Agency/Buyer's needs, goals and requirements as well as any other specifications. This information should be used by the Vendor to prepare its Offer and will also constitute the terms of the Contract.

4.1. Need For Services

Pursuant to the requirements of the federal regulations, 49 CFR Part 26, all recipients of federal-aid must implement a "one-stop" certification process for Disadvantaged Business Enterprises (DBEs) to provide a uniform method of processing for all DBE applications. As a result of this requirement, the five Illinois, United States Department of Transportation (USDOT) certifying participants established the Illinois Unified Certification Program (IL UCP) which was implemented in 2001. The participant certifying agencies are:

The Illinois Department of Transportation (IDOT)
City of Chicago
Chicago Transit Authority (CTA)
Commuter Rail Division of the RTA DBA (Metra)
Commuter Bus Division of the RTA DBA (Pace)

Implementation of the internet portal will maintain compliance with the federal regulations, 49 CFR part 26 providing a concept for "one-stop" shopping, which will enhance and reinforce communications, improve the dissemination of information, and provide real-time access to data on certified firms through a customizable view that is secure from unauthorized users.

The IL UCP Certifying Participants consists of approximately 60 users. The standard network operating system is Windows XP. There are several legacy applications that will need to be converted to the new Internet portal database.

4.2. Goals and Objectives

The primary objective of this project is to develop an Internet portal for the IL UCP using the existing IDOT CER application system to support the three major functional workflow processes of DBE Certification which are: Initial Certification Application Processing, No Change Affidavit Review Processing and Certification Renewal Processing. Additional objectives are as follows:

1. Improve the dissemination of information concerning certified DBEs firms that have obtained certification through the IL UCP.
2. Enhance data reporting capabilities that will improve communications between the IL UCP participants.
3. Reduce inconsistencies and improve processing uniformity while providing a single point of control for securing proprietary data based on user defined roles.
4. Allow real time directory access to the public and authorized access as needed for portal users outside this domain.
5. Facilitate compliance with federal requirements for the Unified Certification Program.
6. Improve the IL Unified Certification Program participants' ability to support uniform certification practices by supporting a common workflow process for all participants.
7. Provide a means of measuring production and productivity.

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8. Enhance the ability to generate exportable ad-hoc reports using a robust query tool, perform searches on multiple attributes, generate pre-defined letters, labels/envelopes, maintain application details, including status, key dates and NAICS codes, identify firms that are due for re-certification, enter and maintain dynamically generated documented checklist specific to each firm and maintain history of changes.
9. Provide a mechanism to automatically generate and provide online access to the IL UCP Directory with features that will allow users to perform searches, download files and identify newly certified firms.
10. Augment or replace the current certification tracking system at each IL UCP participant agency with a secure internet portal.
11. Maintain a centralized database as the repository for all IL UCP certification applicants.
12. Provide a uniform coding system to capture the firm's specialty code.
13. Convert the required data fields from each of the UCP Participant's legacy systems into the internet portal database.

4.3. Services Required

4.3.1 General Project Requirements: Vendors responding to this solicitation shall possess the following attributes and/or capabilities and shall acknowledge such in their response:

4.3.1.1 Candidate Qualification and Selection Services.

- 4.3.1.1.1 The Vendor will engage in an active campaign to recruit skilled professionals with experience and expertise in the technologies demanded for the development of the application at IDOT as candidates for positions.
- 4.3.1.1.2 The Vendor will have in-house or third party capability to screen applicants for specific skills and experience in order to provide the highest level of conformance to requirements.
- 4.3.1.1.3 The Vendor will maintain current information about formal education, training, certifications and licenses of the proposed candidates.
- 4.3.1.1.4 The Vendor will maintain current information about skills and experience acquired through similar engagements.

4.3.1.2 Consultant Quality and Availability

- 4.3.1.2.1 The Vendor must be able to provide qualified consultants based on the requirements stated in individual requests for services.
- 4.3.1.2.2 The Vendor shall not knowingly offer a consultant who is unfit and unskilled for the work to be performed.
- 4.3.1.2.3 Consultant knowledge must be sufficient so that training will not be needed to perform the specific work order assignment.

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- 4.3.1.2.4 All work performed by the consultant(s) for the AGENCY must comply with the AGENCY's established standards.

4.3.1.3 Unsatisfactory Performance

- 4.3.1.3.1 If, for any reason, the AGENCY deems any consultant's performance unsatisfactory, upon written request from the AGENCY, the Vendor will immediately remove such consultant.
- 4.3.1.3.2 In the event the AGENCY requests the removal of a consultant, the Vendor shall have the first right to replace the consultant for the remainder of the assignment with a qualified replacement at the same hourly rate. The Vendor must use its best efforts to replace the consultant within five (5) business days unless a different time frame is mutually agreed upon in writing.
- 4.3.1.3.3 The Vendor must make no charge to the AGENCY for time associated with orienting the replacement consultant. Orienting is defined as the consultant becoming acquainted with the AGENCY environment, etc. The time for getting a new person oriented may vary depending on the project and/or consultant.
- 4.3.1.3.4 The Vendor and AGENCY must mutually agree in writing to the orientation time frame.
- 4.3.1.3.5 If the Vendor is unable to replace the consultant within the mutually agreed to time frame, the AGENCY may cancel the work order with that Vendor.

4.3.1.4 Inspection and Acceptance of Work

- 4.3.1.4.1 It is expressly understood and agreed all work done by the Vendor/consultant will be subject to inspection and acceptance by the AGENCY.
- 4.3.1.4.2 Any progress inspections and approval by the AGENCY of any item of work shall not forfeit the right of the AGENCY to require the correction of any faulty workmanship or material at any time during the course of the work and warranty period thereafter, although previously approved by oversight.
- 4.3.1.4.3 Nothing contained herein shall relieve the Vendor/consultant of the responsibility for proper installation and maintenance of the work, materials and equipment required under the terms of the work order until all work has been completed and accepted by the AGENCY.

4.3.1.5 Completion of Work

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4.3.1.5.1 Prior to completion of all work, the Vendor/consultant must remove from the premises all equipment and materials belonging to the Vendor/consultant. Upon completion of the work, the Vendor/consultant must leave the site in a clean and neat condition satisfactory to the AGENCY.

4.3.1.6 Travel Requirements

4.3.1.6.1 Vendors are responsible for travel associated with interviews and consultant(s) arriving at the assigned work location.

4.3.1.6.2 In the event consultants are required by the AGENCY to work outside of their assigned work location on specific tasks, the consultant will be reimbursed for travel expenses based on the AGENCY travel policy in place at the time the travel occurs and as specified in the work order.

4.3.1.7 Security Regulations

4.3.1.7.1 Consultants shall individually agree to be bound by AGENCY security regulations, policies and standards about security of information systems resources.

4.3.1.9 Ownership of Information and Data

4.3.1.9.1 The AGENCY shall have unlimited rights to use, disclose or duplicate, for any purpose whatsoever, all information and data developed, derived, documented, installed, improved, or furnished by the Vendor/consultant under the work order.

4.3.1.9.2 The Vendor and consultant(s) must agree to deliver to the AGENCY, upon request and without limitation, copies of all interim and/or final work products, system documentation, operating instructions, procedures, data processing source code and executable programs, that are part of the system.

4.3.1.9.3 All computer source and executable programs, including development utilities and all documentation of the installed system enhancements and improvements shall become the exclusive property of the AGENCY and may not be copied or removed by the Vendor/consultant without the express written permission of the AGENCY.

4.3.1.9.4 All files containing any AGENCY information are the sole and exclusive property of the AGENCY. The Vendor and consultant(s) must agree not to use information obtained for any purposes not directly related to the contract/work order.

4.3.1.9.5 Vendor and consultant(s) must agree to abide by all AGENCY confidentiality requirements.

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4.3.1.10 Project Timelines

- 4.3.1.10.1 The vendor's proposal must clearly indicate the vendor understands the proposed project timeline for this project is nine (9) months. The Vendor's proposal must indicate an estimate of a realistic schedule to accomplish the functions outlined in this RFP according to the Project Timeline using the resources indicated provided below.

Project

Month(s)

Task	1	2	3	4	5	6	7	8	9
Notice to Proceed									
Discovery/Planning									
System Design Documents/Approval									
System Construction/Demo/Walk – Throughs									
Transition/Implementation/Rollout									
Integration and Testing									
System Installation and Acceptance									
Support , Follow-up and Close out									

Anticipated Project Position

Month(s)

Task	1	2	3	4	5	6	7	8	9
Project Manager									
Business Analyst									
Application Developer									
Technical Writer									

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MANDATORY AND DESIRABLE QUALIFICATIONS

1. Introduction

The Mandatory System Requirements and the Desirable System Requirements are listed below. The vendor must complete this form in its entirety by checking the appropriate box adjacent to each statement as Met or Not Met in the space provided. A met indicates that your system can meet the requirements, qualifications or methodologies described; a not met indicates that your system currently does not have these features. The Vendor Narrative section must be completed by each vendor to explain how the vendor meets or exceeds the item listed and should include references to other documentation which provides additional detail. The vendor's response to these items must be provided in the same order as indicated.

The Mandatory Qualifications are essential items that must be in the system. If any Mandatory Qualifications are not met, the Vendor will be disqualified and the entire bid will not be considered. If all vendors do not meet a particular mandatory requirement, the mandatory requirement may be removed from the requirements.

The Desirable Qualifications are items that the State of Illinois would prefer to see available in the qualifications of the vendor. The State of Illinois acknowledges that a Vendor may not be able to meet all Desirable Qualifications.

Additional tables may be added if necessary.

No pricing information should be included in Mandatory and Desirable Qualifications Matrix.

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Mandatory System Requirements

Item M#	Mandatory Requirements (MR)	Met or Not Met	Vendor Narrative
	Technical Requirements		
1.	The proposed product must use an Internet Information Services (IIS) web server and has the ability to be accessible from any internet capable computer with a browser supporting 128 bit encryption such as Internet Explorer version 6.0 or greater as well as integrates with a MAPI compliant e-mail system, such as (Microsoft Outlook, Microsoft Exchange and Microsoft Mail).	☐ Met ☐ Not Met	
2.	The proposed product must utilize a Secure Sockets Layer (SSL) and Transport Layer Security (TLS) protocols that: enables and includes a secure internet communications, functionality for data encryption, server authentication, message integrity, and optional client authentication and in addition, the system must ensure ADA compliance to offer service to persons with disabilities.	☐ Met ☐ Not Met	
3.	The proposed product must be reliable and be available according to the following mandates: • Reliable, operable, available and maintainable for all users • Available at least 99.8% of the time • Available any time day or night (excluding scheduled maintenance) • Supports standard procedures for backup and recovery	☐ Met ☐ Not Met	
4.	The proposed product must be able to address the following: • Provide sufficient connectivity (bandwidth and geographic proximity) to the database • Ensure that no screen paints take longer than 10 seconds over a broadband (>250kbps) line • Able to scale to 500 concurrent users without any noticeable degradation in response time • Able to support and consolidate data entry from each IL UCP Certifying Participant	☐ Met ☐ Not Met	

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Item M#	Mandatory Requirements (MR)	Met or Not Met	Vendor Narrative
5.	The proposed product must: - Require user IDs and password to gain access - Use a single sign-on to access permitted functions - Provide custom menus associated to security roles - Locks access to the system if the user enters an invalid ID/password three times consecutively - Notify users automatically when their passwords are about to expire - Prevent concurrent sign-on attempts - Restrict hosting agency to enter, update, modify or delete on their respective certification data	☐ Met ☐ Not Met	
6.	The proposed product must utilize function keys for frequently used actions.	☐ Met ☐ Not Met	
7.	The proposed product must utilize a SQL Server as the Database Management System	☐ Met ☐ Not Met	
8.	The proposed product must support the data integrity throughout the entire database and prevents hard coding application code to as a work around.	☐ Met ☐ Not Met	
9.	The database architecture for the proposed product must be n-tiered.	☐ Met ☐ Not Met	
10.	The proposed product must provide help screens pertinent to the current task, available at a single keystroke or click of a mouse.	☐ Met ☐ Not Met	
11.	The proposed product must provide a consistent User Interface throughout all system modules.	☐ Met ☐ Not Met	
12.	The proposed product must provide the capability to print and view data collected; the availability of data is dependent on user type and profile.	☐ Met ☐ Not Met	
13.	The proposed product must be capable of maintaining historical information.	☐ Met ☐ Not Met	

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Item M#	Mandatory Requirements (MR)	Met or Not Met	Vendor Narrative
	<u>Project Management Methodology</u>		
14.	The proposed product must support a formal and approved Project Management Methodology.	☐ Met ☐ Not Met	
15.	The proposed product must provide a mechanism to track and document all revisions to all requirements for future reference as well as support a gap analysis between the existing database and the proposed enhancements.	☐ Met ☐ Not Met	
16.	The proposed product must provide a mechanism to prepare and deliver the final requirement in the form of a Final Requirement Document	☐ Met ☐ Not Met	
17.	The proposed product and functionality must take into account input from users, SMEs and other stakeholders to validate and verify all requirements.	☐ Met ☐ Not Met	
18.	The proposed product and functionality must make certain that all project risk has been properly handled and disposed of.	☐ Met ☐ Not Met	
	<u>Project Plan</u>		
19.	The propose product must be supported by a Project Plan which reflects the Vendor's understanding of the RFP requirements, experience, scope of work, and the overall understanding of implementing the proposed product.	☐ Met ☐ Not Met	
20.	The proposed product must be supported by a Project Plan which describes the sequence and dependencies of tasks associated with the implementation of the enhancements required for this RFP.	☐ Met ☐ Not Met	

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Item M#	Mandatory Requirements (MR)	Met or Not Met	Vendor Narrative
21.	The proposed project plan must include the following components: a. Project planning document b. Detailed work plan c. Communication Plan d. Project Status Reports e. Project Issues Reports f. Testing Plan a. Unit testing b. Integration testing c. Environment testing (servers and network connectivity) d. Performance testing e. User Acceptance testing g. Description of Testing Environment h. Data Conversion and Validation Plan i. Data Conversion Script and Documentation j. Training Plan or Strategy a. Train the trainer approach b. Comprehensive for all users and related stakeholders k. Gap Analysis Procedures l. Business Process Modeling m. Description of the proposed project team for proposed product n. Description of the proposed support and maintenance staff to provide support to the proposed product	☐ Met ☐ Not Met	
	<u>Project Timeline</u>		
22.	The proposed product must be designed to meet the requirements of this project within the Project Timeline.	☐ Met ☐ Not Met	
	<u>Security</u>		

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Item M#	Mandatory Requirements (MR)	Met or Not Met	Vendor Narrative
23.	The proposed product must provide an audit trail record of all transactions/entries performed (adds, modifies and deletes) with a date/time stamp (i.e., date/time created, create user, date/time modified, maintain user, status) and associate the transaction to the appropriate user.	☐ Met ☐ Not Met	
24.	The proposed product must be able to suppress the display and printing of confidential data.	☐ Met ☐ Not Met	
25.	The proposed product must assign an alternative key to confidential information that is the primary key in the existing CER database.	☐ Met ☐ Not Met	
26.	The vendor's proposal must clearly provide evidence of the vendor's knowledge and understanding for any business solution proposed for this project, the State of Illinois shall retain ownership of all data in the system regardless of the technical architecture selected for the program as well as the source code. The vendor must indemnify and defend the State of Illinois against all claims regarding intellectual property.	☐ Met ☐ Not Met	
27.	The proposed product must allow a designated System Administrator to add users to a security matrix which defines the user type, profile, group and capabilities.	☐ Met ☐ Not Met	
	<u>Conversion of Legacy Systems</u>		
28.	The system must contain a component which addresses the conversion of data from each of the legacy systems to the integrated database as well as how the integrated database will be populated.	☐ Met ☐ Not Met	
	<u>Business Requirements</u>		
29.	The proposed product must support the outputs and functions outlined in this RFP.	☐ Met ☐ Not Met	
30.	The proposed product must determine the DBE size standards, personal net worth, construction and consultant requirement based on the federal regulations for the Unified Certification Program, and must have flexibility to support additional changes to business rules when the federal regulations are revised.	☐ Not Met	
31.	The proposed product must track applications from initial entry through certification.	☐ Met ☐ Not Met	
32.	The proposed product must maintain an updateable table of the federal regulations (49 CFR, part 26) and NAICS codes.	☐ Met ☐ Not Met	

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Item M#	Mandatory Requirements (MR)	Met or Not Met	Vendor Narrative
33.	The proposed product must automatically publish the Unified Certification Directory, supports real-time updates, detects/ flag new firms and allows multiple searches.	☐ Met ☐ Not Met	
34.	The proposed product must apply the pre-defined letter(s) to the individual IL UCP Certifying Participant's letterhead; allows the participant the option to e-mail system outputs and provides a spell check feature based on a standard U.S. English Dictionary.	☐ Met ☐ Not Met	
35.	The proposed product must automatically calculate and maintain a confidential repository of firm's and their affiliate's gross receipts.	☐ Met ☐ Not Met	
	<u>System Process and Control</u>		
36.	The proposed product must be designed and constructed in modules and avoids hard coding business rules and parameters. This supports a phase-in implementation approach, whereby it will be easy to maintain without any major impact to pre-existing modules.	☐ Met ☐ Not Met	
37.	The proposed product must provide the following process controls: • Comprehensive edit control which will prevent duplicative, incomplete or incorrect data from being processed or entered • Programmatic controls which will follow the business processes and work flow outlined for the Unified Certification Program • Processing cycles which will circumvent entering or processing data out of sequence • Data integrity as a means to avoid orphan records therefore, requiring validation of all primary keys with a unique values and required value while processing records whether by data insertion, update, and/or deletion.	☐ Met ☐ Not Met	
	<u>System Documentation</u>		
38.	The proposed product must have thorough and complete documentation and be available in printed and electronic format as well as be indexed and searchable.	☐ Met ☐ Not Met	

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Desirable System Requirements

In this section the Vendor must provide a clear and concise narrative for each item indicated below.

Item DR#	Desirable Requirements	Vendor Narrative
1.	The proposed product and functionality should <u>support the prevention</u> of overriding, bypassing system edits and validation rules attempted by any unauthorized user.	
2.	The proposed product should be capable of providing the user with a print snap-shop.	
3.	The proposed product should support a normalized data model of (at least) 3 rd Normal Form.	
4.	Each table within the proposed product's database should have a unique Primary Key and will avoid using an AutoNumber assignment as a Primary Key.	
5.	All tables within the proposed product's database should include audit columns to determine the individual who created or last updated a row along with the date and timestamp.	
6.	The proposed product should use Indexed Views to improve overall performance.	
7.	The proposed product should use soundex type keys as a search option feature.	
8.	The proposed product should use wizards or a similar user-friendly approach for ease in ad-hoc reporting.	
9.	The proposed product should be scalable.	
10.	The proposed product should be supported for an at least 2 years upon receiving written acceptance of the proposed product by IDOT.	
11.	The proposed product should be supported by a written agreement.	
12.	The proposed product should support the automation of security deactivation including detection and deactivation of inactive user account.	
13.	The proposed product should support the automation of an electronic case assignment based upon case type (rule-based), workload and availability. Manual overrides shall be	

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Item DR#	Desirable Requirements	Vendor Narrative
	allowed and history of assignments should be kept.	
14.	The proposed product should support a tickler function which has the ability to create personal reminders related to managing the daily processes of the Unified Certification Program.	
15.	The proposed product should permit the System Administrator to edit/add to online help text.	

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Enhancement Approach

In this section the Vendor must provide a clear and concise narrative for each item indicated below

#	Enhancement Approach	Vendor Explanation
1.	The proposed functionality for the proposed product should not exceed nine (9) months. Indicate how you plan to accomplish the enhancement of the existing system to meet the requirements outlined in this RFP.	
2.	The proposed production and functionality should be managed in a project management product. Indicate the project management software you plan to use to management the enhancements required for this project.	
3.	The proposed functionality should include tasks directly related to components or modules that should be used for user demos and prototyping the proposed product. Indicate the tasks associated to accomplish the user demos and prototypes for the following modules: a. Customize Letter Generation b. Customize Report Generation c. Ad hoc Report Generation d. Label Generation e. Search Engine (Features) f. Security g. Automatic Notification and Creation; tickler or scheduler (when various events should occur) i. Email Distribution ii. IL UCP Directory h. Data Conversion Processes	
4.	The proposed functionality for the proposed product should address how each module will be tested. Please describe.	
5.	The proposed functionality for the proposed product should address integration testing to make sure that all requirements are working and user accepted. Please describe how this approach will be accomplished.	
6.	The proposed Project Manager should have managed 3 or more successful enhancements projects within the last ten (10) calendar years. Please describe the related project experience directly related to	

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#	Enhancement Approach	Vendor Explanation
	application enhancements for the propose candidate. (Include project names, how were the enhancements managed and any other pertinent facts.)	
7.	The proposed Application Developer should have at least worked on 3.or more successful projects directly related to enhancing computer applications coupled with determining gap between an existing system and requirements of a proposed product. Please indicate the computer enhancement experience the propose candidate has. (Include project names, how were the enhancements accomplished and any other pertinent facts.)	
8.	The proposed Business Analyst should have served as the primary Business Analyst for at least 3 or more projects related to enhancing computer applications. Please indicate the computer enhancement experience the propose candidate has. . (Include project names, how were the enhancements analyzed, tracked and any other pertinent facts.)	
9.	The proposed Technical Writer should have served as the primary Technical Writer for at least 3 or more projects related to technical writing for project related directly to enhancing computer applications. Please indicate the technical writing experience the proposed candidate has in this area.	
10.	Describe any automated testing tools you will use to test the proposed product and proposed functionality.	
11.	Describe how training will be provided for the proposed product and proposed functionality.	
12.	Describe how you will handle various levels of user access also describe the ability to limit access indicated by the User Descriptions (in the UCP Supporting Documents Section) for the proposed product.	
13.	Describe your ability to create a common look and feel throughout the proposed product.	
14.	Describe your experience with reporting on historical information and circumventing duplicative information.	

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#	Enhancement Approach	Vendor Explanation
15.	Describe your experience with data validation and error checking.	
16.	Describe your experience with masking out confidential information such as SSN/FEIN and assigning a unique identification number as data is initially entered and/or pre-loaded.	
17.	The proposed functionality for the proposed product should describe the automatic transfer of certification information between hosting agencies. Please describe how you will accomplish this in your proposed product.	
18.	Describe your experience with edits to control data entry to prevent probable and inconsistencies in data.	
19.	The proposed functionality for the proposed product should describe how status codes will be used to track various stages of certification process as outlined in the UCP Supporting Documents section of this RFP. Please describe how you will accomplish this in your proposed product.	
20.	The proposed product and functionality should address how system failures will be addressed. Please describe how the proposed product will recover from any system failure and how it will be designed to prevent the loss of data.	
21.	The proposed product should be consistent with the existing Certification database; which assigns defaults screens and menus based on user functions. Please describe how the proposed product will accomplish this.	
22.	The proposed product and functionality should describe the capability to log-off any dormant user after a defined time period has expired. Please describe how the proposed product will accomplish this.	
23.	The proposed product and functionality should provide the capability to track user's transactions. Please describe how you will accomplish this in the proposed product.	
24.	The proposed product and functionality should not allow external users to search on or query sensitive and/or personal information. Please explain how this will be circumvented how if you have had any success or failures in accomplishing this in	

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#	Enhancement Approach	Vendor Explanation
	the proposed product.	
25.	The proposed product and functionality should lock data and prevent any user from accidentally changing data while searching or viewing data. Please explain how this will be accomplished in the proposed product.	

Proposed Product Enhancements

In this section the Vendor must provide a clear and concise narrative for each item indicated below

#	Proposed Product Enhancements	Vendor Explanation
1.	The proposed product and functionality should have the ability to handle concurrent users without any system degradation. Please explain how you will handle this, indicate any success or failures	
2.	The proposed product and functionality should have the ability to accommodate user-friendly reporting operators such as AND, OR, NOT, wildcards, historical data and data ranges. Please explain how the proposed product will accomplish this.	
3.	The proposed product and functionality should have the ability to output reports, letters and checklist in a printable format and the user should be able select the appropriate medium such as PDF, Excel, Word, Email or CD. Please indicate how the proposed product will accomplish this.	
4.	The proposed product and functionality should not allow any unauthorized user to be able to see tables, application code, program code or other technical information that could cause system corruption. Please explain how the proposed product circumvents unauthorized attempts to tamper with the database.	
5.	The proposed product and functionality should provide as well as generate when needed a list of valid values for all fields. Please explain how the proposed product will accomplish this.	
6.	The proposed product and functionality should provide the medium to generate a FTP file over the network using such Data Transformation Services (DTS). Please	

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#	Proposed Product Enhancements	Vendor Explanation
	explain how the proposed product will accomplish this.	
7.	The proposed product and functionality should be scalable and easily expanded to accommodate any revisions to the federal rules and regulation for the Unified Certification Program. Please explain how the proposed product will be designed to accommodate revisions to federal rules and regulations.	
8.	The proposed product and functionality should be capable of tracking the graduation process for any minority firm status. Please explain how the proposed product will accomplish this.	
9.	The proposed product and functionality should be capable of monitoring and determining when expiration are due and/or expired. Please explain what features will be established in the proposed product to accomplish this.	
10.	The proposed product and functionality should be capable of tracking the status of pending application as well as determine the status of supporting documents. Please explain how the proposed product will accomplish this.	
11.	The proposed product and functionality should be capable of generating an Email Distribution list for all firms approaching certification and automate the email message. Please indicate how the proposed product will accomplish this.	
12.	The proposed product and functionality should be capable of tracking certified mail using the postal mail certification number for all correspondence sent by certified mail. Please indicate how the proposed product will accomplish this.	
13.	The proposed product and functionality should be capable of providing information on firms that have been denied by other hosting agencies. Please indicate how this will be accomplished in the proposed product.	
14.	The proposed product and functionality should be capable of capturing and maintaining information as it pertains to any phase of the certification process (re-	

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#	Proposed Product Enhancements	Vendor Explanation
	certification, removal, no-change affidavit, etc.) Please explain how the proposed product will accomplish this.	
15.	The proposed product and functionality should be capable of incorporating the existing reports contained in the current Certification database as well as the additional reports listed in the UCP Supporting Documents section of this RFP. Please explain how the proposed product will accomplish the reporting requirements identified in this section.	
16.	The proposed product and functionality should be capable of providing the gender, ethnicity as well as determining the ownership of the certified firm in the event there is a tie in the percentage of ownership. Please explain how the proposed product will accomplish this.	
17.	The proposed product and functionality should be capable of incorporating the existing customized letters contained in the current Certification database as well as the additional letters listed in the UCP Supporting Documents section of this RFP. Please explain how the proposed product will accomplish the letter generation requirements identified in this section.	
18.	The proposed product and functionality should be user friendly allowing authorized users to customize letters or reports when deemed appropriate. Please explain how the proposed product will accomplish this.	
19.	The proposed product and functionality should accommodate a GUI including, but not limited to: ➤ Pull-down menus ➤ Spell Checking ➤ Ability to find, replace and go-to within a transaction ➤ Point and Click (use of the mouse) ➤ Scrollable list Boxes ➤ Select-All Items From (automation) ➤ Windows that can be minimized or maximized ➤ Drop-down menu list of open windows ➤ Print Views ➤ Window level help ➤ Field level help	

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#	Proposed Product Enhancements	Vendor Explanation
	➤ Error message help ➤ Context sensitive help Please describe how this functionality for the proposed product will be accomplished within the project timeline.	
20.	The proposed product enhancements should not exceed nine (9) months, following contract approval. Please provide your estimated timeline and how the project enhancements will be accomplished using the anticipated resources indicated.	

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Desirable Qualifications for Candidates:

The roles, education, experience/skill sets, technical experience and examples of work identified below are the minimum requirements for each candidate. Consultants requested for the position indicated in the chart below must be able to demonstrate experience and the ability to perform the work required and may be asked to present any requested documentation in support of their work effort. Documentation may include, but not be limited to: narratives, flowcharts, procedure guides, data flow diagrams, user manuals and other illustrations. Consultants must demonstrate the ability to communicate effectively at the technical and lay person level, write technical documents (such as System Operations Manuals, User Guides, etc.) and make formal presentations as required. Vendors responding to this solicitation must be able to provide one candidate for the positions indicated below.

Resumes should support the candidate's experience and education and should be provided for ONLY those candidates that will be performing the work described for this project only.

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Item #	Position Description	Vendor Narrative
16.	Project Manager (Role) The role of the Project Manager encompasses many activities including: • Planning and Defining Scope • Activity Planning and Sequencing • Creating and Maintaining the Project Plan • Developing Schedules • Time Estimating • Controlling Quality • Managing Risks and Issues • Completing Project Status Reports • Identifying and Analyzing Risks • Preparing and Assisting with Project Documentation • Managing Project Milestones and Deliverables • Managing the Project within the Project Scope • Using Effective Communication Techniques • Following Change Control Procedures This position works independently with the direction from the IL UCP Project Manager in conjunction with IL UCP Project Team, which consist of Subject Matter Experts (SMEs) in the area of certification. Describe your Project Manager's experience with the responsibilities and roles outlined above.	

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Item #	Position Description	Vendor Narrative
17.	Project Manager (Education) • This position requires a bachelor's degree in Computer Science, Management Information Systems or related fields and five or more years of progressively responsible project management experience - • with an emphasis on managing the development of client/server and/or Internet applications, • with comprehensive knowledge of procedures and techniques of project management. • This position also requires a Project Management Professional certification from the Project Management Institute. • This position requires an understanding of development methodologies, tools and techniques; the ability to obtain and maintain rapport and mutual respect with management, stakeholders and system users. Provide a description of the educational obtainment of the Project Manager.	

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Item #	Position Description	Vendor Narrative
18.	Project Manager (Experience and Skill set) This project seeks a Project Manager who can execute a project successfully, efficiently and has the ability to: • Effectively communicate in English both orally and in writing; • Exercise sound judgment in analyzing, appraising, evaluating and solving problems of a procedural, organizational, administrative and technical nature; • Exercise a high degree of initiative and resourcefulness in the development and completion of work projects; • Work in a team environment, share information proactively, • Organize facts and findings, and to present such information in clear and logical form, orally, and through written media such as memoranda, summaries, systems narratives, flowcharts, workflow diagrams and planning documents. • Exhibit a high degree of integrity, professionalism, and confidentiality associated with proprietary or other sensitive information. • Conduct independent research to ensure that commitments, time lines and completion dates are met relative to specific milestones and deliverables. Provide a brief description of your Project Manager's abilities experiences with the skill sets mentioned above.	

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Item #	Position Description	Vendor Narrative
19.	Project Manager (Technical Experience) A Project Manager who has technical experience using the following: • Microsoft Word • Excel • Microsoft SQL Server • SQL • .NET • Visual Basic • Microsoft Project • Visio • Project Management Methodology • System Development Life Cycle (SDLC) Describe Project Manager's knowledge and technical experience in the areas mentioned above. In addition, please indicate your level of proficiency using a scale from <u>1</u> (somewhat familiar and have minimally used the technical tools mentioned) to <u>5</u> (I am an expert and have many years of experience using the technical tools mentioned).	
20.	Project Manager (Typical Examples of Work) The Project Manager tracks project progress, verifies the completeness of project deliverables and milestones, completes a Work Breakdown Structure (WBS), prevents scope creep and communicates effectively with the Project Team. Describe the Project Manager's experience with each example of work provided above indicate any significant successful techniques where applicable.	

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Item #	Position Description	Vendor Narrative
21.	Business Analyst (Role) The role of the Business Analyst encompasses many activities including: • Defining Project Requirements • Planning, Defining and Validating Project Scope • Developing System Prototypes • Developing System Design Documents and Specifications • Assisting with the Development of Gap Analysis, Traceability Matrix and Use Case Activities In order to determine the skill level of the Business Analyst, please provide a detailed explanation of your Business Analyst's skills and capabilities.	
22.	Business Analyst (Education) • This position requires a bachelor's degree in Computer Science, Management Information Systems or • a related field or at least ten (10) years of demonstrated analyst experience • ten or years of progressive responsibility and experience in application design and development with an emphasis on object oriented client server development and/or web application development. Provide a detailed explanation of Business Analyst's educational obtainment or appropriate business analyst experience.	

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Item #	Position Description	Vendor Narrative
23.	Business Analyst (Knowledge, Experience and Skill set) Business Analyst who has knowledge and experience with: • N-Tier, object oriented development; • various hardware and software, languages, • procedures to provide assigned technical and analytical services; • methods, procedures and techniques of conducting data conversions and analysis; • meeting timelines, milestones, deliverables and providing timely status updates; • analyzing data logically and exercising sound judgment in defining and evaluating problems of an operational or procedural nature; and • maintaining an effective working relationship with project team members. Provide a brief description of your Business Analyst's abilities and experiences with the skills mentioned above.	

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Item #	Position Description	Vendor Narrative
24.	Business Analyst (Technical Experience) A Business Analyst who has technical experience using the following: • Java • Microsoft Word • Microsoft Project • Excel • Power Point • SQL • .Net • Visual Basic • System Development Life Cycle (SDLC) • C+ + • Relational Databases • Visio • Data flow diagramming Describe Business Analyst's knowledge and technical experience in the areas mentioned above. In addition, please indicate your level of proficiency using a scale from <u>1</u> (somewhat familiar and have minimally used the technical tools mentioned) to <u>5</u> (I am an expert and have many years of experience using the technical tools mentioned).	
25.	Business Analyst (Typical Examples of Work) The Business Analyst tracks and analyzes project requirements, creates detailed documentation, generates workflow diagrams, develops and reviews uses cases, develops and implements quality assurance, ensures that all tests are conducted and documented, as well as ensures that system requirements reflect application features and functions. Explain how the Business Analyst related experience correlates with the example of work provided above.	

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Item #	Position Description	Vendor Narrative
26.	Application Developer (Role) This position is responsible for: • debugging, profiling, assembling, deploying a web based portal application • using sound object-oriented analysis and design techniques that exhibit proficiency in system and application development, • interacts well with project managers and, business analysts, • ensure accurate and comprehensive understanding of use cases, data and reporting requirements, produces technical specifications based on user requirements, • creates and manages project work breakdown structure, project milestones, tasks and deliverables, • executes details of application design, understand the techniques necessary to construct, perform, test, and validate data during data conversion, • has knowledge in implementing and deploying application systems, • ensures quality output through validation, testing and user acceptance, • understands and utilizes all phases of the System Development Life Cycle (SDLC) Provide a detailed explanation of the Application Developer's skills and capabilities.	

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Item #	Position Description	Vendor Narrative
27.	Application Developer (Education) This position requires: • Master Degree or BS Degree in Computer Science • With at least 5 years in application development or equivalent work experience, • With at least 3 years of project experience with using the System Development Life Cycle (SDLC), • With at least 3 years experience in internet development strategies and technologies, strong relational database skills and experience with application tools essential to the deployment of an internet portal. Provide an explanation of the Application Developer's education work experience in the field of Application Development.	

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Item #	Position Description	Vendor Narrative
28.	Application Developer (Experience and Skill set) An Application Developer who can: • Create custom reports • Create a module for customize letters • Create a security module that is table driven and designed according to users roles and business rules • Perform portions of the System Development Lifecycle including designing, coding, testing, documenting, installing and maintaining custom applications • Create a batch scheduler to generate reports and letter based on business rules and users roles In addition, an Application Developer who has: • Created business related applications in a Microsoft-based Object Oriented language such as MS-Visual Basic • Demonstrated track record of working on project efficiently and successfully • Completed all previous project on time or ahead of schedule and within budget Describe how your Application Developer has a proven track record and has excelled in the skill set described above.	

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Item #	Position Description	Vendor Narrative
29.	Application Developer (Technical Experience) An Application Developer who has technical experience using the following: • Java • J2EE • JSP • XML • ASP • Microsoft Project • Microsoft SQL Server • SQL • Relational Databases • Excel • Visual Basic • .NET • C+ + • Data flow diagramming • Visio • Microsoft Word Describe Application Developer's knowledge and technical experience in the areas mentioned above. In addition, please indicate your level of proficiency using a scale from <u>1</u> (somewhat familiar and have minimally used the technical tools mentioned) to <u>5</u> (I am an expert and have many years of experience using the technical tools mentioned).	

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Item #	Position Description	Vendor Narrative
30.	Application Developer (Typical Examples of Work) An Application Developer ascertains and envisions the total project, devises the plan to accomplish the project, develops and implements the plan, designs and codes the application, tests and debugs the problems and defects and implements the project in modules or phases. Describe how your Application has successfully design and implemented an internet portal similar to the project described herein.	
31.	Technical Writer (Role) The role of the Technical Writer encompasses many activities including: • Preparing system documentation • Preparing User Guides and User Manuals • Preparing Training Materials and Manual • Maintaining records and files of work and revisions • Editing and reviewing documents with Project Team and stakeholders for completeness • Writing Help Text • Writing Operation's Manual • Interacting with Project Team to obtain direction and guidance on developing the required documents for the Project Describe the documents that your Technical Writer has successfully completed.	

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Item #	Position Description	Vendor Narrative
32.	Technical Writer (Education) This position requires a bachelor's degree in English or • At least 5 years of experience in writing User Guides and Manuals • At least 5 years of experience in Training and Teaching Others, developing Formal Educational or Training Materials • At least 5 years of experience in writing System Operation's Manuals and Help Text Provide a detailed explanation of Technical Writer's educational obtainment or appropriate business and technical writing experience.	
33.	Technical Writer (Experience and skill set) • Ability to organize ideas in a useful fashion • Ability to write logical instructions • Ability to use graphics effectively to communicate ideas • Ability to revise one's own work to make a document or presentation clearer or more persuasive • Ability to edit and proofread • Ability to resolve issues • Managing time effectively to accomplish milestones and deliverables • Excellent written and verbal communication skills Describe your Technical Writer's abilities and experiences with the skill sets mentioned above.	

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Item #	Position Description	Vendor Narrative
34.	Technical Writer (Technical Experience) A Technical Writer who has technical experience using the following: • Microsoft Word • Excel • Visio • Data flow diagramming • Power Point In addition, the Technical Writer has a sound command for the English language including the meaning and spelling of words, rules of composition and grammar. Describe your Technical Writer's knowledge and technical experience in the areas mentioned above. In addition, please indicate your level of proficiency using a scale from <u>1</u> (somewhat familiar and have minimally used the technical tools mentioned) to <u>5</u> (I am an expert and have many years of experience using the technical tools mentioned).	
35.	Technical Writer (Typical Examples of Work) The Technical Writer organizes material and completes assignments concisely based on project requirements and project timeline, maintains adequate records and files of work and revisions, proofreads all documents, obtains approval of all documents prior to submitting documents to duplication, and uses graphics and screen prints effectively. Describe the Technical Writer's experience with each example of work provided above indicate any successful techniques where applicable.	

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4.4. Milestones and Deliverables

A description of the milestones and deliverables for the proposed work has been provided below:

Milestones and Deliverables	Description
Gap Analysis	The basic difference between the current CER database and the requirements outlined in this RFP. This analysis will outline all configurations and programming required to meet the portal requirements.
Traceability Matrix	A traceability matrix is used to verify that all stated and derived requirements are allocated to system components and other deliverables.
Use Case Activity	A document which diagrams or describes the functionality of the system which further describes: • What will be handled by the system • What will be handled outside of the system • Who will interact with the system • In basic terms so that each stakeholder has a clear understanding of the system functionality
User Prototypes	A mock up of the system which will demonstrate the system functionality, user interfaces and system outputs (such as letters, labels and reports).
System Test Plans, Scripts and System Test Reports (or Results)	A basic testing plan which outlines what is being tested and the anticipated outcome or result from the test. A System Test Report which will outline modules that have successfully passed the System Test and track the status of those components that do not pass.
Data Conversion Plan	A basic plan which describes how the data should be converted tested and scrubbed for each of the legacy systems.
Security Module	A security module which covers the user roles outlined in this RFP as well as the security level assigned to each. No security roles should be hard coded. This module will include data encryption, be table driven and

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Milestones and Deliverables	Description
	be scalable down to various levels such as access denied or granted at the data field level, column, row, screen, menu, report or letter (generation).
Implementation Plan	A plan which covers how the system will be deployed and how defects will be handled.
User Training Plan and Manual and/or Guide	A plan that outline how the users and stakeholder will be trained and a Manual or User Guide used as a reference tool by the user or stakeholder.
Project Management Methodology	Pertinent tools and techniques essential to the successful management of projects. This RFP provides a guide which depicts the phases for this project.
Performance and Status Reports	Weekly and Monthly reports which will indicate the overall project performance.
User Acceptance (sign-off)	Will be required for each project deliverable such as Gap Analysis, Traceability Matrix, Use Case Activity, Implementation Plan, User Prototype, System Testing, etc.
Project Plan and Schedule	A project plan which will provide guidance to assure that the project will stay on schedule; adjustments may be required and it should be kept up to date.
System Detail Design	A formal document which outlines how the system will be designed, built or constructed.
User Demo at Various Key points	A demo should be conducted at various phases within the project to make sure that the users and stakeholders agree to functionality as presented.
Staffing and Management Plan	A plan which outlines the staff responsibilities and commitment for this project.
WBS and Gantt Chart	A categorized list of activities deemed appropriate to accomplish the project.
Operational Manual and Programmer's Guide	A comprehensive manual that provides the system administrator with directions to perform basic operational and maintenance activities as well as a programmer's guide which indicates how the system was constructed and how system changes or modifications can be made.
Data Element Dictionary and Context – Sensitive Help	A document which contains definitions of all system-wide data elements. For each data element, the Data Element Dictionary records name, type, validation rules, default value,

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Milestones and Deliverables	Description
	and access rules for security purposes. In addition, defines context-sensitive help, on-line help for menus, database maintenance, data entry, and messages.
Complete System Documentation	A bound document which contains all of the system documentation mentioned above. These documents must reflect the most current information.

4.5. Reporting, Status and Monitoring Specifications

The vendor shall be responsible for the following:

- The vendor shall provide weekly status reports on the progress of tasks, activities, milestones and deliverables. In addition, the vendor shall include planned tasks and activities for subsequent reporting periods.
- Functional demonstrations consisting of a series of independent problems. The selected vendor should demonstrate the capabilities of the solution with respect to the functions and features described in the technical portion of the RFP.
- Performance demonstrations consisting of a timed problem. This demonstration tests and status reports should reflect the ability of the vendor's product to support the workload throughput requirements of the internet portal. All problems should be documented and completed satisfactorily within the allotted time frame.

Particular care should be taken during acceptance testing for modular systems that will be installed incrementally over a pre-established time frame. A single module may meet all the requirements of acceptance testing when it is working alone. When it is connected to other system modules, however, the overall performance of the modules may decline significantly. It is suggested, therefore, that acceptance testing be performed independently and that status reports be generated for each module and then again for the completely integrated system.

The work locations of the IL UCP Certifying Participants which will be included in testing and user acceptance are listed below.

Illinois Department of Transportation (IDOT)
2300 South Dirksen Parkway
Springfield, IL 62764

City of Chicago
33 North LaSalle, LL110
Chicago, IL 60602

Chicago Transit Authority (CTA)
567 West Lake
Chicago, IL

Commuter Rail Division of the RTA DBA (Metra)

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547 West Jackson Boulevard
Chicago, IL

Commuter Bus Division of the RTA DBA (Pace)
550 West Algonquin Road
Arlington Heights, IL

4.5.1 Contract Monitoring

- 4.5.1.1 Vendors are responsible for the faithful performance of the contract and shall have internal monitoring procedures and processes to ensure compliance.
- 4.5.1.2 The State reserves the right to monitor and track Vendor's performance over the course of the contract including any warranty term. The information gathered may be used in administration of the contract including payment, and may be used when evaluating the vendor in future procurements.
- 4.5.1.3 In appropriate circumstances, the State and the Vendor will work together to develop a performance scorecard with conditions, milestones, requirements, or timetables that must be met before additional steps may be taken, or payment is due. The scorecard may additionally record matters related to price, service, quality and other factors deemed important.
- 4.5.1.4 The Vendor shall cooperate with the State in this monitoring and tracking activity, which may require that vendor report progress and problems (with proposed resolutions), provide records of its performance, allow random inspections of its facilities, participate in scheduled meetings and provide management reports as requested by the State.
- 4.5.1.5 The State expects to have quality vendors who are willing to work with us during the term of the contract to provide us with better quality at the same price, or to provide the same quality at a lower price. We may consider, in future procurement evaluations, a vendor that successfully provides better quality or price.

4.6. Staffing Specifications

Key persons must be assigned to the project for its duration on a full-time basis and be on-site for all of that time. The vendor shall identify all staff and subcontracting staff, as appropriate. The submission should include a resume which describes the capabilities, talents and skills of each team member. Minimal information to be presented in the profile includes: training, area of specific expertise, years of experience, years with the vendor's firm, selected projects in which they have participated and professional affiliations. In addition, the Vendor shall document the previous experience of key personnel in working together on projects of similar scope and magnitude. If the Vendor lacks certain personnel and will be forming a team from different companies or independent individuals for purpose of this RFP submittal, he/she must include a letter of commitment for each contracted team member.

The vendor must provide personnel to satisfy the successful deployment of the IL UCP Internet The portal System. The vendor must be certain to only propose staff available at the time of the RFP submission. In response to this

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RFP, the Vendor must provide personnel that will satisfy the personnel qualification specified within this section of the RFP.

The Vendor must provide resumes for key personnel, identifying the specific area of expertise applicable for the candidate being recommended. Key personnel will not be reassigned to another task or taken off of the project without the written concurrence of the State. If for some reason any key personnel obtain the concurrence to be release, the Vendor must provide a replacement with similar qualifications and must be approved by the State.

The roles and qualifications deemed appropriate for the Vendor Project Team have been outlined in the Desirable System Requirements.

4.7. Where Services are to be Performed

4.7.1 Vendor shall develop all work products and deliverables on site at the State of Illinois Harry Hanley Building in Springfield, Illinois. The Vendor shall conduct formal testing at each of the IL UCP Participants' work location. The results from the formal testing will be used to determine if the system or system's component(s) have acquired user acceptance.

4.7.2 Work Location Disclosure: Vendor shall disclose the location where the services required shall be performed. If at multiple locations, the known or anticipated value of the services performed at each location shall be identified.

This information and economic impact on Illinois and its residents may be considered in the evaluation.

If any work identified for performance in the United States is moved to another country, such action may be deemed a breach of the contract.

4.8. Other Specifications

In order to promote uniformity of preparation and to facilitate review, proposals must adhere to the instructions provided in this RFP.

Proposals must be printed on standard 8 ½ by 11-inch white paper.

Proposals must be organized in accordance with the format set forth in this RFP document.

The vendor's response to the RFP must be provided in the same order as presented.

The proposals will be evaluated as represented in the Evaluation of Responsiveness Section of this RFP.

To reiterate, the proposed enhanced product (hereafter referred as the proposed product) will be accessible by all Illinois Unified Certification Program (IL UCP) Participants through a web internet portal that will include the functionality of the CER database and the requirements outlined in this RFP. The IDOT is also seeking contractual services to convert legacy data from five IL UCP Agencies. The proposed internet portal will incorporate a modern n-tier

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design with a centralized database server and application server at a single location and client workstations over a wide area network. The IDOT seeks contractual services through a single vendor. This RFP seeks candidates such as a Project Manager, an Application Developer with experience in programming and web development, a Business Analyst and a Technical Writer

The current web site for the IL UCP does not provide all the functionality such as searching by firm name, specialty, NAICS codes and categories. The current design hinders the IL UCP Certifying participants and web users the ability to directly search for key information. Interested parties may view the existing site at: <http://www.dot.il.gov/ucp/ucp.html>

4.9. Term of Contract

The term of the contract will begin upon execution of the contract and have a nine (9) month term.

The state reserves the right to terminate this contract without cause and without penalty or further payment being required upon 20 days prior written notice. Upon exercise of this right, Agency shall pay vendor for supplies and services satisfactorily provided and for authorized expense incurred up to time of termination.

5. INSTRUCTIONS FOR PREPARING AND SUBMITTING OFFERS

5.1 GENERAL INSTRUCTIONS:

- 5.1.1 These instructions prescribe the format and content of the Offer. They are designed to facilitate a fair and uniform review process. Failure to adhere to this format will affect our evaluation and may result in disqualification of the Offer.
- 5.1.2 The response--completed, signed and returned--will constitute the Offer. A signed original and the designated number of copies of each Offer are required (see Section 3 of the RFP, "Key Information about this RFP"). Failure to submit the required number of copies may prevent the Offer from being evaluated within the allotted time.
- 5.1.3 Your Offer must provide all information requested and must address all points. **Suggested exceptions to requirements and contract modifications, while allowed, are discouraged. The Agency/Buyer is under no obligation to accept exceptions or modifications suggested by the Vendor (or any Third Parties/subcontractors), and any exceptions or modifications will affect our evaluation and may result in rejection.** If the Vendor (or any Third Parties/subcontractors) does wish to suggest exceptions or modifications, all such exceptions or modifications must be submitted with the Offer. Offers, including suggested exceptions to requirements and contract modifications, must be submitted in ink, typed, or printed form and signed by an authorized representative. The State may require that offers be submitted in electronic form. All terms to which the Vendor does not suggest an exception or modification will be deemed by the Agency/Buyer as having been accepted by the Vendor. Suggested exceptions or modifications shall be made by the Vendor (or any Third Parties/subcontractors) on the relevant page containing the language to be modified or the requirement to which an exception is proposed. If the suggested changes cannot reasonably be made on the relevant page, the Vendor may include specific, suggested exceptions or modifications referencing specific paragraphs of the RFP or Sample Contract for Services on separate pages, and shall attach those pages to the Offer as addenda.
- 5.1.4 The Offer is divided into two parts: (1) the Technical Proposal and (2) the Price Proposal. The Offer must be submitted in a sealed envelope or container, with the Price Proposal under separate cover in a separate, sealed envelope or container in the Offer container. If multiple envelopes or containers for each Offer are used, the envelopes or containers must be numbered in the following fashion: 1 of 4, 2 of 4, etc. The envelopes or containers must be labeled with the following information: Agency/Buyer's Name and Address, RFP Title and Reference Number, Due Date and Time and Vendor's Name and Address.
- 5.1.5 If the Vendor designates any information in its Offer as confidential, the Vendor must also submit one (1) copy of the Offer from which confidential information has been excised. The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Offer as possible.
- 5.1.6 Offers must not contain promotional or display materials.
- 5.1.7 Attachments must be referenced in the Offer.

- 5.2 TECHNICAL PROPOSAL:** The following documents and responses will be included in the Technical Proposal **and tabbed as such in the order given below:**

- 5.2.1 TRANSMITTAL LETTER:** An individual authorized to legally bind the Vendor must sign the transmittal letter. The person who signs the transmittal letter will be considered the contact person for all matters pertaining to the Offer unless the Vendor designates another person in writing. The letter must include the Vendor's mailing address, e-mail address, fax number and telephone number.

Any request for confidential treatment of information must be included in the transmittal letter in addition to the specific statutory basis supporting the request, an explanation of why disclosure of the information is not in the best interest of the public, and the specific basis under Section 7 of the Illinois Freedom of Information Act (5 ILCS 140/7) for the exemption from disclosure of such information. The transmittal letter must also contain the name, address and telephone number of the individual authorized to respond to the Agency/Buyer about the confidential nature of the information.

- 5.2.2 TABLE OF CONTENTS:** The Vendor must include a table of contents in its Offer. Offers must be page numbered sequentially from front to back.

- 5.2.3 EXECUTIVE SUMMARY:** The Vendor must prepare an Executive Summary and overview of the services it is offering including all of the following information:

- 5.2.3.1** The Vendor must provide a statement that demonstrates an understanding the services as specified in Section 4 of this RFP, "Services Required from the Vendor" and understands and agrees with Section 4 of the Sample Contract for Services, "Terms and Conditions." The Vendor must also:

- provide the information required by this RFP on documents provided, and on clearly referenced attachments as needed
- provide responses to this RFP according to the contents provide and all responses must be concise, well organized and provide sufficient detail, where appropriate
- provide qualified and experience staff to perform the contract services and project management using all information contained or referenced in this RFP
- provide the following key personnel in response to this RFP; a Project Manager, Application Developer, Business Analyst and a Technical Writer

- 5.2.3.2** The Vendor must provide information demonstrating their staff is qualified and experienced to complete the requirements outlined in this RFP. Each resume and Narrative must clearly indicate experience, education, training and the requisite technical skill set for each position.

- 5.2.3.3** The Vendor must provide information demonstrating their knowledge of developing, testing, implementing and deploying,

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as well as providing training, data conversion and ongoing support for the product as outlined in this RFP.

5.2.4 TECHNICAL APPROACH (PLAN TO ADDRESS THE SERVICES REQUIRED FROM THE VENDOR): The Vendor must provide a detailed description of how the Vendor plans to approach each service requirement as expressed by the Agency/Buyer in Section 4 of the RFP, "Services Required from the Vendor." Offers must be fully responsive to each service requirement. Offers must identify any deviations from the stated requirements or requirements that the Vendor cannot satisfy. Any deviations from the stated requirements or any requirements that the Vendor cannot satisfy will affect the evaluation of the Offer and may disqualify the Vendor.

5.2.5 TECHNICAL EXPERIENCE: The Vendor must provide the following information regarding its experience:

5.2.5.1 Number of years experience with providing types of services specified in Section 4 of the RFP, "Services Required from the Vendor."

5.2.5.2 Describe the level of technical experience in providing the types of services specified in Section 4 of the RFP, "Services Required from the Vendor."

5.2.5.3 List all services and other relevant experience similar to those specified in Section 4 of the RFP, "Services Required from the Vendor" that the Vendor has provided to other businesses or governmental entities.

5.2.6 PERSONNEL: The Vendor must provide resumes for all key personnel, including the project manager, who will be involved in providing the services contemplated by this RFP. Resumes must include the full name, education background, and years of experience and employment history particularly as it relates to the scope of services specified herein.

5.2.7 FINANCIAL CAPACITY INFORMATION: Submit end of year financial statements for the last 3 years. Vendor may also be required to provide additional financial information upon request.

5.2.8 CHANGES TO THE RFP: If the Agency/Buyer issues any changes (including amendments or addenda) to this RFP, these changes must be signed by an individual authorized to legally bind the Vendor and included in the Technical Proposal.

5.2.9 STATE FORMS REQUIRED OF THE VENDOR:

The Vendor is required to complete and submit all forms listed below as part of the Offer. It is important to note that this section references State forms that the Vendor must complete as part of the procurement process and does not serve as an opportunity for Vendors to insert their own forms.

Attachment A – Qualification Form

Attachment B – Business and Directory Information

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- Attachment C – References
- Attachment D – Department of Human Rights (DHR) Public Contract Number
- Attachment E – Minority, Female, Person with Disability Status & Subcontracting
- Attachment F – Conflicts of Interest Disclosures
- Attachment G – Taxpayer Identification Number
- Attachment H – Information Regarding Terminations, Litigation & Debarment
- Attachment I – Domestic Products
- Attachment J – Designation of Confidential and Proprietary Information

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Attachment A - Qualification Form

The undersigned authorized representative of Vendor submits the following and hereafter attached Qualification Information to the AGENCY with the understanding that the AGENCY will use and rely upon the accuracy and currency of the information in the evaluation of Vendor's Offer to the Agency/Buyer.

VENDOR (Official Name and D/B/A)

Signature

Date

Printed Name

Title

Address

City/State

Zip Code

Telephone

Facsimile

E-mail

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Attachment B - Business and Directory Information

(a)	Name of Business (Official Name and D/B/A)
(b)	Business Headquarters (include Address, Telephone and Facsimile)
(c)	If a Division or Subsidiary of another organization provide the name and address of the parent
(d)	Billing Address
(e)	Name of Chief Executive Officer
(f)	Customer Contact (include Name, Title, Address, Telephone, Toll-Free Number, Facsimile and E-mail)
(g)	Company Web Site
(h)	Type of Organization (i.e., Sole Proprietor, Corporation, Partnership, etc. -- should be the same as on the Taxpayer ID form below)
(i)	Length of Time in Business
(j)	Annual Sales (for most recently completed Fiscal Year)
(k)	Number of Full-Time Employees (average from most recent Fiscal Year)
(l)	Type of and description of business
(m)	State of incorporation, state of formation or state of organization
(n)	Identify and specify the location(s) and telephone numbers of the major offices and other facilities that relate to the Vendor's performance under the terms of this RFP.
(o)	Identify the Vendor's accounting firm
(p)	The successful Vendor will be required to register to do business in Illinois. If already registered, provide the date of the Vendor's registration to do business in Illinois and the name of the Vendor's registered agent in the State.

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Attachment C – References

Provide references from established firms or government agencies, (four preferred; two of each type preferred) other than the procuring agency, that can attest to your experience and ability to perform the contract subject of this RFP.

(1) Firm/Government Agency (Name):	Contact Person Name: Address: Phone: E-mail Address:
Types of Supplies/Services Provided and Dates Provided/Contracted:	
(2) Firm/Government Agency (Name):	Contact Person Name: Address: Phone: E-mail Address:
Types of Supplies/Services Provided and Dates Provided/Contracted:	
(3) Firm/Government Agency (Name):	Contact Person Name: Address: Phone: E-mail Address:
Types of Supplies/Services Provided and Dates Provided/Contracted:	
(4) Firm/Government Agency (Name):	Contact Person Name: Address: Phone: E-mail Address:
Types of Supplies/Services Provided and Dates Provided/Contracted:	

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Attachment D - Department of Human Rights (DHR) Public Contract Number

If Vendor has employed fifteen (15) or more full-time employees at any time during the 365-day period immediately preceding the publication of this RFP in the Illinois Procurement Bulletin (or issuance date if not published), then Vendor must have a current Public Contract Number or have proof of having submitted a completed application for one prior to the offer opening date. If the Agency cannot confirm compliance, it will not be able to consider the bid or offer. Please complete the appropriate sections below.

Name of Company (and D/B/A): _____

DHR Public Contracts Number: _____

Date of Expiration: _____

_____(check if applicable) The number is not required as the company has employed 14 or less full-time employees during the 365-day period immediately preceding the publication of this RFP in the Illinois Procurement Bulletin (or issuance date if not published).

IF NUMBER HAS NOT YET BEEN ISSUED:

Date Completed Application was submitted to DHR: _____

NOTICE:

Upon expiration and until their Contractor Identification Number is renewed, companies will not be eligible to be awarded contracts by the State of Illinois or other jurisdictions that require a current DHR number as a condition of contract eligibility (44 IL Adm. Code 750.210(a)).

Numbers issued by the Department of Human Rights (or its predecessor agency, the Illinois Fair Employment Practices Commission) prior to July 1, 1998, are no longer valid. This affects numbers below 89999-00-0. Valid numbers begin with 90000-00-0.

IF YOUR ORGANIZATION HOLDS AN EXPIRED NUMBER, YOU MUST RE-REGISTER WITH DHR.

Bidder/Vendor may obtain an application form by:

1. **Telephone:** Call the DHR Public Contracts unit between Monday and Friday, 8:30 a.m. to 5:00 p.m. CST, at (312) 814-2431
2. **Internet:** Download the form from the Internet at http://www.state.il.us/cms/1_selling/vendfrms.htm. In the Purchasing area of CMS home page, click the "Download Vendor Forms" line.
3. **Mail:** Write to the Department of Human Rights, Public Contracts Unit, 100 West Randolph Street, Suite 10-100, Chicago, Illinois 60601.

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Attachment E - Minority, Female, Person with Disability Status and Subcontracting

The Business Enterprise Program Act for Minorities, Females and Persons with Disabilities (BEP) (30 ILCS 57511) establishes a goal for contracting with businesses that have been certified as owned and controlled by persons who are minority, female or who have disabilities. While you must complete this form, your response will not be considered in the evaluation. A listing of certified businesses may be obtained from the Department of Central Management Services' Business Enterprise Program for Minorities, Females and Persons with Disabilities by calling 312/814-4190 (Voice & TDD), 800/356-9206 (Toll Free), or 800/526-0844 (Illinois Relay Center for Hearing Impaired).

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

Is your company at least 51% owned and controlled by individuals in one or more of the following categories? Yes _____ No _____

If "Yes" check each that applies:

Category:

Minority _____

Female _____

Person with Disability _____

Disadvantaged _____

If "Yes," please identify, by checking the applicable blanks, which agency certified the business and in what category:

Certifying Agency:

Department of Central Management Services _____

Women's Business Development Center _____

Chicago Minority Business Development Council _____

Illinois Department of Transportation _____

Other (please identify): _____

Category:

Minority _____

Female _____

Person with Disability _____

Disadvantaged _____

If you are not a certified BEP business, do you have a written policy or goal regarding contracting or subcontracting with BEP certified vendors? Yes _____ (attach copy) No _____

If "No," will you make a commitment to contact BEP certified vendors and consider them for subcontracting opportunities on this contract? Yes _____ No _____

Do you plan on ordering supplies or services in furtherance of this contract from BEP certified vendors? Yes _____ No _____

If "Yes," please identify what you plan to order, the estimated value as a percentage of your total Offer, and the names of the BEP certified vendors you plan to use.

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Attachment F - Conflicts of Interest Disclosures

Instructions. The Illinois Procurement Code requires that Vendors desiring to enter into certain contracts with the State of Illinois must disclose the financial and potential conflict of interest information that is specified below (30 ILCS 500/50-13 and 50-35 (a)(b)(h)).

Vendor shall disclose the financial interest, potential conflict of interest and contract information identified in Sections 1, 2, 3, and 4 below as a condition of receiving an award or contract. Please submit this information along with your bid or offer.

Section 1 applies to all contracts regardless of dollar amount. In addition, you must complete Sections 2, 3, and 4 for contracts with an annual value exceeding \$10,000 that must be procured using one of the authorized competitive methods of source selection.

If the Vendor is a wholly owned subsidiary of a parent organization, separate disclosures (Sections 2, 3, and 4) must be made by the Vendor and the parent. For purposes of this form, a parent organization is any entity that owns 100% of the Vendor.

When determining ownership or distributive income shares, use the most current information that you consider reliable, but in no event for a period before your last completed fiscal period.

A designee may submit this form on behalf of the Vendor (or its parent). However, that person must have verified the information with each affected individual.

Vendor Information

This disclosure information is submitted on behalf of (show official name of Vendor, and if applicable, D/B/A and parent):

Name of Vendor:
D/B/A (if used):
Name of any Parent Organization:
Address:
Contact Person: Name: Title: Address: Telephone/Fax:

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Section 1: Section 50-13 Conflicts of Interest

(a) Prohibition. It is unlawful for any person holding an elective office in this State holding a seat in the General Assembly, or appointed to or employed in any of the offices or agencies of State government and who receives compensation for such employment in excess of 60% of the salary of the Governor of the State of Illinois **[\$90,414.60]**, or who is an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority, or who is the spouse or minor child of any such person to have or acquire any contract, or any direct pecuniary interest in any contract therein, whether for stationery, printing, paper, or any services, materials, or supplies, that will be wholly or partially satisfied by the payment of funds appropriated by the General Assembly of the State of Illinois or in any contract of the Capital Development Board or the Illinois Toll Highway Authority.

(b) Interests. It is unlawful for any firm, partnership, association, or corporation, in which any person listed in subsection (a) is entitled to receive (i) more than 7 1/2% of the total distributable income or (ii) an amount in excess of the salary of the Governor **(\$150,691.00)**, to have or acquire any such contract or direct pecuniary interest therein.

(c) Combined interests. It is unlawful for any firm, partnership, association, or corporation, in which any person listed in subsection (a) together with his or her spouse or minor children is entitled to receive (i) more than 15%, in the aggregate, of the total distributable income or (ii) an amount in excess of 2 times the salary of the Governor **[\$301,382.00]**, to have or acquire any such contract or direct pecuniary interest therein.

(d) Securities. Nothing in this Section invalidates the provisions of any bond or other security previously offered or to be offered for sale or sold by or for the State of Illinois.

(e) Prior interests. This Section does not affect the validity of any contract made between the State and an officer or employee of the State or member of the General Assembly, his or her spouse, minor child or any combination of those persons if that contract was in existence before his or her election or employment as an officer, member, or employee. The contract is voidable, however, if it cannot be completed within 365 days after the officer, member, or employee takes office or is employed.

(f) Exceptions.

(i) Public aid payments. This Section does not apply to payments made for a public aid recipient.

(ii) Teaching. This Section does not apply to a contract for personal services as a teacher or school administrator between a member of the General Assembly or his or her spouse, or a State officer or employee or his or her spouse, and any school district, public community college district, or State University.

(iii) Ministerial duties. This Section does not apply to a contract for personal services of a wholly ministerial character, including but not limited to services as a laborer, clerk, typist, stenographer, page, bookkeeper, receptionist, or telephone switchboard operator, made by a spouse or minor child of an elective or appointive State officer or employee or of a member of the General Assembly.

(iv) Child and family services. This Section does not apply to payments made to a member of the General Assembly, a State officer or employee, his or her spouse or minor child acting as a foster parent, homemaker, advocate, or volunteer for or in behalf of a child or family served by the Department of Children and Family Services.

(v) Licensed professionals. Contracts with licensed professionals provided they are competitively bid or part of a reimbursement program for specific, customary goods and

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services through the departments of Children and Family Services, Human Services, Public Aid, Public Health, or Aging.

CHECK ONE:

_____ No Conflicts Of Interest

_____ Potential Conflict of Interest *(If checked, name each conflicted individual, the nature of the conflict, and the name of the State agency that is associated directly or indirectly with the conflicted individual.)*

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Section 2: Disclosure of Financial Interest in the Vendor

All vendors, except for publicly traded corporations subject to SEC reporting requirements and privately held corporations with more than 400 shareholders, must complete subsection (a) below. Publicly traded corporations may complete subsection (b) and privately held corporations with more than 400 shareholders may complete subsection (c) in lieu of completing subsection (a).

(a) General disclosure. For each individual having any of the following financial interests in the vendor (or its parent), please mark each that apply and show the applicable name and address. Then complete Sections 3 and 4. If no individual has any of the following financial interests in the vendor (or its parent), check this blank _____, skip Section 3, but complete Section 4.

Ownership exceeding 5% (_____)
 Ownership value exceeding \$90,414.60 (_____)
 Distributive Income Share exceeding 5% (_____)
 Distributive Income Share exceeding \$90,414.60 (_____)

Name: _____
 Address: _____

For each individual identified above, show the dollar value of the ownership interest: \$_____ or the proportionate share of the ownership interest: _____% and the type of ownership/distributable income share:

Sole Proprietorship _____
 Stock _____
 Partnership _____
 Other (explain) _____

**For partnerships with more than 50 but fewer than 400 partners, the proportionate share of ownership interest of each individual identified above may be shown in the following ranges:*

1% _____
 1 up to 2% _____
 2 up to 3% _____
 3 up to 4% _____
 4 up to 5% _____
 and in additional 1% increments as appropriate _____%

For partnerships with more than 400 partners, the proportionate share of ownership may be shown in the following ranges:

0.5% or less _____
 >0.5 to 1.0% _____
 >1.0 to 1.5% _____
 and as appropriate in additional 0.5 increments _____%

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(b) Publicly traded corporations subject to SEC reporting requirements. These Vendors may submit their 10k disclosure (*include proxy if referenced in 10k*) in satisfaction of the financial and conflict of interest disclosure requirements set forth in subsections **50-35 a** and **b** of the Procurement Code. An SEC 20f or 40f, supplemented with the names of those owning in excess of 5% and up to the ownership percentages disclosed in those submissions, may be accepted as being substantially equivalent to 10k. Vendor may skip Section 3 of this form, but must complete Section 4.

Check here if submitting a 10k _____, 20f _____, or 40f _____.

(c) Privately held corporations with more than 400 shareholders. These Vendors may submit the information identified in 17 CFR 229.401 and list the names of any person or entity holding any ownership share in excess of 5% in satisfaction of the financial and conflict of interest disclosure requirements set forth in subsections **50-35 a** and **b** of the Procurement Code. Vendor may skip Section 3 of this form, but must complete Section 4.

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Section 3: Disclosure of Potential Conflicts of Interest

For each individual having the level of financial interest identified in Section 2(a) above, indicate which, if any, of the following potential conflict of interest relationships apply. If "Yes," please describe each situation (label with appropriate letter) using the space at end of this Section 3 (attach additional pages as necessary).

(a) State employment, currently or in the previous 3 years, including contractual employment of services directly with the individuals identified in Section 1 in their individual capacity unrelated to the Vendor's contract. Identify contracts with the VENDOR in Section 4. Yes ____ No ____

(b) State employment of spouse, father, mother, son, or daughter, including contractual employment for services in the previous 2 years. Yes ____ No ____

(c) Elective status; the holding of elective office of the State of Illinois, the government of the United States, any unit of local government authorized by the Constitution of the State of Illinois or the statutes of the State of Illinois currently or in the previous 3 years. Yes ____ No ____

(d) Relationship to anyone holding elective office currently or in the previous 2 years; spouse, father, mother, son, or daughter. Yes ____ No ____

(e) Appointive office; the holding of 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 office currently or in the previous 3 years. Yes ____ No ____

(f) Relationship to anyone holding appointive office currently or in the previous 2 years; spouse, father, mother, son, or daughter. Yes ____ No ____

(g) Employment, currently or in the previous 3 years, as or by any registered lobbyist of the State government. Yes ____ No ____

(h) Relationship to anyone who is or was a registered lobbyist in the previous 2 years; spouse, father, mother, son, or daughter. Yes ____ No ____

(i) Compensated employment, currently or in the previous 3 years, 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 ____

(j) Relationship to anyone; spouse, father, mother, son, or daughter; who is or was a compensated employee in the last 2 years 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 ____

Explanation of potential conflicts of interest:

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Section 4: Current and Pending Contracts and Offers (bids and proposals)

(a) VENDOR shall identify each contract it has with other units of State of Illinois government by showing agency name and other descriptive information such as purchase order or contract reference number (attach additional pages as necessary). Show "none" if appropriate.

(b) VENDOR shall identify whether it has pending contracts (including leases), bids, proposals, or other ongoing procurement relationships with other units of State of Illinois government by showing agency name and other descriptive information such as bid or project number (attach additional pages as necessary). Show "none" if appropriate.

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Attachment G - Taxpayer Identification Number

I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Name (Printed): _____

Taxpayer Identification Number:

Social Security Number _____
or
Employer Identification Number _____

Legal Status (check one):

- | | |
|---|---|
| ____ Individual | ____ Governmental |
| ____ Sole Proprietorship | ____ Nonresident alien |
| ____ Partnership/Legal Corporation | ____ Estate or Trust |
| ____ Tax-exempt | ____ Pharmacy (non-corporate) |
| ____ Corporation providing or
billing medical and /or
health care services | ____ Pharmacy/Funeral Home/Cemetery (Corp.) |
| ____ Corporation NOT providing
or billing medical and / or
health care services | ____ Other _____ |

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Attachment H - Information Regarding Terminations, Litigation and Debarment

The Agency/Buyer requests that the Vendor provide the following information:

1. During the last five (5) years, has the Vendor had a contract for services terminated for any reason? If so, provide full details related to the termination.
2. During the last five (5) years, describe any damages or penalties or anything of value traded or given up by the Vendor under any of its existing or past contracts as it relates to services performed that are similar to the services contemplated by this RFP and the resulting Contract. If so, indicate the reason for the penalty or exchange of property or services and the estimated amount of the cost of that incident to the Vendor.
3. During the last five (5) years, describe any order, judgment or decree of any Federal or State authority barring, suspending or otherwise limiting the right of the Vendor to engage in any business, practice or activity.
4. During the last five (5) years, list and summarize pending or threatened litigation, administrative or regulatory proceedings, or similar matters that could affect the ability of the Vendor to perform the required services. The Vendor must also state whether it or any owners, officers, or primary partners have ever been convicted of a felony. Failure to disclose these matters may result in rejection of the bid Offer or in termination of any subsequent contract. This is a continuing disclosure requirement. Any such matter commencing after submission of a bid Offer, and with respect to the successful Vendor after the execution of a contract, must be disclosed in a timely manner in a written statement to the Agency.
5. During the last five (5) years, have any irregularities been discovered in any of the accounts maintained by the Vendor on behalf of others? If so, describe the circumstances of irregularities or variances and disposition of resolving the irregularities or variances.

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Attachment I - Domestic Products

You may be eligible for a preference when we evaluate your response to this solicitation if your product is manufactured in the United States.

The Procurement of Domestic Products Act (30 ILCS 517) states: "Manufactured in the United States means, in the case of assembled articles, materials, or supplies, that design, final assembly, processing, packaging, testing or other process that adds value, quality, or reliability occurs in the United States."

If, after reading the cited Act, you made the following certification, we will, as necessary, investigate the claim and consider applying the allowable preference set forth in the Standard Procurement Rules (44 Ill. Adm. Code 1.4575).

I certify the following product of products bid or proposed in response to this solicitation meet the requirements of the Procurement of Domestic Products Act:

Check and complete as applicable:

_____ All products

_____ The following line item (list by number or description, if no line number)

Company Name _____

Authorized Representative Signature _____

Type or Print Name _____

Date _____

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Attachment J - Designation of Confidential and Proprietary Information

The attached material submitted in response to Bid / Proposal # _____ includes confidential and proprietary information which qualifies as a trade secret or is otherwise material that can be kept confidential under the Illinois Freedom of Information Act. As such, we ask that certain pages, as indicated below, of the bid / proposal response be treated as confidential material and not be released without our written approval.

Prices always become public information when bids / proposals are opened, and therefore cannot be kept confidential.

We request that the following pages not be released:

Section	Page #	Topic

In the event the designation of confidentiality of this information is challenged, the undersigned hereby agrees to provide legal counsel or other necessary assistance to defend the designation of confidentiality and agrees to hold the State harmless for any costs or damages arising out of the State's agreeing to withhold the materials.

Failure to include this form in the bid / proposal response may mean that all information provided as part of the bid / proposal response will be open to examination and copying. The State considers other makings of confidential in the bid / proposal document to be insufficient. The undersigned agrees to hold the State harmless for any damages arising out of the release of any materials unless they are specifically identified above.

Company Name _____

Authorized Representative Signature _____

Type or Print Name _____

Date _____

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Attachment K – UCP Supporting Documents

User Descriptions

The system will be primarily accessed by external vendors, the DBE/EEO Programs/Contract Compliance Department and other departments in the IL UCP agencies. All data will be input by various agency users. All access must be secure, reliable, scalable and easy to maintain. The IL UCP's preference is to have a browser-based application (accessed through the internet). Users may be tasked with more than one user role and should be able to perform those roles without having to login more than once. Furthermore, the system should allow for the tasks associated within the roles to be changed or updated by the Agency Administrator as needed (including ad-hoc reporting). Each of these tasks should be accessible through a web interface and each of the agency specific users should only be able to change/modify/update their own agency's firms.

Type of system users, number of users, descriptions, functions and user case activities are provided below:

Type	Nbr(s)	Function	Activity
System Administrator	1	Responsible for performing database management related functions. Providing support to Agency Administrators related system functions such as database security	System Administrator shall be able to: ➤ Modify, establish and maintain the system scheduler for all agency participants ➤ Setup and modify letter templates for the Certification Process ➤ Setup and modify agency administrator profiles and roles ➤ Change database tables ➤ Deactivate or transfer ownership of applicant firms ➤ Manage the NAICS code table ➤ Establish user profiles ➤ Modify agency data views ➤ Assist agency administrator with adhoc reports ➤ Troubleshoot system problems
Agency Administrators	5	Responsible for maintaining agency level security and other system related functions.	Agency Administrators shall be able to: ➤ Add and adjust caseload ➤ Deactivate duplicate firms entries by using appropriate case status code ➤ Change tasks associated with roles within their agency ➤ Generate adhoc reports

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Type	Nbr(s)	Function	Activity
Agency Managers	15	Responsible for planning, developing, coordinating and administering the DBE program to ensure compliance with Federal Rules. Determines qualifications of and certifies DBE's to participate in programs and conducts workshops on program requirements, prepare reports on findings, monitor and evaluate activities and prepare fiscal reports of program activities.	Agency Managers shall be able to: Ability to add/remove/modify users, inactivate applicant firms (for duplicate firm entries within their agency), change roles associated with other users within their agency, generate denial/removal/approval letters and modify/update tasks associated with the Agency Reviewers, Intake Personnel and Mail Clerks.
Agency Reviewers	50		Agency reviewers have the ability to input data for summary reports, input data for requests for information, input review data (e.g. specialty, category, site visit dates, gross receipts, number of employees, etc.) and assign NAICS codes.
Agency Intake Personnel	10		Agency Intake Personnel input and update all general information (contact name, firm name, address, phone/fax number and e-mail). The Agency Intake Personnel will also have the ability to assign the file to an Agency Reviewer and input dates that requested additional information is received change case load assignments or make adjustments to case load assignments as recommended by Agency Managers.
Office Coordinators	10	Responsible for handling mail and correspondence. Primary contacts are with initiators of source documents.	Inputs data into system for tracking mail and correspondence. May provide system generated reports to management and others related to this function. May retain records and files regarding work processed.
Agency Hearing Officers	10	.	The Agency Hearing Officers have the ability to input hearing dates, input hearing decisions and create requests for information during the hearing process.

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Type	Nbr(s)	Function	Activity
Contract Compliance Users	50	.	Contract Compliance Users should have the ability to search the status of all firms within the IL UCP system and view their ownership, management, gross receipts and contact information
External Users (All Vendors)	500		External users are the general public, other using departments within the agencies (i.e. Purchasing, Engineering, etc...) and applicant DBE firms that will be accessing the system to determine the status of a DBE firm and/or search for currently certified DBE firms. External users will have the ability to search the database by firm name to determine the firm's application status (Certified, Pending Certification, Pending No-Change, Pending Renewal, Requested Information, Denied, Removed, Pending Removal, Pending Hearing or Withdrawal) and date of status. Furthermore, the external users will be able to generate reports of certified firms' contact information (as is contained in the current IL UCP DBE Directory) through searches using the firm's name, NAICS Code, District Number, Zip Code, City, Category or Specialty.

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Unified Certification Program (UCP) Process

The IL UCP follows the Certification process below. The process begins with the submittal of a Certification Application. Specific documentation and site visit is required in accordance with CFR 49 Part 26. Specific eligibility criteria must be met according to the Unified Certification Program Federal Regulations. The process has specific timelines associated for the procedures indicated. Once certified, the firms will appear in the online IL UCP Directory.

Certification Application

- a) Firms that have never been through the certification process or have been denied/removed one year prior are allowed to submit a new Certification Application.
- b) Once the Certification Application is received, the Agency Intake Personnel will input the firm's name, address, phone, fax, e-mail address, contact person's name and tax ID number if available. The Agency Intake Personnel will also be responsible for assigning the file to an officer.
- c) The Agency Reviewers, once assigned the file, will review the file to determine if additional documentation is required ("Request for Additional Information Check List").
- d) The Agency Reviewers will determine if all of the information is submitted/applicable to the firm.
- e) If a firm has submitted a complete application after an initial review, the Agency Reviewer will create an "Acknowledgement Letter" (Letter 1) telling the firm that their application was received.
- f) If additional information is required, the Agency Reviewer will create a "Request for Information" (Letter 2). This letter will have the ability to incorporate items from the "List of Required Documentation" and in addition, will allow the Agency Reviewers to "type plain-text requests for specific items". This letter will also give the firm 20 calendar days from the date of receipt of the letter to respond to the Agency Reviewer with the requested information and detail that particular Agency Reviewer's contact information (name/phone number).
- g) If the firm responds with the requested information, the Agency Intake Personnel will input the date the information was received and update the items received, not applicable or not received in the checklist.
- h) Once the information is received and the date it was received is put into the system, it is the Agency Reviewer's responsibility to determine if the information submitted is complete and if there is additional information needed.
- i) If the information submitted was not complete/insufficient, then the Agency Reviewer will create a second request for the information which gives the firm an additional 10 calendar days from the date of receipt of the letter to respond to this request for information. This request will start with the original items requested and give the Agency Reviewer the ability to add and remove items from the "Request for Additional Information Check List", as well as the ability to "type plain-text requests for specific items" (Letter 3).
- j) If the firm responds within the 10 calendar days from the date of receipt, the Agency Intake Personnel will input the date the information was received and update the checklist of items as received, not applicable or not received.
- k) Once the date the information was received is put into the system, the Agency Reviewer will determine if the information submitted is complete and sufficient.
- l) The firm has the ability to request a 10 day extension which would give them an additional 10 calendar days from the letter date to respond to the second request for information.

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- m) If the firm requests an extension, the Agency Reviewer would put the date of their request into the system and send them a letter authorizing the extension (Letter).
- n) The Agency Reviewer will determine if the firm responded with all of the requested/sufficient information within the timeframe of the extension request.
- o) If the firm does not respond within the time limit of their second request for information or does not respond within the time limit of their requested extension, then the system will generate a denial letter for failure to provide the requested information (Letter 4).
- p) Once the failure to provide requested information denial letter is signed by an Agency Manager, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by the Agency Intake Personnel and record that the letter was actually signed and sent on that particular day.
- q) Upon notification of the denial of the firm's application, the firm can appeal to the United States Department of Transportation (US DOT) within 90 days. US DOT will forward a copy of the firm's appeal to the host agency and will request copies of our documentation. the US DOT Appeal section below for this process.
- r) As with all denials, once a firm is denied DBE certification, the firm cannot reapply with any other agency within one year from the date on the denial letter. Firms that reapply after this one-year period would begin the Certification Application Process anew.
- s) Once all the information is determined to be received by the Agency Reviewer, the reviewer will evaluate all of the information in the file. During this evaluation process the reviewer will input the firm's gross receipts, owners, officers, personal net worth size, number of employees, NAICS code(s). The owner's personal net worth cannot exceed the size limit of \$750,000. A firm's gross receipts or the number of employees in the firm cannot exceed the limit for the particular NAICS size standard. Furthermore, the firm's gross receipts cannot exceed the DBE program size standard which is currently at \$19.57 million. This dollar value is adjusted for inflation on an on-going basis.
- t) Once the initial review is completed, the Agency Reviewer will conduct a site visit. The date of this site visit is input into the system by the Agency Reviewer. Firms must have a site visit dated within five years in order for the firm to be certified.
- u) If the Agency Reviewer determines that there is additional information needed subsequent to the site visit, they have the ability to make one more request for information.
- v) The Agency Reviewer will create a request for additional information subsequent to the site visit (Letter 6), requesting any final items that are needed. This letter gives the firm 10 days from date of receipt to return the complete list of items.
- w) Once the date the information was received is put into the system, the Agency Reviewer will determine if the information submitted is complete and sufficient.
- x) With all of the firm's information input into the system, the system will generate an initial certification summary report (Letter 7). This report will also include the ability for the reviewer to put free-text verbiage to state comments, notes and recommendation to the review committee/Agency Manager. If the firm is recommended for approval, the reviewer will also include the firm's specialty, category, ethnicity and gender into the system for inclusion in the directory and reporting purposes.
- y) The agencies will have either the Agency Manager or a review committee review the summary report.
- z) Either the Agency Manager or the review committee will make a final determination regarding the firm's eligibility.
- aa) If the firm is not eligible to participate in the DBE program, the Agency Reviewer will create a denial for cause letter to the firm. The letter will consist of a free-text section to outline each of the reasons for denial. The letter will also allow for the "inclusion of the specific Federal Regulations, and their verbiage" (Letter 8).

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- bb) If the firm is found to be eligible to participate in the DBE program, the Agency Reviewer will create an approval letter for the firm. The "Approval Letter" (Letter 9), which outlines the firm's effective date of certification as the date of the letter. In addition, the letter will provide the ability for the system to include a Vendor ID number if one is present in the system. The letter will also include the firm's Renewal Application date (date that we will be requesting an updated Renewal Application). The Agency Reviewer will have the ability to modify the certification categories recommended in their initial recommendation. If the firm is certified in the specialty area of trucking, there is additional information that will be included in the letter.
- cc) Once the denial letter is created, it is reviewed for correctness/factuality by the Agency Manager.
- dd) Once the approval letter is created, it is reviewed for correctness/factuality by the Agency Manager.
- ee) Once the denial for cause letter is signed by an Agency Manager, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by Agency Intake Personnel to record that the letter was actually signed and sent on that particular day.
- ff) Once the certification approval letter is signed by an Agency Manager, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by the Agency Intake Personnel to record that the letter was actually signed and sent on that particular day.
- gg) Upon notification of the denial of the firm's application, the firm can appeal to the United States Department of Transportation (US DOT) within 90 days. US DOT will forward a copy of the firm's appeal to the host agency and will request copies of our documentation. The US DOT Appeal section below for this process.
- hh) If the firm was approved for certification, the day and month of the approval letter will become the firm's anniversary which we will be requesting a No-Change Affidavit from the firm. Furthermore, five years from the date of the certification, the agencies will request a Certification Eligibility Affidavit. Once this date is put into the system, the firm will be listed in the DBE directory and the firm will not be removed from the directory unless they are removed through the removal process described in this section under the "Removal Process" heading.
- ii) As the firm's application proceeds through steps S and FF there is a time limit defining the maximum amount of time the agency can be reviewing the application. This process is described in this section under the "90-Day Review Process" heading.
- jj) As with all denials, once a firm is denied DBE certification, the firm cannot reapply with any other agency within one year from the date on the denial letter. Firms that reapply after this one-year period would begin the Certification Application Process anew.
- kk) This process ends with the firm's file going onto the No-Change Affidavit process under the following heading.

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No-Change Affidavit

- a) The no change affidavit process is conducted on an annual basis, based on the firms' original certification/continuation of eligibility date as long as the firm's certification is not expiring.
- b) Sixty days prior to the applicant's anniversary the system generates the initial request for a no change affidavit. This is sent out by the agency intake personnel (Letter).
- c) If the application is received within 30 days, the agency intake personnel will input the date the application was received and assign it to an agency reviewer.
- d) If the application was not received within 30 days, the system will generate a second request for the no change affidavit which will be sent out by the intake personnel (Letter 11).
- e) If the application is received during this 30 day time-frame the agency intake person will put in the date on which the application was received and assign it to an agency reviewer.
- f) If the application was not received by the anniversary day and month, a pending removal letter is created by the system giving the firm 20 calendar days from the date of the letter to request a hearing or submit a written appeal (Letter 12).
- g) The firm will be referred to the hearing committee as outlined in the "Hearing Committee" heading in this section.
- h) The Agency Reviewer, once assigned the file, will review the file to determine if additional documentation is required.
- i) The Agency Reviewers will determine if all of the information is submitted/applicable to the firm.
- j) If additional information is required, the Agency Reviewer will create a "Request for Information" (Letter 13). This letter will have the ability to incorporate items from the list of required documentation and also, allow the Agency Reviewers to "type plain-text requests for specific items". This letter will also give the firm 20 calendar days from the date of receipt of the letter to respond to the Agency Reviewer with the requested information and detail that particular Agency Reviewer's contact information (name/phone number).
- k) The Agency Reviewer will put the date the requested additional information was received, if applicable, into the system.
- l) Once the information is received and the date it was received is put into the system, it is the Agency Reviewer's responsibility to determine if the information submitted is complete and if there is additional information needed.
- m) If the information submitted was not complete/insufficient, then the Agency Reviewer will create a second request for the information which gives the firm an additional 10 calendar days from the date of receipt of the letter to respond to this request for information. This request will start with the original items requested and give the Agency Reviewer the ability to add and remove items from the checklist as well as the ability to "type plain-text requests for specific items" (Letter 14).
- n) If the firm responds within the 10 calendar days from the date of receipt, the Agency Intake Personnel will input the date the information was received and update the checklist of items as received, not applicable or not received..
- o) The firm has the ability to request a 10 day extension which would give them an additional 10 calendar days from the letter date to respond to the second request for information.
- p) If the firm requests an extension, the Agency Reviewer would put the date of their request into the system and send them a letter "Authorizing the Extension" (Letter 15).

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- q) The Agency Reviewer will put the date the requested additional information was received, if applicable, into the system.
- r) If there was no response to the request for the information or there was no response after the extension request then the system will generate a notice of proposed removal giving the firm the ability to “Request a Hearing” (Letter 16).
- s) Once the date the information was received is put into the system, the Agency Reviewer will determine if the information submitted is complete and sufficient.
- t) If a firm has submitted a complete application after an initial review, the Agency Reviewer will create an “Acknowledgement Letter” (Letter 17).
- u) Once all the information is determined to be received by the Agency Reviewer, the reviewer will evaluate all of the information in the file. During this evaluation process the reviewer will input the updated gross receipts, any new owners, any new officers, updated personal net worth size, updated number of employees and any changes to their NAICS code(s). A firm’s gross receipts or the number of employees in the firm cannot exceed the limit for the particular NAICS size standard.
- v) With all of the firm’s information input into the system, the system will generate a “Summary Report” (Letter 18). This report will also include the ability for the reviewer to put free-text verbiage to state comments, notes and recommendation to the review committee/Agency Manager. If the firm is recommended for continued certification, the reviewer will also include any updated category(ies) into the system for inclusion in the directory and reporting purposes. This report should be a modification of the report created the previous year to cut down on double data entry.
- w) The agencies will have either the Agency Manager or a review committee review the summary report.
- x) Either the Agency Manager or the review committee will review the complete file and the summary report and make the final determination regarding the firm’s continued eligibility.
- y) If the firm is found to be eligible to continue participation in the DBE program, the Agency Reviewer will create an approval letter for the firm. The “Approval Letter” (Letter 19) will outline the firm’s original date of certification, the firm’s anniversary date (day and month that No-Change Affidavits need to be submitted by) and firm’s Renewal Application date (date that the agency will be requesting an updated Renewal Application). The Agency Reviewer will have the ability to modify the certification categories recommended in their initial recommendation.
- z) Once the approval letter is created, it is reviewed for correctness/factuality by the Agency Manager.
- aa) Once the No-Change approval letter is signed by an Agency Manager, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by the Agency Intake Personnel and record that the letter was actually signed and sent on that particular day.
- bb) 60 Days prior to the firm’s anniversary day/month, the system will check to if the firm’s DBE certification will be expiring in 60 days.
- cc) The system will determine if the firm’s certification is expiring.
- dd) If the firm’s certification is not expiring, then the system will go back to the No-Change Affidavit process. This process is described under this heading.
- ee) If the firm’s certification is expiring, then the system will go to the Continuation of Eligibility Affidavit Process. This process is described in this section under the “Continuation of Eligibility Affidavit” heading.
- ff) If the firm is not eligible to participate in the DBE program, the Agency Reviewer will create a notice of proposed removal for cause letter to the firm. The letter will consist of a free-text section to outline each of the reasons for denial. The letter will also allow for the inclusion of the specific regulations, and their verbiage (Letter 20).

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- gg) Once the denial letter is created, it is reviewed for correctness/factuality by the Agency Manager.
- hh) Once the removal for cause letter is signed by an Agency Manager, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by the Agency Intake Personnel and records that the letter was actually signed and sent on that particular day. This letter gives the firm the ability to request a hearing or submit a written appeal to the particular agency.

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Continuation of Eligibility Process

- a) The Renewal Application process is conducted every five years, based on the firms' original certification date or date of last Continuation of Eligibility Affidavit for all certified firms.
- b) Sixty days prior to the applicant's expiration date, the system generates initial requests for a Continuation of Eligibility Affidavit. This is sent out by the agency intake personnel (Letter 21).
- c) If the application is received within 30 days, the agency intake personnel will input the date the application was received and assign it to an agency reviewer.
- d) If the application was not received within 30 days, the system will generate a second request for the Continuation of Eligibility Affidavit which will be sent out by the intake personnel (Letter 22).
- e) If the application is received during this 30 days time frame the agency intake person will put in the date on which the application was received and assign it to an agency reviewer.
- f) If the application was not received by the expiration date, a pending removal letter is created by the system giving the firm 20 days to request a hearing or submit a written appeal. (Letter 23).
- g) The firm will be referred to the hearing committee as outlined in the "Hearing Committee" heading in this section.
- h) Upon receipt of a Continuation of Eligibility Affidavit, the agency reviewer assigned will review the documentation submitted for completeness.
- i) The agency reviewer will decide if all information was submitted or if additional information is required.
- j) If additional information is required, the Agency Reviewer will create a "Request for Information" (Letter 24). This letter will have the ability to incorporate items from the list of required documentation in and also the ability for the Agency Reviewers to type plain-text requests for specific items. This letter will give the firm 20 CALENDAR days from the date of receipt to respond to the Agency Reviewer with the requested information and detail that particular Agency Reviewer's contact information (name/phone number).
- k) If the firm responds with the requested information, the Agency Intake Personnel will input the date of the information was received.
- l) Once the information is received and the date it was received is put into the system, it is the Agency Reviewer's responsibility to determine if the information submitted is complete and if there is additional information needed.
- m) If the information submitted was not complete/insufficient, then the Agency Reviewer will create a second request for the information which gives the firm an additional 10 calendar days from the date of receipt of the letter to respond to this request for information. This request will start with the original items requested and give the Agency Reviewer the ability to add and remove items from the checklist as well as the ability to type plain-text requests for specific items (Letter 25).
- n) If the firm responds to the second request for the information the Agency Reviewer will input the date that the information was received in the system.
- o) If the firm responds to the second request for the information with a request for an extension, the Agency Reviewer will input the date that the request was received in the system.
- p) If the firm requests an extension, the Agency reviewer will respond using (Letter 26), authorizing the firm's extension.
- q) The Agency Reviewer will put the date the requested additional information was received, if applicable, into the system.

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- r) If there was no or partial response to the request for the information, there was or no response after the extension request, then the system will generate a removal letter for the failure to respond to the request for additional information (Letter 27).
- s) The Agency Reviewer will determine if the firm submitted all of the information requested.
- t) If a firm has submitted a complete application after an initial review, the Agency Reviewer will create an "Acknowledgement Letter" (Letter 28), telling the firm that their application was received.
- u) Once all the information is determined to be received by the Agency Reviewer, the reviewer will evaluate all of the information in the file. During this evaluation process the reviewer will input the updated gross receipts, any new owners, any new officers, updated personal net worth size, updated number of employees and any changes to their NAICS code(s). A firm's gross receipts or the number of employees in the firm cannot exceed the limit for the particular NAICS size standard as shown through.
- v) Once the initial review is completed, the Agency Reviewer will conduct a site visit. The date of this site visit is input into the system of the Agency Reviewer. Firms must have a site visit dated within the five years in order for the firm to remain certified.
- w) If the Agency Reviewer determines that there is additional information needed subsequent to the site visit, they have the ability to make one more request for information.
- x) The Agency Reviewer will create a request for additional information subsequent to the site visit (Letter 29), requesting any final items that are needed. This letter gives the firm 10 days from date of receipt to return the complete list of items.
- y) Once the date the information was received is put into the system, the Agency Reviewer will determine if the information submitted is complete and sufficient.
- z) With all of the firm's information input into the system, the system will generate a "Summary Report" (Letter 30). This report will also include the ability for the reviewer to put free-text verbiage to state comments, notes and recommendation to the review committee/Agency Manager. If the firm is recommended for continued certification, the reviewer will also include any updated category(ies) into the system for inclusion in the directory and reporting purposes.
- aa) The agencies will have either the Agency Manager or a review committee review the summary report.
- bb) Either the Agency Manager or the review committee will review the complete file and the summary report and make the final determination regarding the firm's continued eligibility.
- cc) If the firm is not eligible to participate in the DBE program, the Agency Reviewer will create a notice of proposed removal for cause letter to the firm. The letter will consist of a free-text section to outline each of the reasons for denial. The letter will also allow for the inclusion of the specific regulations, and their verbiage (Letter 31).
- dd) If the firm is found to be eligible to continue participation in the DBE program, the Agency Reviewer will create an approval letter for the firm. The approval letter (Letter 32) will outline the firm's original date of certification, the firm's anniversary date (day and month that No-Change Affidavits need to be submitted by) and firm's Continuation of Eligibility date (date that the agency will be requesting an updated Continuation of Eligibility Affidavit). The Agency Reviewer will have the ability to modify the certification categories recommended in their initial recommendation.
- ee) Once the removal for cause letter is created, it is reviewed for correctness/factuality by the Agency Manager.
- ff) Once the approval letter is created, it is reviewed for correctness/factuality by the Agency Manager.

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- gg) Once the removal for cause letter is signed by an Agency Manager, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by the Agency Intake Personnel and records that the letter was actually signed and sent on that particular day. This letter gives the firm the ability to request a hearing or submit a written appeal to the particular agency.
- hh) Once the Continuation of Eligibility Affidavit approval letter is signed by an Agency Manager, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by the Agency Intake Personnel and record that the letter was actually signed and sent on that particular day.
- ii) The firm will be referred to the hearing committee as outlined in the "Hearing Committee" heading in this section.
- jj) If the firm was approved for certification, the day and month of the approval letter will become the firm's anniversary which we will be requesting a No-Change Affidavit from the firm. Furthermore, five years from the date of the continued eligibility, the agency will request a Certification Eligibility Affidavit.
- kk) Since the firm's certification will not be expiring, the system will go back to the No-Change Affidavit process. This process is described under the "No-Change Affidavit Process" under this heading.

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90-Day Review Process

- a) The 90-Day Review Process is required for all Original Certification Applications.
- b) The process runs concurrent with the review of the file once all information is received by the agency.
- c) If the firm's application is not approved/denied within 90 days a letter is generated giving the firm notice of a request for an additional 60 days to process their application (Letter 33). This letter will have a list of items to select from as well as the ability for the agency reviewer to type free verbiage text to describe the specific reasons for the request for the extension.
- d) If the firm's application is completed, a denial or approval sent date will be put into the system.
- e) If the firm's application was completed within the additional 60 days, the firm's application was completed in the proper timeframe and the tracking returns to the normal process.
- f) If the firm's application was not completed within the additional 60 days, the firm's application was not completed in the proper timeframe and the system will generate a "Constructive Denial Letter" (Letter 34).
- g) Once the firm's "constructive denial" letter is sent, the firm has the ability to appeal to US DOT as outlined in this section under the US DOT APPEAL PROCESS heading.

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Hearing Committee Process

- a) The hearing committee process is granted to all firms whose certification has been proposed to be removed.
- b) The firm has 20 days to request a hearing.
- c) If the firm does not request a hearing, a denial for failure to request a hearing is generated by the system (Letter 35).
- d) If the firm requested a hearing, the date of the hearing will be put into the system.
- e) After the hearing, the hearing committee will determine if additional information is required.
- f) Once the hearing committee has all the requested information, they will make a determination on the firm's eligibility.
- g) If additional information is required, the hearing committee will create a "Request for Information" (Letter 36). This letter will have the ability to incorporate items from the list of required documentation and also the ability for the hearing committee to type plain-text requests for specific items. This letter will give the firm 10 CALENDAR days from the date of receipt to respond to the committee with the requested information and detail that particular hearing committee's contact information (name/phone number).
- h) The hearing committee will put in the date the information was received if applicable.
- i) If the firm did not respond to the committee's request for information, or if the hearing committee upholds the proposed removal of certification they will generate a letter of final removal to the firm. The letter will consist of a free-text section to outline each of the reasons for denial. The letter will also allow for the inclusion of the specific regulations, and their verbiage (Letter 37).
- j) If the firm was found to still be eligible to participate in the program, the hearing committee will create a letter stating this to the firm (Letter 38).
- k) Once the final removal letter is signed by the hearing committee, the letter will be sent out to the firm. The date that this letter is sent will be input into the system by Agency Intake Personnel to record that the letter was actually signed and sent on that particular day.
- l) Upon notification of the final removal of the firm's eligibility, the firm can appeal to the United States Department of Transportation (US DOT) within 90 days. US DOT will forward a copy of the firm's appeal to the host agency and will request copies of our documentation. The US DOT Appeal section below for this process.
- m) As with all final removals of certification, once a firm is removed of their DBE certification, the firm cannot reapply with any other agency within one year from the date on the denial letter. Firms that reapply after this one-year period would begin the Certification Application Process anew.
- n) If the reason for the proposed removal of certification was unfounded, the firm will be sent the approval letter for the specific application that they originally submitted (Letter 19 for a No-Change Affidavit or Letter 32 for a Continuation of Eligibility Affidavit) and the system should continue to track the file from that particular step in the work-flow.

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o) US DOT Appeal Process

- p) The US DOT Appeal process is afforded to all firms once they have been denied DBE certification or after they've had their certification removed.
- q) If the host agency receives notice from US DOT stating that the firm requested an appeal, the Agency Reviewer will put the date into the system.
- r) If the firm did not request an appeal, the firm remains denied/removed.
- s) If the firm did request an appeal, the system will generate a letter to US DOT outlining the information we are sending to them (Letter 39).
- t) US DOT will make their determination and submit a written finding.
- u) If the original decision was upheld, the firm remains denied/removed.
- v) If the original decision was overturned, the firm should be sent the approval letter for the specific application that they originally submitted (Letter 9 for an "Original Certification", Letter 19 for a "No-Change Affidavit" or Letter 32 for a "Continuation of Eligibility Affidavit") and the system should continue to track the file from that particular step in the work-flow.

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Request for Additional Information Check List

For All Types of Firms:

1. Complete, Sign and Notarize the Enclosed Application Signature Page
2. Current Real Estate Lease Agreement(s) or Deed(s) to Property
3. Current Business License and/or Professional License(s) for any/all Owners
4. MBE/DBE/WBE or SBA 8A Certifications or Denials
5. Evidence of Citizenship or Legal Residency Status (i.e.: Birth Certificate, Voter's Registration Card, Passport, Certificate of Naturalization...) AND Evidence of Ethnicity/Gender (i.e.: Photo Identification, Birth Certificate, Tribal Affiliation Card...) Pursuant to 49 CFR, Part 26
6. Complete the Enclosed Vendor Application and Commodity Code Listing
7. Current Union Agreements
8. Detailed Resumes showing Dates of Education, Training and Work History for Owners, Directors, Management Employees and Supervisors/Foreman
9. Title(s) of Automotive Equipment
10. Equipment Lease Agreement(s)
11. All Bank Resolutions and/or Bank Signature Cards
12. Management Service Agreement(s) (if applicable)
13. Proof of Contribution(s) by Owners to Acquire Stock in firm or Start Up Capital (i.e., Cancelled Checks, Loan Agreements)
14. Last Three (3) Years of Complete Financial Statements Including Balance Sheets (Assets and Liabilities) and Income Statements
15. Last Three (3) Years of Signed Federal Business Income Tax Returns Including All Attachments and Schedules
16. Copies of W-2 forms for previous three (3) years for all owners, directors and officials
17. Copies of all Signed Loan Agreements
18. Certificate of Insurance
19. Documentation Demonstrating Bonding Limits
20. Copies of the Cover Page and Executed Signature Page of Three (3) Contracts and/or Purchase Orders/Invoices
21. Last Three (3) Years of Owner's Signed Federal Personal Income Tax Returns Including All Schedules and Attachments
22. Complete, Sign and Notarize the Enclosed Personal Net Worth Statement
23. Include at least 5 user input requested items

Include For firms the are Corporations:

1. Articles of Incorporation
2. Certificate of Incorporation
3. By-Laws of Corporation
4. Copies of All Stock Certificates issued (front and back) and Stock Ledger
5. Minutes of First Stockholder's Meeting and/or Corporation's Organizing Minutes
6. Minutes of First Board of Director's Meeting
7. Minutes of Stockholder's Meeting Where the Current Board Members Were Appointed and/or Current Year's Meeting Minutes
8. Minutes of Board of Director's Meeting Where the Current Officers Were Appointed and/or Current Year's Meeting Minutes

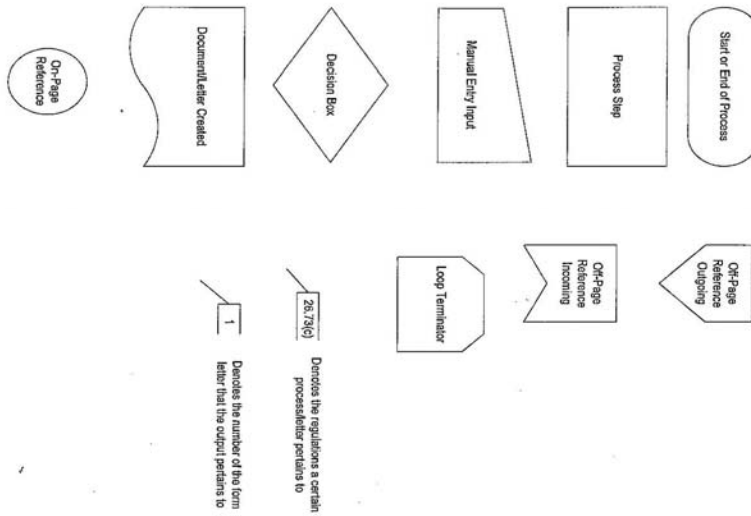
Include For firms the are Partnerships:

1. Partnership Agreement
2. Assumed Name Certificate or Certificate of Limited Partnership

Include For firms that are Sole Proprietorships:

1. Assumed Name Certificate

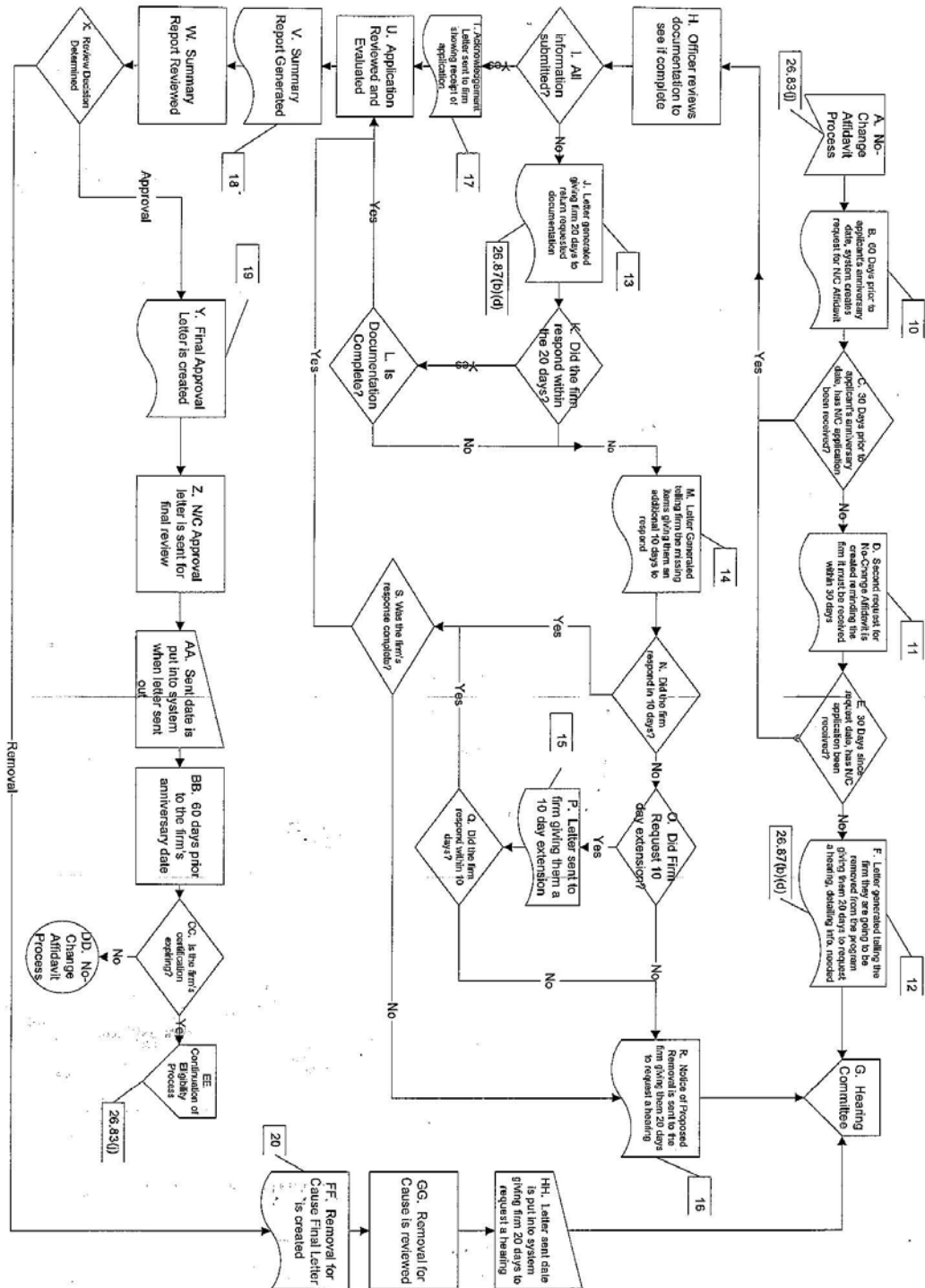
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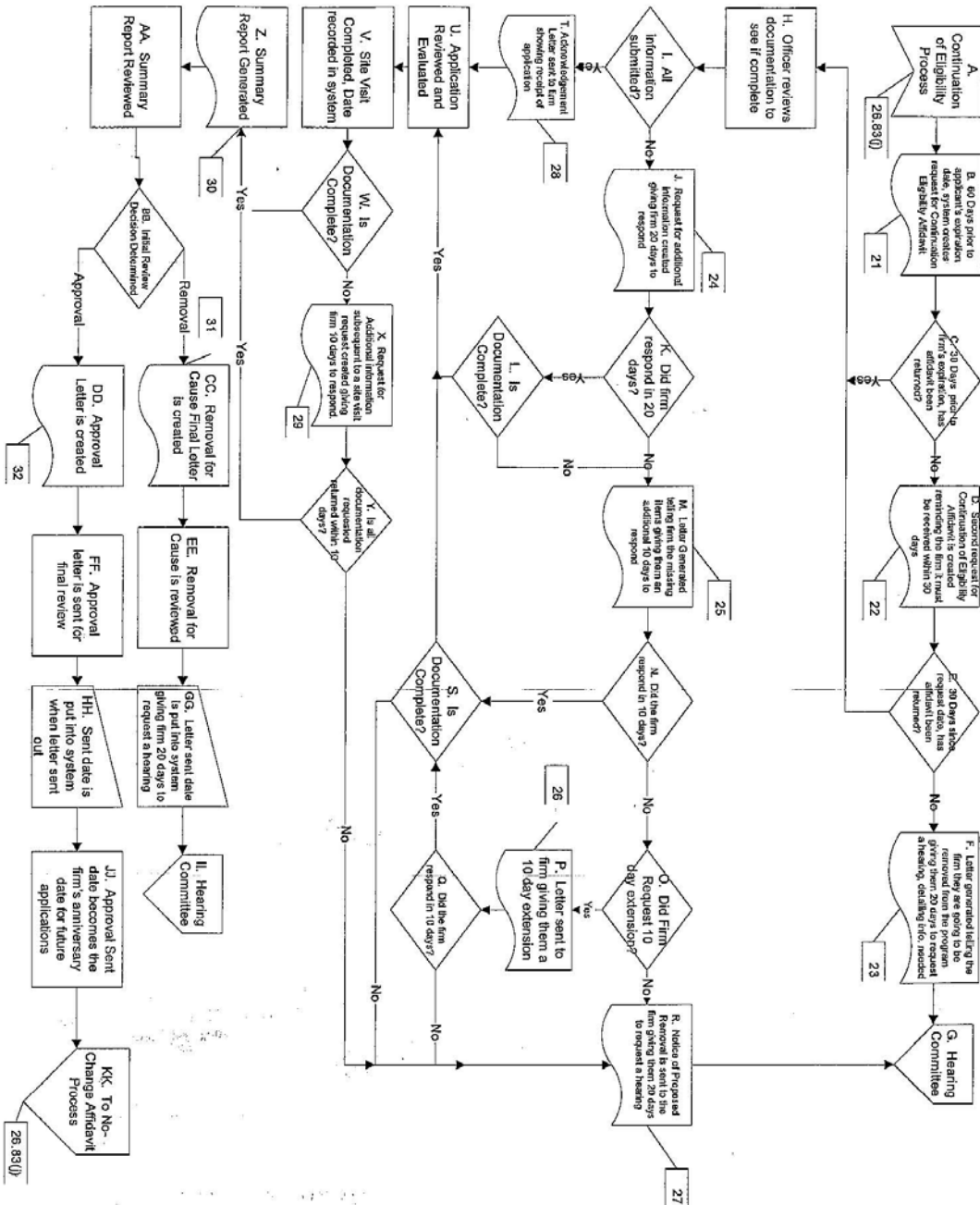
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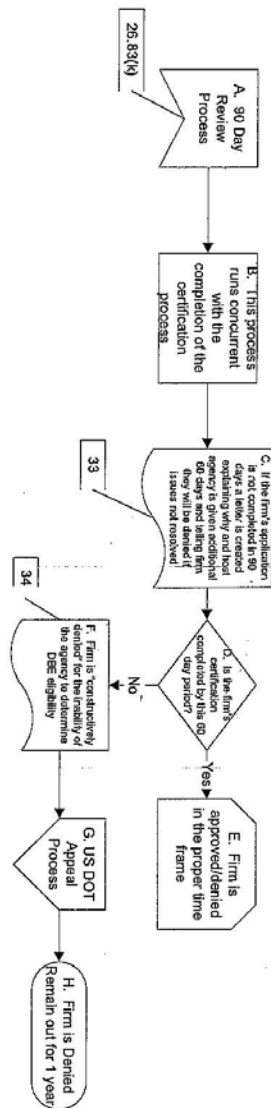
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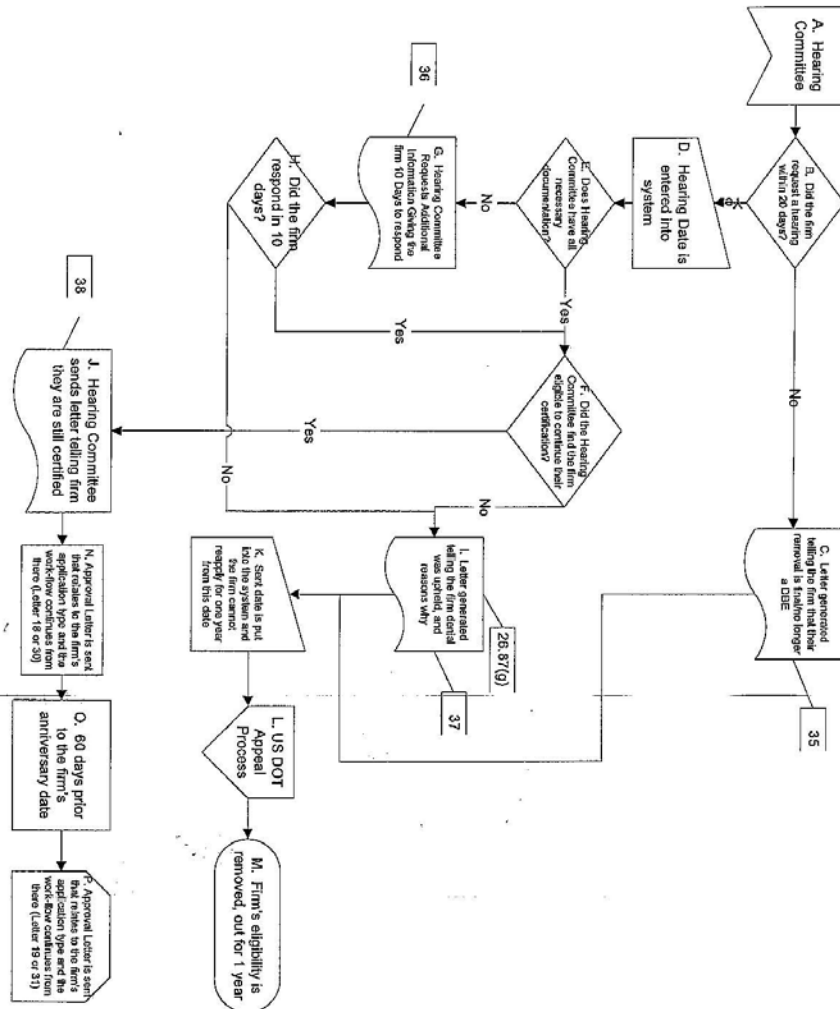
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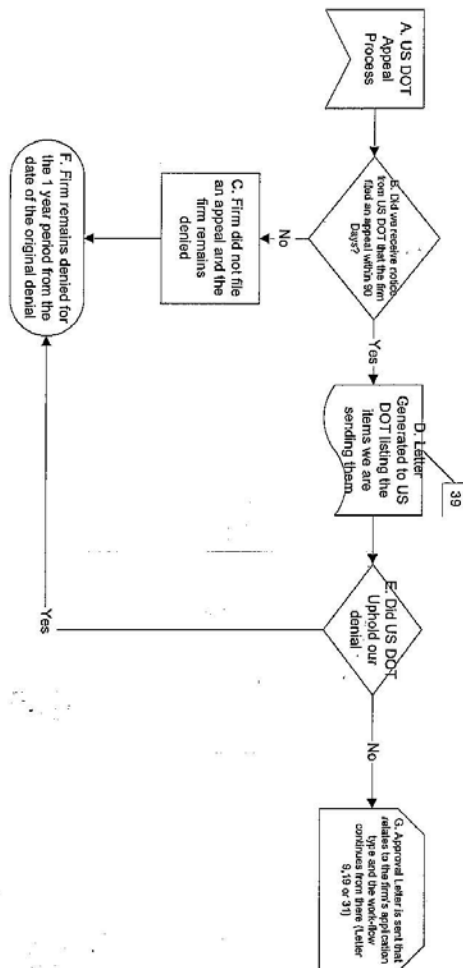
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Initial Certification Application

Acknowledgement Letter

(Letter 1)

Date:

Name

Address

Dear XXXX

Your application for certification as a Disadvantaged Business Enterprise (DBE) has been received and assigned for review. If further information is required, you will be notified.

If you have any questions or concerns about the review process or the status of your application, please contact this office by mail at the following address or call **(phone number)**.

Agency Name and Address

Sincerely,

XXXX

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IDOT Certification Tables

Table: DistrictandCounties

Columns

Name	Type	Size
Code	Text	50
District	Text	50
DistrictNew	Text	50
County	Text	50
Region	Text	9

Table: FirmTins

Columns

Name	Type	Size
ID	Long Integer	4
Contractor	Text	255
FirmName	Text	255
Tin#	Text	255
Type	Text	50

Table: tblActiveAnalyst

Columns

Name	Type	Size
AnallInitials	Text	5
Active	Yes/No	1

Table: tblAnalyst

Columns

Name	Type	Size
AnallInitials	Text	5
AnalystName	Text	25
Active	Yes/No	1

Table: tblCategories

Columns

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Name	Type	Size
Code	Text	4
Speciality	Text	40
CategoryType	Text	50
CategoryHeading	Text	75
Subcategory	Text	100
ShowOnDBEDirectory	Yes/No	1
Category	Text	30

Table: tblCertifiedMailLog

Columns

Name	Type	Size
Recnum	Long Integer	4
Author	Text	3

Table: tblCertifiedMailLog (continues)

SentDate	Date/Time	8
Type	Text	75
Contractor	Text	4
OrigOrgan	Text	3
RecdDate	Date/Time	8
FirmName	Text	60
SubjectFirm	Text	60
Street	Text	35
City	Text	35
State	Text	2
Zip	Text	10
Contractorno	Text	4

Table: tblCMCDecisions

Columns

Name	Type	Size
RecNum	Long Integer	4
CMCDecision	Text	60

Table: tblFirmCategories

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Columns

Name	Type	Size
Contractor	Text	4
CategoryCode	Text	4

Table: tblFirmMaster

Columns

Name	Type	Size
Contractor	Text	4
DateofChange	Date/Time	8
FirmName	Text	65
Street	Text	35
POBox	Text	6
City	Text	35
State	Text	2
Zip	Text	10
County	Text	15
District	Long Integer	4
Contact	Text	25
Phone	Text	14
CurrentExpiration	Date/Time	8
AnnMonth	Text	2
FaxNumber	Text	14
Ethnicity	Text	5
CompanyType	Text	11
SeeAlso	Text	70
Street2	Text	35
Phone2	Text	14
POBox2	Text	6
FaxNumber2	Text	14
City2	Text	35
State2	Text	2
Zip2	Text	10
CategoryDate	Date/Time	8

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CategoryComments	Memo	-
FirmComments	Memo	-
OwnerComments	Memo	-
TINType	Text	4
TIN	Text	11
Email	Text	50
DistDBEWorksIn	Text	20
YearsInBusiness	Long Integer	4
MailingAddress1	Text	50
MailingCity	Text	35
MailingState	Text	2
MailingZip	Text	10
DoingBusinessAs	Text	100
Established	Date/Time	8
FirstCertified	Date/Time	8
FirmGender	Text	1

Table: tblFirmOwners

Columns

Name	Type	Size
Contractor	Text	4
OwnerName	Text	35
Gender	Text	1
Ethnicity	Text	5
OwnerPercent	Double	8
Title	Text	30
DateofChange	Date/Time	8

Table: tblFirmStatus

Columns

Name	Type	Size
Contractor	Text	4
DateofRecord	Date/Time	8
DateofChange	Date/Time	8

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DBEWBE	Text	7
Recert	Text	1
Reapp	Text	1
Type	Text	10
ApprovalDate	Date/Time	8
RecertNoticeDate	Date/Time	8
ReceiptDate	Date/Time	8
UnitDate	Date/Time	8
AssignedDate	Date/Time	8
Analyst	Text	5
AnalystRecdDate	Date/Time	8
OnsiteDate	Date/Time	8
DistributionDate	Date/Time	8

Table Firmmaster (continues)

BCDate	Date/Time	8
HoldDate	Date/Time	8
MeetingDate	Date/Time	8
CMCDate	Date/Time	8
CMCDecision	Text	60
EstablishedDate	Date/Time	8
FirstCertifiedDate	Date/Time	8
LastCertDate	Date/Time	8
Analyst2	Text	5
EffectiveDate	Date/Time	8
ExpirationDate	Date/Time	8
Monitor	Yes/No	1
SDDate	Date/Time	8
RegionV	Yes/No	1
States	Text	20
CRCDate	Date/Time	8
CRCDDecision	Text	35
RegionVApplication	Yes/No	1
RegionVDate	Date/Time	8
NewRecert	Text	1
8ACertified	Yes/No	1

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RegionVExpirationDate	Date/Time	8
CofC	Text	1
Prequalified	Text	1
Bureau	Text	7
GrossYear1	Double	8
GrossYear2	Double	8
GrossYear3	Double	8
StatusComments	Memo	-
SDBCertified	Text	50
SDBExpires	Date/Time	8
ILAppealDate	Date/Time	8
USAppealDate	Date/Time	8

Table: tblFirmStatus

Columns

Name	Type	Size
HODecision	Text	10
USDecision	Text	10
Certified	Text	13
CMCNum	Text	4

Table: tblReportNames

Columns

Name	Type	Size
RecNum	Long Integer	4
rptName	Text	100
rptType	Text	1
DataEntryFormName	Text	50
SecLevel	Text	20

Table: tblSecurity

Columns

Name	Type	Size
LogonName	Text	20

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FormLevel	Text	20
ReportLevel	Text	20

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Table: tblSiteVisit

Columns

Name	Type	Size
Contractor	Text	4
TIN	Text	11
FirmName	Text	65
SiteVisit	Date/Time	8
MaxOfCurrentExpiration	Date/Time	8
MaxOfOnsiteDate	Date/Time	8

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Regulations for Denials and Removal Letters

1.

26.61 (b) The firm seeking certification has the burden of demonstrating to you, by a preponderance of the evidence, that it meets the requirements of this subpart concerning group membership or individual disadvantage, business size, ownership, and control.

2.

26.61 (c) You must rebuttably presume that members of the designated groups identified in §26.67(a) are socially and economically disadvantaged. This means they do not have the burden of proving to you that they are socially and economically disadvantaged. In order to obtain the benefit of the rebuttable presumption, individuals must submit a signed, notarized statement that they are a member of one of the groups in §26.67(a). Applicants do have the obligation to provide you information concerning their economic disadvantage (see §26.67).

3.

26.61 (d) Individuals who are not presumed to be socially and economically disadvantaged, and individuals concerning whom the presumption of disadvantage has been rebutted, have the burden of proving to you, by a preponderance of the evidence, that they are socially and economically disadvantaged.

4.

26.63 (b) In making such a determination, you must consider whether the person has held himself out to be a member of the group over a long period of time prior to application for certification and whether the person is regarded as a member of the group by the relevant community. You may require the applicant to produce appropriate documentation of group membership.

(1) If you determine that an individual claiming to be a member of a group presumed to be disadvantaged is not a member of a designated disadvantaged group, the individual must demonstrate social and economic disadvantage on an individual basis. (2) Your decisions concerning membership in a designated group are subject to the certification appeals procedure of §26.89.

5.

26.65 (a) To be an eligible DBE, a firm (including its affiliates) must be an existing small business, as defined by Small Business Administration (SBA) standards. You must apply current SBA business size standard(s) found in 13 CFR part 121 appropriate to the type(s) of work the firm seeks to perform in DOT-assisted contracts.

6.

26.65 (b) Even if it meets the requirements of paragraph (a) of this section, a firm is not an eligible DBE in any Federal fiscal year if the firm (including its affiliates) has had average annual gross receipts, as defined by SBA regulations (see 13 CFR 121.402), over the

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firm's previous three fiscal years, in excess of \$17.42 million. The Secretary adjusts this amount for inflation from time to time.

7.

26.67 (a) (1) You must rebuttably presume that citizens of the United States (or lawfully admitted permanent residents) who are women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian Americans, or other minorities found to be disadvantaged by the SBA, are socially and economically disadvantaged individuals. You must require applicants to submit a signed, notarized certification that each presumptively disadvantaged owner is, in fact, socially and economically disadvantaged.

8.

26.67 (a) (2) (i) You must require each individual owner of a firm applying to participate as a DBE (except a firm applying to participate as a DBE airport concessionaire) whose ownership and control are relied upon for DBE certification to certify that he or she has a personal net worth that does not exceed \$750,000.

9.

26.67 (a) (2) (ii) You must require each individual who makes this certification to support it with a signed, notarized statement of personal net worth, with appropriate supporting documentation. This statement and documentation must not be unduly lengthy, burdensome, or intrusive.

10.

26.67 (b) (1) If the statement of personal net worth that an individual submits under paragraph (a)(2) of this section shows that the individual's personal net worth exceeds \$750,000, the individual's presumption of economic disadvantage is rebutted. You are not required to have a proceeding under paragraph (b) (2) of this section in order to rebut the presumption of economic disadvantage in this case.

11.

26.67 (b) (4) When an individual's presumption of social and/or economic disadvantage has been rebutted, his or her ownership and control of the firm in question cannot be used for purposes of DBE eligibility under this subpart unless and until he or she makes an individual showing of social and/or economic disadvantage. If the basis for rebutting the presumption is a determination that the individual's personal net worth exceeds \$750,000, the individual is no longer eligible for participation in the program and cannot regain eligibility by making an individual showing of disadvantage.

12.

26.67 (d) Firms owned and controlled by individuals who are not presumed to be socially and economically disadvantaged (including individuals whose presumed disadvantage has been rebutted) may apply for DBE certification. You must make a case-by-case determination of whether each individual whose ownership and control are relied upon for DBE certification is socially and economically disadvantaged. In such a proceeding, the applicant firm has the burden of demonstrating to you, by a preponderance of the

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evidence, that the individuals who own and control it are socially and economically disadvantaged. An individual whose personal net worth exceeds \$750,000 shall not be deemed to be economically disadvantaged. In making these determinations, use the guidance found in Appendix E of this part. You must require that applicants provide sufficient information to permit determinations under the guidance of Appendix E of this part.

13.

26.69 (b) To be an eligible DBE, a firm must be at least 51 percent owned by socially and economically disadvantaged individuals.

- (1) In the case of a corporation, such individuals must own at least 51 percent of the each class of voting stock outstanding and 51 percent of the aggregate of all stock outstanding. (2) In the case of a partnership, 51 percent of each class of partnership interest must be owned by socially and economically disadvantaged individuals. Such ownership must be reflected in the firm's partnership agreement. (3) In the case of a limited liability company, at least 51 percent of each class of member interest must be owned by socially and economically disadvantaged individuals.

14.

26.69 (c) The firm's ownership by socially and economically disadvantaged individuals must be real, substantial, and continuing, going beyond pro forma ownership of the firm as reflected in ownership documents. The disadvantaged owners must enjoy the customary incidents of ownership, and share in the risks and profits commensurate with their ownership interests, as demonstrated by the substance, not merely the form, of arrangements.

15.

26.69 (d) All securities that constitute ownership of a firm shall be held directly by disadvantaged persons. Except as provided in this paragraph (d), no securities or assets held in trust, or by any guardian for a minor, are considered as held by disadvantaged persons in determining the ownership of a firm. However, securities or assets held in trust are regarded as held by a disadvantaged individual for purposes of determining ownership of the firm, if --

- (1) The beneficial owner of securities or assets held in trust is a disadvantaged individual, and the trustee is the same or another such individual; or (2) The beneficial owner of a trust is a disadvantaged individual who, rather than the trustee, exercises effective control over the management, policy-making, and daily operational activities of the firm. Assets held in a revocable living trust may be counted only in the situation where the same disadvantaged individual is the sole grantor, beneficiary, and trustee.

16.

26.69 (e) The contributions of capital or expertise by the socially and economically disadvantaged owners to acquire their ownership interests must be real and substantial. Examples of insufficient contributions include a promise to contribute capital, an unsecured note payable to the firm or an owner who is not a disadvantaged individual, or mere participation in a firm's activities as an employee. Debt instruments from financial

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institutions or other organizations that lend funds in the normal course of their business do not render a firm ineligible, even if the debtor's ownership interest is security for the loan.

17.

26.69 (f) The following requirements apply to situations in which expertise is relied upon as part of a disadvantaged owner's contribution to acquire ownership:

(1) The owner's expertise must be –

(i) In a specialized field; (ii) Of outstanding quality; (iii) In areas critical to the firm's operations; (iv) Indispensable to the firm's potential success; (v) Specific to the type of work the firm performs; and (vi) Documented in the records of the firm. These records must clearly show the contribution of expertise and its value to the firm.

(2) The individual whose expertise is relied upon must have a significant financial investment in the firm.

18.

26.69 (h) (1) You must presume as not being held by a socially and economically disadvantaged individual, for purposes of determining ownership, all interests in a business or other assets obtained by the individual as the result of a gift, or transfer without adequate consideration, from any non-disadvantaged individual or non-DBE firm who is --

(i) Involved in the same firm for which the individual is seeking certification, or an affiliate of that firm; (ii) Involved in the same or a similar line of business; or (iii) Engaged in an ongoing business relationship with the firm, or an affiliate of the firm, for which the individual is seeking certification.

(2) To overcome this presumption and permit the interests or assets to be counted, the disadvantaged individual must demonstrate to you, by clear and convincing evidence, that --

(i) The gift or transfer to the disadvantaged individual was made for reasons other than obtaining certification as a DBE; and (ii) The disadvantaged individual actually controls the management, policy, and operations of the firm, notwithstanding the continuing participation of a non-disadvantaged individual who provided the gift or transfer.

19.

26.69 (i) You must apply the following rules in situations in which marital assets form a basis for ownership of a firm:

(1) When marital assets (other than the assets of the business in question), held jointly or as community property by both spouses, are used to acquire the ownership interest asserted by one spouse, you must deem the ownership interest in the firm to have been acquired by that spouse with his or her own individual resources, provided that the other spouse irrevocably renounces and transfers all rights in the ownership interest in the manner sanctioned by the laws of the state in which either spouse or the firm is domiciled. You do not count a greater portion of joint or community property assets toward ownership than state law would recognize as belonging to the socially and economically disadvantaged owner of the applicant firm.

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- (2) A copy of the document legally transferring and renouncing the other spouse's rights in the jointly owned or community assets used to acquire an ownership interest in the firm must be included as part of the firm's application for DBE certification.

20.

26.71 (b) Only an independent business may be certified as a DBE. An independent business is one the viability of which does not depend on its relationship with another firm or firms.

- (1) In determining whether a potential DBE is an independent business, you must scrutinize relationships with non-DBE firms, in such areas as personnel, facilities, equipment, financial and/or bonding support, and other resources.
- (2) You must consider whether present or recent employer/employee relationships between the disadvantaged owner(s) of the potential DBE and non-DBE firms or persons associated with non-DBE firms compromise the independence of the potential DBE firm.
- (3) You must examine the firm's relationships with prime contractors to determine whether a pattern of exclusive or primary dealings with a prime contractor compromises the independence of the potential DBE firm.
- (4) In considering factors related to the independence of a potential DBE firm, you must consider the consistency of relationships between the potential DBE and non-DBE firms with normal industry practice.

21.

26.71 (c) A DBE firm must not be subject to any formal or informal restrictions which limit the customary discretion of the socially and economically disadvantaged owners. There can be no restrictions through corporate charter provisions, by-law provisions, contracts or any other formal or informal devices (e.g., cumulative voting rights, voting powers attached to different classes of stock, employment contracts, requirements for concurrence by non-disadvantaged partners, conditions precedent or subsequent, executory agreements, voting trusts, restrictions on or assignments of voting rights) that prevent the socially and economically disadvantaged owners, without the cooperation or vote of any non-disadvantaged individual, from making any business decision of the firm. This paragraph does not preclude a spousal co-signature on documents as provided for in §26.69(j) (2).

22.

26.71 (d) The socially and economically disadvantaged owners must possess the power to direct or cause the direction of the management and policies of the firm and to make day-to-day as well as long-term decisions on matters of management, policy and operations.

- (1) A disadvantaged owner must hold the highest officer position in the company (e.g., chief executive officer or president).
- (2) In a corporation, disadvantaged owners must control the board of directors. (3) In a partnership, one or more disadvantaged owners must serve as general partners, with control over all partnership decisions.

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26.71 (e) Individuals who are not socially and economically disadvantaged may be involved in a DBE firm as owners, managers, employees, stockholders, officers, and/or directors. Such individuals must not, however, possess or exercise the power to control the firm, or be disproportionately responsible for the operation of the firm.

24.

26.71 (f) The socially and economically disadvantaged owners of the firm may delegate various areas of the management, policymaking, or daily operations of the firm to other participants in the firm, regardless of whether these participants are socially and economically disadvantaged individuals. Such delegations of authority must be revocable, and the socially and economically disadvantaged owners must retain the power to hire and fire any person to whom such authority is delegated. The managerial role of the socially and economically disadvantaged owners in the firm's overall affairs must be such that the recipient can reasonably conclude that the socially and economically disadvantaged owners actually exercise control over the firm's operations, management, and policy.

25.

26.71 (g) The socially and economically disadvantaged owners must have an overall understanding of, and managerial and technical competence and experience directly related to, the type of business in which the firm is engaged and the firm's operations. The socially and economically disadvantaged owners are not required to have experience or expertise in every critical area of the firm's operations, or to have greater experience or expertise in a given field than managers or key employees. The socially and economically disadvantaged owners must have the ability to intelligently and critically evaluate information presented by other participants in the firm's activities and to use this information to make independent decisions concerning the firm's daily operations, management, and policymaking. Generally, expertise limited to office management, administration, or bookkeeping functions unrelated to the principal business activities of the firm is insufficient to demonstrate control.

26.

26.71 (h) If state or local law requires the persons to have a particular license or other credential in order to own and/or control a certain type of firm, then the socially and economically disadvantaged persons who own and control a potential DBE firm of that type must possess the required license or credential. If state or local law does not require such a person to have such a license or credential to own and/or control a firm, you must not deny certification solely on the ground that the person lacks the license or credential. However, you may take into account the absence of the license or credential as one factor in determining whether the socially and economically disadvantaged owners actually control the firm.

27.

26.71 (i) (1) You may consider differences in remuneration between the socially and economically disadvantaged owners and other participants in the firm in determining whether to certify a firm as a DBE. Such consideration shall be in the context of the duties of the persons involved, normal industry practices, the firm's policy and practice

concerning reinvestment of income, and any other explanations for the differences proffered by the firm. You may determine that a firm is controlled by its socially and economically disadvantaged owner although that owner's remuneration is lower than that of some other participants in the firm. (2) In a case where a non-disadvantaged individual formerly controlled the firm, and a socially and economically disadvantaged individual now controls it, you may consider a difference between the remuneration of the former and current controller of the firm as a factor in determining who controls the firm, particularly when the non-disadvantaged individual remains involved with the firm and continues to receive greater compensation than the disadvantaged individual.

28.

26.71 (j) In order to be viewed as controlling a firm, a socially and economically disadvantaged owner cannot engage in outside employment or other business interests that conflict with the management of the firm or prevent the individual from devoting sufficient time and attention to the affairs of the firm to control its activities. For example, absentee ownership of a business and part-time work in a full-time firm are not viewed as constituting control. However, an individual could be viewed as controlling a part-time business that operates only on evenings and/or weekends, if the individual controls it all the time it is operating.

29.

26.71(k) (1) A socially and economically disadvantaged individual may control a firm even though one or more of the individual's immediate family members (who themselves are not socially and economically disadvantaged individuals) participate in the firm as a manager, employee, owner, or in another capacity. Except as otherwise provided in this paragraph, you must make a judgment about the control the socially and economically disadvantaged owner exercises vis-a-vis other persons involved in the business as you do in other situations, without regard to whether or not the other persons are immediate family members.

(2) If you cannot determine that the socially and economically disadvantaged owners -- as distinct from the family as a whole -- control the firm, then the socially and economically disadvantaged owners have failed to carry their burden of proof concerning control, even though they may participate significantly in the firm's activities.

30.

26.71 (l) Where a firm was formerly owned and/or controlled by a non-disadvantaged individual (whether or not an immediate family member), ownership and/or control were transferred to a socially and economically disadvantaged individual, and the non-disadvantaged individual remains involved with the firm in any capacity, the disadvantaged individual now owning the firm must demonstrate to you, by clear and convincing evidence, that:

- (1) The transfer of ownership and/or control to the disadvantaged individual was made for reasons other than obtaining certification as a DBE; and
- (2) The disadvantaged individual actually controls the management, policy, and operations of the firm, notwithstanding the continuing participation of a non-disadvantaged individual who formerly owned and/or controlled the firm.

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26.71 (m) In determining whether a firm is controlled by its socially and economically disadvantaged owners, you may consider whether the firm owns equipment necessary to perform its work. However, you must not determine that a firm is not controlled by socially and economically disadvantaged individuals solely because the firm leases, rather than owns, such equipment, where leasing equipment is a normal industry practice and the lease does not involve a relationship with a prime contractor or other party that compromises the independence of the firm.

32.

26.71 (n) You must grant certification to a firm only for specific types of work in which the socially and economically disadvantaged owners have the ability to control the firm. To become certified in an additional type of work, the firm need demonstrate to you only that its socially and economically disadvantaged owners are able to control the firm with respect to that type of work. You may not, in this situation, require that the firm be recertified or submit a new application for certification, but you must verify the disadvantaged owner's control of the firm in the additional type of work.

33.

26.71 (o) A business operating under a franchise or license agreement may be certified if it meets the standards in this subpart and the franchiser or licensor is not affiliated with the franchisee or licensee. In determining whether affiliation exists, you should generally not consider the restraints relating to standardized quality, advertising, accounting format, and other provisions imposed on the franchisee or licensee by the franchise agreement or license, provided that the franchisee or licensee has the right to profit from its efforts and bears the risk of loss commensurate with ownership. Alternatively, even though a franchisee or licensee may not be controlled by virtue of such provisions in the franchise agreement or license, affiliation could arise through other means, such as common management or excessive restrictions on the sale or transfer of the franchise interest or license.

34.

26.71 (p) In order for a partnership to be controlled by socially and economically disadvantaged individuals, any non-disadvantaged partners must not have the power, without the specific written concurrence of the socially and economically disadvantaged partner(s), to contractually bind the partnership or subject the partnership to contract or tort liability.

35.

26.71 (q) The socially and economically disadvantaged individuals controlling a firm may use an employee leasing company. The use of such a company does not preclude the socially and economically disadvantaged individuals from controlling their firm if they continue to maintain an employer-employee relationship with the leased employees. This includes being responsible for hiring, firing, training, assigning, and otherwise controlling the on-the-job activities of the employees, as well as ultimate responsibility for wage and tax obligations related to the employees.

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26.73 (a) (2) You may consider, in making certification decisions, whether a firm has exhibited a pattern of conduct indicating its involvement in attempts to evade or subvert the intent or requirements of the DBE program.

37.

26.73 (b) You must evaluate the eligibility of a firm on the basis of present circumstances. You must not refuse to certify a firm based solely on historical information indicating a lack of ownership or control of the firm by socially and economically disadvantaged individuals at some time in the past, if the firm currently meets the ownership and control standards of this part. Nor must you refuse to certify a firm solely on the basis that it is a newly formed firm.

38.

26.73 (c) DBE firms and firms seeking DBE certification shall cooperate fully with your requests (and DOT requests) for information relevant to the certification process. Failure or refusal to provide such information is a ground for a denial or removal of certification.

39.

26.73 (d) Only firms organized for profit may be eligible DBEs. Not-for-profit organizations, even though controlled by socially and economically disadvantaged individuals, are not eligible to be certified as DBEs.

40.

26.73 (e) An eligible DBE firm must be owned by individuals who are socially and economically disadvantaged. Except as provided in this paragraph, a firm that is not owned by such individuals, but instead is owned by another firm -- even a DBE firm -- cannot be an eligible DBE.

(1) If socially and economically disadvantaged individuals own and control a firm through a parent or holding company, established for tax, capitalization or other purposes consistent with industry practice, and the parent or holding company in turn owns and controls an operating subsidiary, you may certify the subsidiary if it otherwise meets all requirements of this subpart. In this situation, the individual owners and controllers of the parent or holding company are deemed to control the subsidiary through the parent or holding company.

(2) You may certify such a subsidiary only if there is cumulatively 51 percent ownership of the subsidiary by socially and economically disadvantaged individuals.

41.

26.73 (f) Recognition of a business as a separate entity for tax or corporate purposes is not necessarily sufficient to demonstrate that a firm is an independent business, owned and controlled by socially and economically disadvantaged individuals.

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26.73 (h) A firm that is owned by an Indian tribe or Native Hawaiian organization, rather than by Indians or Native Hawaiians as individuals, may be eligible for certification. Such a firm must meet the size standards of §26.35. Such a firm must be controlled by socially and economically disadvantaged individuals, as provided in §26.71.

43.

26.73 (i) The following special rules apply to the certification of firms related to Alaska Native Corporations (ANCs).

- (1) Notwithstanding any other provisions of this subpart, a direct or indirect subsidiary corporation, joint venture, or partnership entity of an ANC is eligible for certification as a DBE if it meets all of the following requirements:
 - (i) The Settlement Common Stock of the underlying ANC and other stock of the ANC held by holders of the Settlement Common Stock and by Natives and descendants of Natives represents a majority of both the total equity of the ANC and the total voting power of the corporation for purposes of electing directors;
 - (ii) The shares of stock or other units of common ownership interest in the subsidiary, joint venture, or partnership entity held by the ANC and by holders of its Settlement Common Stock represent a majority of both the total equity of the entity and the total voting power of the entity for the purpose of electing directors, the general partner, or principal officers; and
 - (iii) The subsidiary, joint venture, or partnership entity has been certified by the Small Business Administration under the 8(a) or small disadvantaged business program.
- (2) As a recipient to whom an ANC-related entity applies for certification, you do not use the DOT uniform application form (see Appendix F of this part). You must obtain from the firm documentation sufficient to demonstrate that entity meets the requirements of paragraph (i)(1) of this section. You must also obtain sufficient information about the firm to allow you to administer your program (e.g., information that would appear in your DBE Directory).
- (3) If an ANC-related firm does not meet all the conditions of paragraph (i)(1) of this section, then it must meet the requirements of paragraph (h) of this section in order to be certified, on the same basis as firms owned by Indian Tribes or Native Hawaiian Organizations.

44.

26.81 (b) The UCP shall make all certification decisions on behalf of all DOT recipients in the state with respect to participation in the DOT DBE Program.

- (1) Certification decisions by the UCP shall be binding on all DOT recipients within the state.
- (2) The UCP shall provide "one-stop shopping" to applicants for certification, such that an applicant is required to apply only once for a DBE certification that will be honored by all recipients in the state.
- (3) All obligations of recipients with respect to certification and nondiscrimination must be carried out by UCPs, and recipients may use only UCPs that comply with the certification and nondiscrimination requirements of this part.

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26.81 (d) A UCP is not required to process an application for certification from a firm having its principal place of business outside the state if the firm is not certified by the UCP in the state in which it maintains its principal place of business. The "home state" UCP shall share its information and documents concerning the firm with other UCPs that are considering the firm's application.

46.

26.83 (i) If you are a DBE, you must inform the recipient or UCP in writing of any change in circumstances affecting your ability to meet size, disadvantaged status, ownership, or control requirements of this part or any material change in the information provided in your application form.

- (1) Changes in management responsibility among members of a limited liability company are covered by this requirement.
- (2) You must attach supporting documentation describing in detail the nature of such changes.
- (3) The notice must take the form of an affidavit sworn to by the applicant before a person who is authorized by state law to administer oaths or of an unsworn declaration executed under penalty of perjury of the laws of the United States. You must provide the written notification within 30 days of the occurrence of the change. If you fail to make timely notification of such a change, you will be deemed to have failed to cooperate under §26.109(c).

47.

26.83 (j) If you are a DBE, you must provide to the recipient, every year on the anniversary of the date of your certification, an affidavit sworn to by the firm's owners before a person who is authorized by state law to administer oaths or an unsworn declaration executed under penalty of perjury of the laws of the United States. This affidavit must affirm that there have been no changes in the firm's circumstances affecting its ability to meet size, disadvantaged status, ownership, or control requirements of this part or any material changes in the information provided in its application form, except for changes about which you have notified the recipient under paragraph (i) of this section. The affidavit shall specifically affirm that your firm continues to meet SBA business size criteria and the overall gross receipts cap of this part, documenting this affirmation with supporting documentation of your firm's size and gross receipts. If you fail to provide this affidavit in a timely manner, you will be deemed to have failed to cooperate under §26.109(c).

48.

26.83 (k) If you are a recipient, you must make decisions on applications for certification within 90 days of receiving from the applicant firm all information required under this part. You may extend this time period once, for no more than an additional 60 days, upon written notice to the firm, explaining fully and specifically the reasons for the extension. You may establish a different time frame in your DBE program, upon a showing that this time frame is not feasible, and subject to the approval of the concerned operating administration. Your failure to make a decision by the applicable deadline under this paragraph is deemed a constructive denial of the application, on the basis of which the firm may appeal to DOT under §26.89.49.

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26.84 (e) You are not required to process an application for certification from an SBA-certified firm having its principal place of business outside the state(s) in which you operate unless there is a report of a "home state" on-site review on which you may rely.

50.

26.86 (b) When you deny DBE certification to a firm certified by the SBA, you must notify the SBA in writing. The notification must include the reason for denial.

51.

26.86 (c) When a firm is denied certification, you must establish a time period of no more than twelve months that must elapse before the firm may reapply to the recipient for certification. You may provide, in your DBE program, subject to approval by the concerned operating administration, a shorter waiting period for reapplication. The time period for reapplication begins to run on the date the explanation required by paragraph (a) of this section is received by the firm.

52.

26.91 (b) If you are a recipient to which a DOT determination under §26.89 is applicable, you must take the following action:

- (1) If the Department determines that you erroneously certified a firm, you must remove the firm's eligibility on receipt of the determination, without further proceedings on your part. Effective on the date of your receipt of the Department's determination, the consequences of a removal of eligibility set forth in §26.87(i) take effect.
- (2) If the Department determines that you erroneously failed to find reasonable cause to remove the firm's eligibility, you must expeditiously commence a proceeding to determine whether the firm's eligibility should be removed, as provided in §26.87.
- (3) If the Department determines that you erroneously declined to certify or removed the eligibility of the firm, you must certify the firm, effective on the date of your receipt of the written notice of Department's determination.
- (4) If the Department determines that you erroneously determined that the presumption of social and economic disadvantage either should or should not be deemed rebutted, you must take appropriate corrective action as determined by the Department.
- (5) If the Department affirms your determination, no further action is necessary.

53.

26.107 (a) If you are a firm that does not meet the eligibility criteria of subpart D of this part and that attempts to participate in a DOT-assisted program as a DBE on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, the Department may initiate suspension or debarment proceedings against you under 49 CFR part 29.

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26.109 (c) All participants in the Department's DBE program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and contractors using DBE firms to meet contract goals) are required to cooperate fully and promptly with DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a contractor which uses DBE firms to meet goals, findings of non-responsibility for future contracts and/or suspension and debarment).

55.

26.109 (d) If you are a recipient, contractor, or any other participant in the program, you must not intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. If you violate this prohibition, you are in noncompliance with this part

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Exception Cases

- Referral to Another IL-UCP Agency
 - At any point in any of the certification processes, the host agency can refer a firm's certification to another IL-UCP agency. The system should maintain the current workflow. However, it would list the referred agency as its host.
- Work Category Expansion/Revision
- Once a firm is certified, between annual review processes the firm may request an expansion in their specialty. Furthermore, the firm's host agency may want to remove specific specialties. The host agency evaluates the request and responds back with an approval or denial.
- Withdrawal
- At any time during any of the three application processes, a firm may request that its application be withdrawn. The host agency evaluates the request and responds back with an acknowledgement and removes the firm from its list of pending/certified firms.
- Referral to an Auditor for Review of Personal Net Worth Statement
 - Some participant agencies (IDOT and Metra) refer personal net worth statements to auditors for a net worth review. This process runs concurrent with the workflow outlined before. However, the system should track the date of this referral and will create a notice to be sent to the firm.
- – Auditor Request for Additional Information Subsequent to Personal Net Worth Review
 - Agencies that provide the Personal Net Worth statements to the auditors for review need the ability to request additional information on behalf of the auditor. This process will run concurrent with the workflow outlined before.
- – Rescind Proposed Decertification
 - Agencies may rescind a decertification process that has commenced if it is found at a later date that the personal net worth was compliant to the limit required (\$750,000). The agency sends out a letter of rescission to the concerned vendor when it changes its determination.

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Report Descriptions

Description of Reports (requested by IDOT)

- The Certification Action report, displays the firm name, city, state, county, district, recertification code, decision date. This report is generated by a pop-up form labeled “Action Report,” where the user must enter a beginning and ending decision date in the appropriate date fields, select a DBE category from the value list (DBE, WBE or DBE/WBE), select a recertification value such as (R or N) and then select a decision from the field provided for the decision description.
- The Administrative Review Decisions report, displays the firm name, contractor number, analyst code, receipt date, assigned date, DBE/WBE, recertification date, distribution date, BC date, unit date, meeting date, hold date and CMC date. The report is generated by a pop-up form labeled “Report Entry,” where the user must enter a beginning and ending date for the decision description.
- The Alpha Caseload Status report, displays contractor number, firm name, analyst, receipt date, unit date and assigned date. This report is generated by a pop-up form labeled “Alpha Case Load,” where the user must select a decision date and a decision description.
- The Alphabetical Listing of Certified Firms by Ethnicity and Gender report displays the firm name, city, state, district, DBE/WBE and ethnicity. The report is generated by a pop-up form labeled “Alpha Ethnicity,” where the user must select an expiration date, ethnicity code, and DBE and district code.
- The Approved Action report displays decision, firm name, contract number, DBE/WBE, address, city, state, zip code, decision date, county, district cod, expiration date, contract, telephone number, and analyst. This report is generated by a pop-up form labeled “Approved Actions,” where the user is required to enter a beginning and ending district code, beginning and ending decision date, beginning and ending expiration date and a decision. This report provides a count for each decision printed and a final total of firms listed at the end of the report.
- The Cases Not Assigned report displays the firm name, contractor number, district code, received date unit date, assigned date, Region V indicator and the decision. This report is generated by a pop-up form labeled “Cases Not Assigned,” where the user enters the beginning and ending district code and the beginning and ending receipt date. This report provides total count for all firms listed.
- The Firms Waiting on Administrative Decision report displays the decision, contractor number, firm name, analyst, distribution date, BC date, receipt date, unit date, assigned date, hold date, meeting date, CMC date, DBE/WBE and recertification code. This report is generated by a pop-up form labeled “Report Entry Form,” where the user is

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required to enter a beginning and ending distribution date. The report provides a total firm count at the end of the report.

- The Firm Data Sheet displays the entire Firm Master Date Entry form in datasheet view. This report is generated when the user responds to a parameter query by entering the contractor number in the field provided.
- The No Change Affidavit Not Received report displays the firm name, contractor number, telephone number, analyst, recertification notice code, and district and expiration date. There is no user pop-up form for this report the query criterion provides the basis for generation of this report it includes the following criteria: CMC decision “is null,” current expiration date “is not null,” recertification notice date “is not null,” and the receipt date “is null.”
- The Specialty List report displays the specialty code and the corresponding specialty literal. This report is generated by a pop-up form labeled “Category Sort,” where the user has the option to either select the code or specialty to perform a set order by.
- The Annual Unit Log report displays the contractor number, firm name, DBE/WBE, recertification notice code, receipt date, assigned identification, (e.g. “under review by analyst”) analyst, analyst receipt date, CMC date and CMC decision. This report is generated by a pop-up form labeled “Unit Log,” where the user is required to enter information requested such as district beginning and ending code, beginning and ending receipt date, DBE and recertification notice code.
- The Quarterly Action Report by Analyst report displays the firm name, decision, decision date, DBE/WBE, district, recertification notice code, receipt date, unit date, assigned date and distribution date. This report is generated by a pop-up form labeled “Quarterly by Analyst,” where the user is required to enter a beginning and ending decision date, a decision description, DBE and the analyst for which the information is needed. The same type of report is also available annually.
- The Annual Firms Report by Category displays the current expiration date, firm name and category. This report will allow duplicates because a firm can be certified in more than one category for example ASC American Survey Consultants, P.C. is certified in the following categories: Architecture/Engineering, Construction and Professional Services.

Description of the IL UCP Directory

- The IL UCP Directory of all firms will be published to the World Wide Web, by the 20th of each month. The directory consists of certified firms from each of the five IL UCP Certifying Participants. The directory will be published automatically without any intervention. The directory will note new firms at each monthly publication. The directory will be sorted by firm name and will list the following: firm name, contact name, firm address, city, state, zip, phone, fax, district location, category, specialty and expiration date.
- The directory will also provide information by special sort feature on categories such as: Trucking, Supplier, Manufacturer, Professional Services, Construction, Architecture and Engineering, and Miscellaneous.
- The directory will also provide additional sort features such as NAICS codes, city, state, etc.

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Description of Reports (requested by CTA)

- For each of these reports when “contact information” is a part of the report, it is referring to the firm’s name, address, city, state, zip, contact’s name, phone number, fax number e-mail address, districts available to work in, specialty, category and NAICS codes the firm is certified in.
- For each report that uses the term “specialty” we are referring to the 7 specialties that a firm can be certified in: manufacturing, supplier, construction, professional services, architectural/engineering, trucking and miscellaneous.
- For each report that the term “ethnicity” is used, we are referring to the following ethnicities: Black American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, Caucasian or other.
- **Count of Firms By Business Type**
This report is a count of firms aggregated by the different categories (construction, trucking, etc.).
- **Count of Firms By Host Agency**
This report is a count of firms aggregated by the different host agencies (IDOT, CTA, Metra, Pace and City of Chicago).
- **Count of Firms By Ethnicity/Gender Types**
This report is a count of firms aggregated by the different categories grouped by ethnicity and gender (Asian American Male Trucking firms, Asian American Female Trucking firms, etc.).
- **Report of firm’s who’s site visit date exceeds the 5 year limit**
This report is a list of firm names and date of site visits grouped and counted by host agency along with overall totals. The user should be able to create this report for only out of state firms as well.
- **Report of firm’s who’s certification has expired by more than 6 months**
This report is a list of firm names and date of expiration grouped and counted by host agency along with overall totals.
- **Report of firms certified within a specific set of certification dates**
This report provides a list of firms and date of certification grouped by agency within a user specified date range. This report should also allow the user to generate data specific to one specific agency.
- **Report of certified firms by category for external users**
This report provides a list of certified firms’ contact information separated out by the 7 categories.

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- **Report of specialty by a user defined ethnic type**

This report provides a list of firms' contact information grouped by specialty by a user specified ethnicity. (for example a list of all Hispanic trucking firms)

- **Report of firms by status codes (i.e. Pending certification, denied, withdrawn)**

This report provides a list of firms' contact information grouped by status for a specific host agency and date of last activity (i.e. the date we last took an action on this firm).

- **Report for all certified firms external (UCP directory)**

This report provides a list of all certified firms with their contact information sorted alphabetically by firm name.

- **Report for firms denied within a specific set of denial dates**

This report provides a list of firm names and date of denial grouped and counted by agency within a user specified date range in addition to overall totals. This report should also allow the user to generate data specific to an agency.

- **Report of all firms in the certification process**

This report provides a list of firm names that are currently in processing (not approved, denied or withdrawn) grouped and counted by agency and status of application.

- **Report of all firms that are pending certification**

This report provides a list of firm names that are in the original certification process grouped and counted by agency with overall totals.

- **Report of all firms that are pending no-change**

This report provides a list of firm names that are in the No-Change Affidavit process grouped and counted by agency with overall totals.

- **Report of all firms that are in the Continuation of Eligibility Affidavit process**

This report provides a list of firm names that are in the Continuation of Eligibility Affidavit process grouped and counted by agency with overall totals.

- **Report of all withdrawn firms in a specific date range**

This report provides a list of firms that have withdrawn and the date they withdrew grouped and counted by agency along with overall totals.

- **Report of all firms in the system**

This report provides a list of ALL (irrespective of being denied, withdrawn, or expired) firm names sorted alphabetically by firm name.

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- **Report of all firms in the pending removal status**

This report provides a list of firm names that are in the removal process grouped and counted by agency along with overall totals. The user shall be able to limit the data generated to be specific to only one agency.

- **Report of all firms who's certification has not had an action taken on them within the last 30 days**

This reports list all firm names for one specific agency broken down by officer assigned the file (including totals). The report only lists firms that have not had any action taken on them within the last 30 days to determine a file that is not being worked on.

- **Officer statistical report (i.e.: Number of files assigned, approved and denied within a certain date period)**

This report is specific to one particular agency. The report counts all the actions an officer had taken on all applications in his/her scope of responsibility within a user specified time period (weekly, monthly, quarterly or annually). For an "Agency Review" user this report would include the number of: summary reports, requests for information, site visits conducted, firms assigned and firms recommended for approval/denial.

- **Directory statistical report**

This report is similar to the officer statistical report (above) however it reports on each of the five agencies as a whole. This report should also include overall totals of the different categories.

- **Certified firms by single user specified criteria report (external)**

This report provides a list of firms, their contact sorted alphabetically by firm name based on a single user defined criteria (a field and value pair such as city = Chicago or county = Cook or NAICS = '541110'). The list of criteria desired includes FEIN, contact name, firm name, phone number, specialty, category, doing business in district, city, state, county, ethnicity, gender and zip code.

- **Certified firms by multiple user specified criteria report (external)**

This report provides a list of firms, their contact sorted alphabetically by firm name based on multiple user defined criteria (field and value pairs such as city = Chicago and county = Cook and NAICS = '541110'). The list of criteria desired includes FEIN, contact name, firm name, phone number, specialty, category, doing business in district, city, state, county, ethnicity, gender and zip code.

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Sample Table NAICS (codes)

<u>Sector 23</u> – Construction			
<u>Subsector 236</u> – Construction of Buildings			
<u>236115</u>	New Single-Family Housing Construction (except Operative Builders)	\$31.0	
<u>236116</u>	New Multifamily Housing Construction (except Operative Builders)	\$31.0	
<u>236117</u>	New Housing Operative Builders	\$31.0	
<u>236118</u>	Residential Remodelers	\$31.0	
<u>236210</u>	Industrial Building Construction	\$31.0	
<u>236220</u>	Commercial and Institutional Building Construction	\$31.0	
<u>Subsector 237</u> – Heavy and Civil Engineering Construction			
<u>237110</u>	Water and Sewer Line and Related Structures Construction	\$31.0	
<u>237120</u>	Oil and Gas Pipeline and Related Structures Construction	\$31.0	
<u>237130</u>	Power and Communication Line and Related Structures Construction	\$31.0	
<u>237210</u>	Land Subdivision	\$6.5	
<u>237310</u>	Highway, Street, and Bridge Construction	\$31.0	
<u>237990</u>	Other Heavy and Civil Engineering Construction	\$31.0	
<i>Except,</i>	Dredging and Surface Cleanup Activities ²	\$18.5 ²	
<u>Subsector 238</u> – Specialty Trade Contractors			
<u>238110</u>	Poured Concrete Foundation and Structure Contractors	\$13.0	
<u>238120</u>	Structural Steel and Precast Concrete Contractors	\$13.0	
<u>238130</u>	Framing Contractors	\$13.0	
<u>238140</u>	Masonry Contractors	\$13.0	
<u>238150</u>	Glass and Glazing Contractors	\$13.0	
<u>238160</u>	Roofing Contractors	\$13.0	
<u>238170</u>	Siding Contractors	\$13.0	
<u>238190</u>	Other Foundation, Structure, and Building Exterior Contractors	\$13.0	

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238210	Electrical Contractors	\$13.0	
238220	Plumbing, Heating, and Air-Conditioning Contractors	\$13.0	
238290	Other Building Equipment Contractors	\$13.0	
238310	Drywall and Insulation Contractors	\$13.0	
238320	Painting and Wall Covering Contractors	\$13.0	
238330	Flooring Contractors	\$13.0	
238340	Tile and Terrazzo Contractors	\$13.0	
238350	Finish Carpentry Contractors	\$13.0	
238390	Other Building Finishing Contractors	\$13.0	
238910	Site Preparation Contractors	\$13.0	
238990	All Other Specialty Trade Contractors	\$13.0	
Except,	Building and Property Specialty Trade Services ¹³	\$13.0 ¹³	
<u>Sectors 31-33</u> – Manufacturing			
<u>Subsector 311</u> - Food Manufacturing			
311111	Dog and Cat Food Manufacturing		500
311119	Other Animal Food Manufacturing		500
311211	Flour Milling		500
311212	Rice Milling		500
311213	Malt Manufacturing		500
311221	Wet Corn Milling		750
311222	Soybean Processing		500
311223	Other Oilseed Processing		1,000

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Acronyms and Definitions

IDOT	Illinois Department of Transportation
UCP	Unified Certification Program The UCP is Unified Agreement required by US DOT standardizing the process for certification of DBEs among those entities within a state that receive US DOT funds either directly or indirectly.
DBE	Disadvantaged Business Enterprise IDOT has the important responsibility of ensuring that firms competing for IDOT assisted contracts are not disadvantaged by unlawful discrimination.
Reciprocity	UCP Certifying Participants will not process an application for certification from a firm having its principal place of business outside the state if the firm is not certified by the UCP in the state where it maintains its principal place of business. Upon verification of information and documents, out-of-state certifications may be accepted.
IL UCP Directory	In accordance with 49 CFR, Part 26.31, this UCP maintain and make available to interested persons a unified DBE directory identifying all firms eligible (including those from other states certified under provisions of 49 CFR, Part 26) to participate in the a DBE in Illinois's program. This directory shall contain at a minimum, the firm's name, address, phone number and the types of work the firm is qualified to perform as a DBE.
IL UCP Certifying Participants' work location	Illinois Department of Transportation (IDOT) 2300 South Dirksen Parkway Springfield, IL 62764 City of Chicago 33 North LaSalle, LL110 Chicago, IL 60602 Chicago Transit Authority (CTA) 567 West Lake Chicago, IL Commuter Rail Division of the RTA DBA (Metra) 547 West Jackson Boulevard Chicago, IL Commuter Bus Division of the RTA DBA (Pace) 550 West Algonquin Road Arlington Heights, IL

5.3 PRICE:

The Price Proposal must be submitted in a **separate, sealed envelope or container in the Offer container**. The Vendor will provide its Price Proposal in accordance with the specifications provided below for the services specified in Section 4 of the RFP, "Services Required from the Vendor."

Detail pricing requirements with at least the following categories of information:

5.3.1 Method and Rate of Compensation: Identify the method of charging (hourly, daily, project, item, or other method) and provide the rate or price for each type of supply or service. Pricing shall be in accordance with the unit of measure specified and only one unit price shall be quoted per item unless specifically provided below. All extensions and totals requested shall be shown. Prices quoted must be net after deducting all trade or quantity discounts. Prices must be F.O.B. DESTINATION with all transportation and handling included and paid by the Vendor.

The positions requested for this RFP may not be full-time positions for the length of the contract. The different roles may come in and out of the project based on the needs during the life of the project. The Price Proposal must include a chart showing the amount of time each proposed candidate will devote to the completion of the proposed project enhancements. A staffing plan (by quarter) and an estimate of the total hours detailed by staff according to the project timeline indicated in this RFP should also be included. The Vendor must indicate that key personnel as outlined in this RFP will be committed for the duration of the project. Replacement of key personnel will not be permitted without prior consultation and approval.

5.3.2 Maximum Compensation for Supplies and/or Services: Show price in checked category only:

5.3.2.1 ☒ Firm Price _____

5.3.2.2 ☐ Not-to-exceed _____

5.3.2.3 ☐ Estimated Price _____

5.3.2.4 ☐ Other [please specify] _____

5.3.3 Expenses: This contract does not allow for reimbursement of any expense incurred by vendor, including but not limited to telephone or other communications device, postage, copying, travel, transportation, lodging, food and per diem.

5.3.4 Payment Terms and Conditions (including when paid, frequency and retainage): Payment will be made after completion of the Contract unless otherwise specified below.

5.3.5 Discounts: ____% discount for payment within ____ days of delivery. This discount will not be a factor in making the award.

5.3.6 Tax Exemption: The ordering Agency/Buyer's Illinois tax exemption

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number is E9986-2522-04. Federal tax exemption information is available upon request to the ordering Agency/Buyer.

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Pricing Attachment

This attachment must be sealed as part of your pricing proposal.

SUBCONTRACTORS

Vendor shall identify the names and addresses of all subcontractors utilized by Vendor in the performance of this Contract, together with the anticipated amount of money that each subcontractor is expected to receive pursuant to this Contract. The State may request updated information at any time. For purposes of this section, subcontractors are those specifically hired to perform all or part of the work of this contract or to provide the supplies requested by the State.

Subcontractor Name

Amount to be paid

_____	_____
_____	_____
_____	_____
_____	_____

WORK LOCATION DISCLOSURE

Vendor shall disclose the location where the services required shall be performed. If at multiple locations, the known or anticipated value of the services performed at each location shall be identified.

This information and economic impact on Illinois and its residents may be considered in the evaluation. If the selected vendor receives additional consideration in the evaluation based on work being performed in the United States, the resulting contract shall contain a provision that any shift in such work outside the United States may be considered a breach of contract.

1. Location where services will be performed _____
Value of services performed at this location _____
2. Location where services will be performed _____
Value of services performed at this location _____
3. Location where services will be performed _____
Value of services performed at this location _____

Company Name _____

Authorized Representative Signature _____

Type or Print Name _____

Date _____

Attach additional sheet if necessary.

6. HOW WE WILL EVALUATE OFFERS

- 6.1 EVALUATION STEPS:** The evaluation and award process will consist of the following:
- 6.1.1 Review of the offers to assess compliance with mandatory administration requirements.
 - 6.1.2 Detailed evaluation of mandatory service requirements and proposed services, programs, and solutions.
 - 6.1.3 Clarifications, discussions, and presentations (if determined necessary by the Evaluation Committee). Best and Final Offers may be included in this step or at later stages of the evaluation process.
 - 6.1.4 Scoring of Technical Proposals.
 - 6.1.5 Scoring of Price Proposals (except for Requests for Proposals for Professional & Artistic Services; see Section 6.3.3.4 of the RFP).
 - 6.1.6 Integration of the Technical Proposal score and the Price Proposal score into an Evaluation Committee recommendation to management.
 - 6.1.7 Access the Illinois Office of the Comptroller's Offset System as part of the process to determine if the vendor (and any known sub-contractors) who submitted the offer to be recommended for award has an unsatisfied delinquent debt with the State. If delinquent debt is discovered, the selected vendors' offer may be found to be non-responsive. This step does not relieve any vendor from satisfying any debt owed to the State.
 - 6.1.8 Award decision by management.
 - 6.1.9 If we select your Offer for award, we will post the notice to the Illinois Procurement Bulletin and may send you written notice. This notice will extend the Offer Firm Time until we sign a contract or determine negotiations with you have failed. Receipt or posting of a notice of award is not equivalent to a contract with the State. Protested awards are subject to resolution of the protest.
- 6.2 EVALUATION COMMITTEE:** The Agency/Buyer intends to conduct a comprehensive, fair and impartial evaluation of offers received in response to this RFP. The Agency/Buyer will use an Evaluation Committee to review and evaluate the offers.
- 6.3 EVALUATION CRITERIA:** We evaluate four categories of information: administrative compliance, Vendor responsibility, responsiveness and price. All offers, regardless of the type of RFP, must meet the following administrative and responsibility criteria.
- 6.3.1 Evaluation of Administrative Compliance:** The Agency/Buyer will determine whether the Offer complied with Section 5 of the RFP, "Instructions for Preparing and Submitting Offers." We must reject your Offer if you submit it late. Failure to meet other requirements will affect our evaluation and may result in rejection.
 - 6.3.2 Evaluation of Vendor Responsibility:** The Agency/Buyer will determine whether the Vendor submitting the Offer is one with whom the State can or should do business. Factors that may be evaluated to determine "responsibility" include, but are not limited to: certifications, conflict of interest disclosures, taxpayer identification number, past performance,

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references (including those found outside the Offer), compliance with applicable laws, financial stability and the perceived ability to perform completely as specified.

A Vendor must at all times have financial resources sufficient, in the opinion of the State, to ensure performance of the contract and must provide proof upon request. Any failure to supply information and our determination of the quality of the information will affect our evaluation and may result in rejection.

6.3.3 Evaluation of Responsiveness and Price: A point ranking system or other evaluation methods are tools the Agency/Buyer often, but not always, uses to aid it in the evaluation process. The Agency/Buyer reserves the right to use its discretion to eliminate offers that are deemed unacceptable.

We will determine how well offers satisfy Section 4 of the RFP, "Services Required from the Vendor" in terms of "responsiveness" to the requirements. We will rank offers, without consideration of price, from best to least qualified using a point ranking system (unless otherwise specified) as an aid in conducting the evaluation. References may be considered again in this portion of the evaluation.

We will determine whether any failure to supply information, or the quality of the information, will result in rejection or downgrading the offer. Vendors who do not rank sufficiently high need not be considered for price evaluation and award.

The "responsible" offeror whose offer meets "administrative" requirements and minimum requirements will be eligible for award consideration. If we do not consider the price submitted in response to the RFP to be fair and reasonable and that price cannot be negotiated to an acceptable level, we reserve the right to award to the next highest ranked Vendor. We will determine whether the price is fair and reasonable by considering the Offer, including the Vendor's qualifications, the Vendor's reputation, all prices submitted, other known prices, the project budget and other relevant factors. The point evaluation system is described below:

6.3.3.1 The total number of points for "responsiveness" is 700.

6.3.3.2 Vendors who do not receive 420 of the total "responsiveness" points need not be considered for price evaluation and award.

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- 6.3.3.2 The elements of responsiveness that will be evaluated and their relative weights are:

<u>Elements</u>	<u>Weight</u>
<u>Desirable Requirements</u>	<u>150</u>
<u>Enhancement Approach</u>	<u>150</u>
<u>Product Enhancements</u>	<u>200</u>
<u>Qualifications of Proposed Candidates</u>	<u>200</u>

- 6.3.3.4 Price will be a weighted element except for Requests for Proposals for Professional & Artistic Services (RFP P&A). For RFP P&As, price will not be considered in determining the most qualified Vendor, but prices submitted by all Vendors will be used in negotiating a fair and reasonable price.
- 6.3.3.5 The total number of points for "price" is 300. We will determine "price" points using the following formula:
$$\text{Maximum Price Points} \times (\text{Lowest Price} / \text{Offeror's Price}) = \text{Total Price Points}$$
- 6.3.3.6 The maximum number of points is 1000 (Responsiveness 700 + Price 300)
- 6.3.3.7 **Alternative Evaluation:** If three or fewer Offers are received, the Offers may be evaluated using simple comparative analysis of the elements of responsiveness (and price where applicable) instead of any announced method of evaluation (such as points).

7. ILLINOIS PROCUREMENT NOTICES AND REQUIREMENTS

7.1 NOTICES AND REQUIREMENTS FOR THIS RFP:

7.1.1 ILLINOIS PROCUREMENT BULLETIN: The Agency/Buyer publishes in the electronic Illinois Procurement Bulletin (Supplies and Services Edition) various procurement information including Notices of Procurement Opportunities and Notices of Award. Procurement information may not be available in any other form or location. The Vendor may register to view and download procurement information at <http://www.purchase.state.il.us/>. The Vendor is responsible for monitoring the Illinois Procurement Bulletin and the Agency/Buyer cannot be held responsible if you fail to receive the optional e-mail notices.

7.1.2 NON-DISCRIMINATION POLICY: In compliance with the State and Federal Constitutions, the Illinois Human Rights Act, the United States Civil Rights Act, and Section 504 of the Federal Rehabilitation Act, the State of Illinois does not unlawfully discriminate in employment, contracts, or any other activity.

7.1.3 RESPONSIBILITY TO READ AND UNDERSTAND: Failure to read, examine and understand the RFP will not excuse any failure to comply with the requirements of the RFP or any resulting contract, nor will such failure be a basis for claiming additional compensation. If you suspect an error, omission or discrepancy in this RFP, you must immediately notify the RFP Contact listed in Section 3.2 of the RFP. The Agency/Buyer will issue written instructions, if appropriate.

7.1.4 AMENDMENTS TO THE RFP: The Agency/Buyer reserves the right to amend the RFP at any time. The Vendor must acknowledge receipt of an amendment in its Offer with the signature of an individual legally authorized to legally bind the Vendor. If the amendment occurs after the closing date for receipt of Offers, the Agency/Buyer may, in its sole discretion, allow Vendors to amend their Offers in response to the Agency/Buyer's amendment if necessary.

7.2 NOTICES AND REQUIREMENTS OF THE OFFER:

7.2.1 SUBMISSION OF OFFER: You may mail or hand-deliver Offers. We do not allow computer, fax, or other electronic submissions unless otherwise authorized. We must actually receive submissions as specified. It will not be sufficient to show that you mailed or commenced delivery before the due date and time. All times are State of Illinois local times. You must allow adequate time to accommodate all security screenings prior to delivery at the delivery site.

7.2.2 MODIFICATION/WITHDRAWAL OF OFFER: Written requests to modify the Offer received by the State prior to the scheduled opening time will be accepted and the modifications will be made after opening. Written requests to withdraw the Offer received by the State prior to the scheduled opening time will be honored. No oral requests for either modification or withdrawal will be allowed. Requests must be addressed and labeled in the same manner as the Offer and marked as a MODIFICATION or WITHDRAWAL of the offer.

7.2.3 LATE DELIVERY: We will not consider Offers received at the designated submission location after the stated due date and time.

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- 7.2.4 BEST AND FINAL:** We may request best and final offers if deemed necessary and will determine the scope and subject of any best and final request. However, you should not expect that we will ask for best and final offers to give you an opportunity to strengthen your Offer. Therefore, you must submit your best offer based on the terms and conditions set forth in this RFP.
- 7.2.5 RESERVATIONS:** We reserve the right to reject all Offers; to reject individual Offers for failure to meet any requirement; to award by item, part or portion of an item, group of items, or total; and to waive minor defects. We may seek clarification of the Offer from you at any time, and failure to respond is cause for rejection. Clarification is not an opportunity to change the Offer. Submission of an Offer confers on you no right to an award or to a subsequent contract. The RFP process is for the State's benefit only and is to provide the State with competitive information to assist in the selection process. All decisions on compliance, evaluation, terms and conditions will be made solely at our discretion and made to favor the State.
- 7.2.6 COST OF PREPARATION:** We are not responsible for and will not pay any costs associated with the preparation and submission of your Offer.
- 7.2.7 PUBLIC RECORDS AND REQUESTS FOR CONFIDENTIAL TREATMENT:** The Agency/Buyer may treat all information submitted by a Vendor as public information following the conclusion of the selection process unless the Vendor properly requests that information be treated as confidential at the time the Offer was submitted. All information submitted is subject to the Illinois Freedom of Information Act ("IFOIA") (5 ILCS 140), the Code, and other applicable laws and rules.

Vendors are encouraged to familiarize themselves with the IFOIA and the Code before submitting an Offer. The Agency/Buyer will copy public records as required to comply with the public records laws. Any request for confidential treatment of information must be included on Attachment J with the Vendor's Offer. The Vendor must enumerate the specific grounds in the IFOIA, the Code, or other applicable law which support treatment of the material as exempt from disclosure and explain why disclosure is not in the best interest of the public. The request for confidential treatment of information must also include the name, address, and telephone number of the person authorized by the Vendor to respond to any inquiries by the Agency/Buyer concerning the confidential status of the materials.

Any Offer submitted which contains confidential information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as containing confidential information. Identification of the entire Offer as confidential may be deemed non-responsive and disqualify the Vendor. If the Vendor designates any portion of the RFP as confidential, the Vendor must submit one copy of the Offer from which the confidential information has been excised. This excised copy is in addition to the number of copies requested in Section 3 of the RFP, "Key Information about this RFP." The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the Offer as possible.

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The Agency/Buyer will treat as confidential the information marked confidential. In the event the Agency/Buyer receives a request for information marked confidential, it will give the Vendor written notice five (5) calendar days prior to the release of the information to allow the Vendor to seek injunctive relief pursuant to the IFOIA or the Code. Absent the granting of such relief, the Agency/Buyer shall release the information ten (10) calendar days after the information request. The Vendor's failure to request confidential treatment of material will be deemed by the Agency/Buyer as a waiver of any right to confidentiality which the Vendor may have had.

Upon award, the name of the successful Vendor and price as well as sufficient information from that Offer will be made available to the public to allow for meaningful review and protest regardless of any claim of exemption. After award, we will disclose only the name of the unsuccessful Offerors. Any release of information is governed by the IFOIA, the Code and any other applicable law or statute.

7.2.8 DOWNGRADING OR DISQUALIFICATION: The following are cause for downgrading or disqualification of the Offer, depending on the circumstances:

- 7.2.8.1 The Vendor fails to deliver the Offer by the due date and time.
- 7.2.8.2 The Vendor fails to deliver the Price Proposal in a separate envelope or container.
- 7.2.8.3 The Vendor fails to meet one or more requirements of the RFP.
- 7.2.8.4 The Vendor's Offer materially changes one or more requirements of the RFP.
- 7.2.8.5 The Vendor's Offer limits the rights of the Agency/Buyer.
- 7.2.8.6 The Vendor fails to include information necessary to substantiate that it will be able to meet a Required Service. A response of "will comply" or merely repeating the Required Service is not sufficient. Responses must indicate present capability; representations that future developments will satisfy the Required Services are not sufficient.
- 7.2.8.7 The Vendor fails to respond to the Agency/Buyer's request for information, documents, or references.
- 7.2.8.8 The Vendor fails to include a bid bond or performance security (if required).
- 7.2.8.9 The Vendor fails to include any signature, certification, authorization, stipulation, disclosure or guarantee requested in this RFP.
- 7.2.8.10 The Vendor initiates unauthorized contact regarding the RFP with state employees.
- 7.2.8.11 The Vendor provides misleading or inaccurate responses.

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7.2.8.12 The Vendor fails to attend a mandatory Vendor's Conference.

7.2.9 NONMATERIAL AND MATERIAL VARIANCES: The Agency/Buyer reserves the right to waive or permit cure of nonmaterial variances in the Offer if it is in the Agency/Buyer's best interest to do so. "Nonmaterial variances" include minor informalities that do not affect responsiveness; that are merely a matter of form or format; that do not prejudice other vendors; that do not change the meaning or scope of the RFP; or that do not reflect a material change in Section 4 of the RFP, "Services Required from the Vendor." In the event the Agency/Buyer waives or permits cure of nonmaterial variances, such waiver or cure will not modify the RFP requirements or excuse the Vendor from full compliance with RFP specifications or other contract requirements if the Vendor is awarded the contract. The determination of materiality is in the sole discretion of the Agency/Buyer.

7.2.10 VERIFICATION OF OFFER CONTENTS: The content of an Offer submitted by a Vendor is subject to verification. Misleading or inaccurate responses will result in disqualification.

7.2.11 PRESENTATIONS: Vendors may be required to make a presentation of the Offer. The presentation may occur at the Agency/Buyer's offices or at the offices of the Vendor. The determination as to need for presentations, the content, the location, order, and schedule of the presentations is at the sole discretion of the Agency/Buyer. The presentation may include slides, graphics and other media selected by the Vendor to illustrate the Vendor's Offer. The presentation will not materially change the information contained in the Offer.

7.2.12 RESTRICTIONS ON GIFTS AND ACTIVITIES: The Code and the State Officials and Employees Ethics Act ("the Act") (**5 ILCS 430**) restrict gifts which may be given or received by State employees and require certain individuals to disclose information concerning their activities with State government. Vendors are responsible for determining the applicability of the Code and the Act and any other legal requirements to their activities and to comply with those requirements. In addition, under Illinois law, it is a felony offense to bribe or attempt to bribe a public official.

7.3 NOTICES AND REQUIREMENTS OF THE VENDOR FIRM:

7.3.1 PUBLIC CONTRACTS NUMBER: Vendors with 15 or more employees must have a Public Contracts Number issued by (or completed application submitted to) the Illinois Department of Human Rights (DHR) prior to the opening date. Contact DHR at (312) 814-2431.

7.3.2 OUT OF STATE COMPANIES: Please contact the Illinois Secretary of State ((217) 782-1834) regarding a Certificate of Authority to Transact Business in Illinois. Application Form BCA 13.15 may be downloaded from http://www.cyberdriveillinois.com/departments/business_services/publications_and_forms/bca.html. It is entirely the Vendor's responsibility to determine whether the Vendor is required to obtain a Certificate of Authority to Transact Business in Illinois, and if so to obtain that Certificate via the filing of the required form and payment of any required fees and taxes.

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7.3.3 VENDOR SUSPENSION: Any Vendor may be suspended for violation of the Code or for failure to conform to specifications or terms of delivery. Suspension will be for cause and may be for a period of up to the maximum provided by law at the discretion of the applicable chief procurement officer. Vendors may be debarred in accordance with the Code and the rules promulgated by the chief procurement officer or as otherwise provided by law (30 ILCS 500/50-65).

7.3.4 EMPLOYMENT TAX CREDITS: Vendors who hire qualified veterans may be eligible for tax credits. Any vendor receiving a tax credit pursuant to this Act must report to the Department of Central Management Services the number of individuals hired for whom tax credits are received. This information is due by August 31 of each year and is to cover the previous 12 months (July-June). A similar credit is available when hiring certain ex-offenders. (See the Act or 30 ILCS 500/45/67 and 45-70 for additional information.)

7.4 NOTICES AND REQUIREMENTS FOR THE REVIEW AND EVALUATION OF OFFERS:

7.4.1 INFORMATION FROM OTHER SOURCES: The Agency/Buyer reserves the right to obtain and consider information from other sources concerning a Vendor, such as the Vendor's capability and performance under other contracts.

7.4.2 CRIMINAL HISTORY AND BACKGROUND INVESTIGATION: The Agency/Buyer reserves the right to conduct criminal history and other background investigation of the Vendor, its officers, directors, shareholders, or partners and managerial and supervisory personnel retained by the Vendor for the performance of the contract.

7.4.3 OFFER CLARIFICATION PROCESS: The Agency/Buyer reserves the right to contact a Vendor after the submission of an Offer for the purpose of clarifying an Offer to ensure mutual understanding. This contact may include written questions, interviews, site visits, a review of past performance if the Vendor has provided goods or services to the Agency/Buyer or any other political subdivision wherever located, or requests for corrective pages in the Vendor's Offer. The Agency/Buyer will not consider information received if the information materially alters the content of the Offer or alters the type of goods and services the Vendor is offering to the Agency/Buyer. An individual authorized to legally bind the Vendor must sign responses to any request for clarification. Responses must be submitted to the Agency/Buyer within the time specified in the request. Failure to comply with requests for additional information may result in rejection of the Offer as noncompliant.

7.4.4 DISPOSITION OF OFFERS: Ordinarily, all Offers become the property of the Agency/Buyer and will not be returned to the Vendor. Those Offers will be in the public domain and will be open to inspection by interested parties, subject to exceptions provided in the IFOIA, the Code, or other applicable law.

7.4.5. COPYRIGHTS: By submitting an Offer, the Vendor agrees that the Agency/Buyer may copy the Offer for purposes of facilitating the evaluation of the Offer or to respond to requests for public records. The Vendor consents to such copying by submitting an Offer and warrants that such copying will not violate the rights of any third party. The

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Agency/Buyer will have the right to use ideas or adaptations of ideas that are presented in the Offers.

- 7.4.6. RELEASE OF CLAIMS:** By submitting an Offer, the Vendor agrees that it will not bring any claim or cause of action against the Agency/Buyer based on any misunderstanding concerning the information provided herein or concerning the Agency/Buyer's failure, negligent or otherwise, to provide the Vendor with pertinent information as intended by this RFP.

7.5 NOTICES AND REQUIREMENTS FOR AWARD AND PROTESTS:

- 7.5.1 NOTICE OF AWARD:** The Agency/Buyer will publish Notice of Award in the electronic Illinois Procurement Bulletin (Supplies and Services Edition). Notice of Award information may not be available in any other form or location. The Vendor may register to view and download procurement information at <http://www.purchase.state.il.us/>.

- 7.5.2 PROTESTS:** READ THIS CAREFULLY FOR NEW REQUIREMENTS. (Complete requirements can be found at 44 Ill. Adm. Code 1.5550.)

You must submit protests to the Protest Review Office identified in this document. Do not submit it to any other person or address.

You must protest anything in the Bulletin posting or the solicitation document within seven (7) calendar days of the posting and it must be in our hands by that deadline.

You must protest the award by noon of the seventh (7th) calendar day following posting to the bulletin and it must be in our hands by that deadline.

The protest must contain the following as a minimum:

- 7.5.2.1 the name and address of the protestor;
- 7.5.2.2 appropriate identification of the procurement and, if a contract has been executed, it's contract number;
- 7.5.2.3 a statement of reasons for the protest specifically identifying any alleged violation of the Illinois Procurement Code or other law, any associated rules, or the solicitation itself, including the evaluation or award; and
- 7.5.2.4 supporting exhibits, evidence, or documents to substantiate any claims unless not available within the filing time, in which case, the expected availability date shall be indicated.

It is not sufficient to simply state that you are protesting, that your product is better or the winning bid is not in the best interests of the State. We must have detailed reasons to support the protest. Failure to do so may result in your protest being denied.

7.6 NOTICES AND REQUIREMENTS FOR CONTRACTS RESULTING FROM THE RFP:

- 7.6.1 CONTRACT NEGOTIATIONS:** Vendors must be prepared for the Agency/Buyer to accept the Offer as submitted, but contract negotiations may be necessary or desirable, at the State's sole option. If negotiations

STATE OF ILLINOIS

REQUEST FOR PROPOSALS

do not result in an acceptable agreement, the Agency/Buyer may reject the Offer or revoke the award and may begin negotiations with another vendor. Final contract terms must be approved or signed by the appropriately authorized State official(s).

- 7.6.2 COMMENCEMENT OF WORK:** If you begin any billable work prior to the State's final approval and execution of the contract, you do so at your own risk.
- 7.6.3 DEFINITION OF CONTRACT:** The Contract for Services included with this RFP, along with any amendments or addenda, will constitute the written Contract between the successful Vendor and the Agency/Buyer. The full execution of this written Contract will constitute the making of a Contract for Services and no Vendor will acquire any legal or equitable rights relative to the contract services until the Contract has been fully executed by the successful Vendor and the Agency/Buyer.
- 7.6.4 CHOICE OF LAW AND FORUM:** This RFP and the resulting contract are to be governed by the laws of the State of Illinois. Changes in applicable laws and rules may affect the award process or the resulting contract. Vendors are responsible for ascertaining pertinent legal requirements and restrictions. Any and all litigation or actions commenced in connection with this RFP will be brought in the appropriate Illinois forum.
- 7.6.5 NO MINIMUM GUARANTEED:** The Agency/Buyer anticipates that the selected Vendor will provide services as requested by the Agency/Buyer. The Agency/Buyer will not guarantee any minimum compensation will be paid to the Vendor or any minimum usage of the Vendor's services.

END OF REQUEST FOR PROPOSAL

CONTRACT

The Parties to this Contract are the State of Illinois acting through the undersigned Agency/Buyer (collectively the State) and the Vendor. The Contract consists of this signature page, the following pages detailing the contents described below, and any attachments identified on these pages.

1. **TERM AND TERMINATION**
2. **DESCRIPTION OF SUPPLIES / SERVICES**
3. **PRICING**
4. **STANDARD TERMS AND CONDITIONS**
5. **CERTIFICATIONS AND CONFLICTS**
6. **SUPPLEMENTAL PROVISIONS**

In consideration of the mutual covenants and agreements contained in this Contract, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the terms and conditions set forth herein and have caused this Contract to be executed by their duly authorized representatives on the dates shown below.

VENDOR

(show name) _____

Signature _____

Printed Name _____

Title _____ Date _____

Address _____

Phone _____ Fax _____

E-mail _____

Dept. of Human Rights Public Contract # _____

STATE OF ILLINOIS

(name of Agency/Buyer) _____

Signature _____

Printed Name _____

Title _____ Date _____

Address _____

Phone _____ Fax _____

E-mail _____

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

Official Signature _____

Printed Name _____

Title _____ Date _____

Address _____

Phone _____ Fax _____

E-mail _____

Designee Signature _____

Printed Name _____

Title _____ Date _____

Signature _____

Printed Name _____ Date _____

CPO #33 -- Approved by General Counsel

STATE USE ONLY - Procurement Method (IFB, RFP, Small, etc): _____	Award Code: _____
IPB Publication Date: _____ IPB Ref. # _____	Subcontractor Utilization? Y / N Subcontractor Disclosure? Y / N
(Fiscal Use Only) Obligation # _____	

1. TERM AND TERMINATION

1.1 TERM OF THIS CONTRACT

Unless otherwise specified, this Contract shall commence upon the last dated signature of the Parties.

1.2 RENEWAL

This Contract may not be renewed unless the renewal period(s) and any applicable conditions are shown below. The renewal shall be subject to the same terms and conditions as the original Contract unless otherwise stated below. Renewal pricing is shown in Section 3. However, the Contract may not renew automatically, nor may the contract renew solely at the Vendor's option.

1.3 TERMINATION FOR CAUSE

The State may terminate this Contract, in whole or in part, immediately upon notice to the Vendor if it is determined that the actions, or failure to act, of the Vendor, its agents, employees or subcontractors have caused, or reasonably could cause jeopardy to health, safety, or property. If Vendor fails to perform to the State's satisfaction any material requirement of this Contract or is in violation of a material provision of this Contract, the State shall provide written notice to the Vendor requesting that the breach or noncompliance be remedied within the period of time specified in the State's written notice. If the breach or noncompliance is not remedied by that date the State may either: (a) immediately terminate the Contract without additional written notice or, (b) enforce the terms and conditions of the Contract, and in either event seek any available legal or equitable remedies and damages.

1.4 TERMINATION FOR CONVENIENCE

Following thirty (30) days written notice, the State may terminate this Contract in whole or in part without the payment of any penalty or incurring any further obligation to the Vendor. Following any such termination for convenience, the Vendor shall be entitled to compensation upon submission of invoices and proof of claim for services provided under this Contract up to and including the date of termination.

2. DESCRIPTION OF SUPPLIES AND SERVICES

2.1 NEED FOR SUPPLIES AND/OR SERVICES

2.2 GOALS AND OBJECTIVES

2.3 SUPPLIES AND/OR SERVICES REQUIRED

2.4 MILESTONES AND DELIVERABLES

Vendor shall not perform services, provide supplies or incur expenses in amount exceeding the amount shown in this Section, unless a higher amount is authorized in writing by the State prior to the Vendor performing the services, providing the supplies, or incurring the expenses.

Not-to-exceed \$ _____

2.5 VENDOR / STAFF SPECIFICATIONS

2.6 WHERE SERVICES ARE TO BE PERFORMED

Unless otherwise specified in this section all services shall be performed in the United States. If the Vendor creates or manufactures the supplies or performs any of the work in another country in violation of the Contract, such action may be deemed a breach of the Contract.

2.7 SCHEDULE OF WORK

Any work performed on State premises shall be done during the hours designated by the State and performed in a manner that does not interfere with the State and its personnel.

2.8 WARRANTIES FOR SUPPLIES AND SERVICES

2.8.1 Vendor warrants that the supplies furnished under this Contract (a) will conform to the State's manufacturing standards, specifications, drawing, samples or descriptions furnished by the State, including but not limited to all specifications attached as exhibits hereto, (b) will be merchantable, of good quality and workmanship, free from defects for a period of twelve months or longer if specified in writing, and fit and sufficient for the intended use (c) will comply with all federal and state laws, regulations and ordinances pertaining to the manufacturing, packing, labeling, sale and delivery of the supplies (d) will be of good title and be free and clear of all liens and encumbrances and (e) will not infringe any patent, copyright or other intellectual property rights of any third party. Vendor agrees to reimburse the State for any losses, costs, damages or expenses, including without limitations, reasonable attorney's fees and expenses, arising from failure of the supplies to meet such warranties. These warranties shall be in addition to all other warranties, express, implied or statutory, and shall survive the State's payment, acceptance, inspection or failure to inspect the supplies.

2.8.2 Vendor warrants that all services will be performed in a good and professional manner to industry standards by trained and competent personnel. Vendor shall monitor performances of each individual and shall reassign immediately any individual who is not performing to professional standards, who is not efficient or effective in performing the work of the contract, who is disruptive or not respectful of others in the workplace, or who in any way violates the Contract or State policies.

2.9 REPORTING, STATUS AND MONITORING SPECIFICATIONS

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

2.9.2 Upon request and on forms provided by Agency/Buyer, Vendor shall report the number of qualified veterans and certain ex-offenders hired during Vendor's last completed fiscal year. Vendor may be entitled to employment tax credit for hiring individuals in those groups (PA 94-1067).

2.10 BREACH

Should Vendor breach the Contract and not cure any breach susceptible of being cured within the time specified by the State, the State may cancel the Contract and seek any available legal or equitable remedies, including but not limited to monetary damages and reasonable attorney fees and costs.

2.11 OTHER SPECIFICATIONS

3. PRICING

3.1 METHOD AND RATE OF COMPENSATION

Vendor shall be compensated by the following method:

- ☐ hourly _____
- ☐ monthly _____
- ☐ annually _____
- ☐ project _____
- ☐ item _____

3.2 MAXIMUM COMPENSATION FOR SUPPLIES AND SERVICES

- ☐ Firm Price _____
- ☐ Estimated Price _____

3.3 RENEWAL COMPENSATION

If this contract is renewed, the price shall be the same as for the initial term unless a different compensation, or formula for determining the renewal compensation, is stated below.

3.4 EXPENSES

Unless otherwise agreed upon and stated herein, this Contract does not allow for reimbursement of any expense incurred by Vendor, including but not limited to telephone or other communications device, postage, copying, travel, transportation, lodging, food and per diem. Any approved travel expenses shall be reimbursed in accordance with the Travel Regulation Council and Governor's Travel Board rules.

3.5 DISCOUNT

_____ % discount for payment within _____ days of receipt of invoice

3.6 TAX

Vendor shall not bill for any taxes unless accompanied by proof the State is subject to the tax. If necessary, Vendor may request the applicable Agency/Buyer's Illinois tax exemption number and federal tax exemption information.

3.7 INVOICING

Vendor shall invoice at the completion of the Contract unless invoicing is tied in this Contract to milestone or deliverables, or other invoicing requirements agreed to elsewhere in this Contract.

3.8 PAYMENT TERMS AND CONDITIONS

3.8.1 By submitting an invoice, Vendor certifies that the supplies or services provided meet all requirements of the Contract, and the amount billed and expenses incurred are as allowed in the Contract. Invoices for supplies purchased, services performed and expenses incurred through June 30 of any year must be submitted to the State no later than July 31 of that year; otherwise Vendor may have to seek payment through the Illinois Court of Claims (**30 ILCS 105/25**).

3.8.2 Payments, including late payment charges, will be paid in accordance with the State "Prompt Payment Act" (**30 ILCS 540**) and rules (**74 Ill. Adm. Code 900**) when applicable. Payments delayed at the beginning of the State's fiscal year (July and August payments) because of the appropriation process shall not be considered a breach.

3.8.3 The State shall not be liable to pay for supplies provided or services rendered, including related expenses incurred prior to the execution of this Contract by the Parties and the beginning of the term of this Contract.

3.8.4 As a condition of receiving payment Vendor must pay its employees prevailing wages when required by law (e.g., public works, printing, janitorial, window washing, building and grounds services, site technician services, natural resource services, security guard and food services). Vendor is responsible for contacting the Illinois Dept. of Labor (217-782-6206; <http://www.state.il.us/agency/idol/index.htm>) to ensure understanding of prevailing wage requirements (**30 ILCS 500/25-60(b)**).

3.8.5 As a condition of receiving payment Vendor must pay its suppliers and subcontractors according to the terms of their respective contracts. Vendor shall provide lien waivers to the State upon request.

4. STANDARD TERMS AND CONDITIONS

4.1 AVAILABILITY OF APPROPRIATION (30 ILCS 500/20-60)

State shall use its best efforts to secure sufficient appropriations to fund this Contract. However, the State's obligations shall cease immediately, without penalty or further payment being required, if 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.

4.2 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 during the three year period thereafter. Books and records required to be maintained under this section shall be available for review or audit by representatives of the State, the Auditor General, the Executive Inspector General and 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 shall not impose a charge for audit or examination of the Vendor's books and records. If federal funds are used to pay contract costs, the Vendor must retain its records for five years. Vendor shall take reasonable steps to insure that any subcontractor is in compliance with the requirements of this section.

4.3 TIME IS OF THE ESSENCE

Time is of the essence with respect to Vendor's performance of this Contract. Except as specifically waived in writing, failure by either Party to exercise or enforce a right shall not affect any subsequent ability to exercise or enforce a right.

4.4 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.

4.5 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. The receiving Party shall presume all information received or to which it gains access pursuant to this Contract is confidential unless otherwise designated by the disclosing Party. 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.

4.6 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 to herein. 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. Confidential data or information contained in such work shall be subject to Section 4.5 herein.

4.7 INDEMNIFICATION AND LIABILITY

The Vendor agrees to 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 representations, warranties, covenants or agreements set forth herein, (b) any actual or alleged death or injury to any person, damage to any property or any other damage or loss by whomsoever suffered, claimed to result in whole or in part from vendor's negligent performance hereunder, (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.

4.8 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.

4.9 INDEPENDENT CONTRACTOR

Vendor shall, in the performance of this Contract, be 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.

4.10 ASSIGNMENT AND SUBCONTRACTING

This Contract may not be assigned, transferred or subcontracted in whole or in part by the Vendor without the prior written consent of the State. Vendor shall describe, as a supplemental provision to this Contract, the names and addresses of all authorized subcontractors utilized by Vendor in the performance of this Contract, together with a description of the work to be performed by the subcontractor and the anticipated amount of money that each subcontractor is expected to receive pursuant to this Contract. For purposes of this section, subcontractors are those specifically hired to perform all or part of the work or to provide the supplies covered by the Contract.

4.11 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/Buyer's director if Vendor solicits or intends to solicit State employees to perform any work under this Contract.

4.12 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.

4.13 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 officers, employees or agents. Vendor shall reassign immediately any such individual who does not pass the background checks.

4.14 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.*

4.15 ANTI-TRUST ASSIGNMENT

If Vendor does not pursue any claim and cause of action it has arising under federal or state antitrust laws relating to the subject matter of the Contract, then upon request Vendor shall assign to the State all right, title and interest in and to the claim or cause of action.

4.16 AUTHORIZATION

Each Party to this Contract represents and warrants to the other that: (a) it has the right, power and authority to enter into and perform its obligations under this Contract and (b) it has taken all requisite action (corporate, statutory or otherwise) to approve execution, delivery and performance of this Contract, and (c) this Contract constitutes a legal, valid and binding obligation upon itself in accordance with its terms.

4.17 CONTRACTUAL AUTHORITY

The Agency/Buyer that signs for the State of Illinois shall be the only State entity responsible for performance and payment under the Contract. When the Department of Central Management Services (CMS) signs in addition to an Agency/Buyer, CMS does so as approving officer and shall have no liability to Vendor. When CMS signs a Master Contract on behalf of State agencies, only the Agency/Buyer that places an order with the Vendor shall have any liability to Vendor.

4.18 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.

5. CERTIFICATIONS AND CONFLICTS

Vendor certifies it is under no legal prohibition on contracting with the State of Illinois, has no known conflicts of interest and further specifically certifies that:

5.1 Vendor, its employees and subcontractors 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.

5.2 Vendor is not in default on an educational loan (**5 ILCS 385/3**).

5.3 Vendor has informed the director of the Agency/Buyer in writing if he/she was formerly employed by that agency and has received 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**, and acknowledges that contracts made without the appropriate filing with the Auditor General are not payable from the “contractual services” or other appropriation line items. Vendor has not received 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 5/16-133.3**, and acknowledges that contracts in violation of Section 15a of the State Finance Act are not payable from the “contractual services” or other appropriation line items (**30 ILCS 105/15a**).

5.4 Vendor 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**).

5.5 If Vendor has been convicted of a felony, 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**).

5.6 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, 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**).

5.7 Vendor 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**).

5.8 Vendor 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.

5.9 Vendor certifies that it has not committed a willful or knowing violation of the Environmental Protection Act (relating to Civil Penalties under the Environmental Protection Act) within the last five years, and is therefore not barred from being awarded a contract. If the State later determines that this certification was falsely made by the Vendor, the Vendor acknowledges that the State may declare the Contract void (**30 ILCS 500/50-14**).

5.10 Vendor 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**).

5.11 Vendor is not in violation of the “Revolving Door” section of the Illinois Procurement Code (**30 ILCS 500/50-30**).

5.12 Vendor 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**).

5.13 In accordance with the Steel Products Procurement Act, 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**).

5.14 Vendor will, pursuant to the Drug Free Workplace Act, provide a drug free workplace and Vendor and its employees shall not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the performance of the Contract. This certification applies to contracts of \$5000 or more with individuals; and to entities with 25 or more employees (**30 ILCS 580**).

5.15 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 certification applies to contracts that exceed \$10,000 (**30 ILCS 582**).

5.16 Vendor 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**).

5.17 Vendor 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**).

5.18 Vendor 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**).

5.19 Vendor 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**).

5.20 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**).

5.21 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”.

5.22 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.

5.23 Vendor has disclosed if required, on forms provided by the State, and agrees it is under a continuing obligation to disclose to the State, financial or other interests (public or private, direct or indirect) that may be a potential conflict of interest or which would prohibit Vendor from having or continuing the Contract. This includes, but is not limited to conflicts under the “Infrastructure Task Force Fee Prohibition” section of the State Finance Act (**30 ILCS 105/8.40**), Article 50 of the Illinois Procurement Code (**30 ILCS 500/50**), or those which may conflict in any manner with the Vendor’s obligation under this Contract. Vendor shall not employ any person with a conflict to perform under this Contract. If any elected or appointed State officer or employee, or the spouse or minor child of same has any ownership or financial interest in the Vendor or the Contract, Vendor certifies it has disclosed that information to the State if required, on forms provided by the State, and any waiver of the conflict has been issued in accordance with applicable law and rule. A waiver is required if:

5.23.1 the person intending to contract with the State, their spouse or child: (i) holds an elective office in Illinois; (ii) holds a seat in the Illinois General Assembly; (iii) is an officer or employee of the Capital Development Board or the Illinois Toll Highway Authority; or holds an appointed position or is employed in any of the offices or agencies of the State government and who receives compensation for such employment in excess of 60% of the salary of the Governor (**currently \$90,414.60**). (The conflict of interest threshold of 60% of the Governor’s salary set forth in Section 50-13 does not apply to elective office holders, legislators, and officers or employees of the Capital Development Board or the Illinois Toll Highway Authority.);

5.23.2 the contract is with a firm, partnership, association or corporation in which a person referenced in 4.7.3.1 above receives more than 7.5% of the total distributable income or an amount in excess of the salary of the Governor (**currently \$150,691.00**).

5.23.3 the contract is with a firm, partnership, association or corporation in which a person referenced in 4.7.3.1 above, together with their spouse or minor child, receives more than 15% in the aggregate of the total distributable income or an amount in excess of 2 times the salary of the Governor (**currently \$301,382.00**) from the firm, partnership, association or corporation.

6. SUPPLEMENTAL PROVISIONS

6.1 ENTIRE CONTRACT

This Contract, consisting of the signature page, sections one through six, and any attachments marked (X) below, constitutes the entire Contract between the Parties concerning the subject matter of the Contract, and supersedes all prior proposals, contracts and understandings between the Parties concerning the subject matter of the Contract. 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.

_____ Definitions

_____ Public Works Requirements (820 ILCS 130/4)

_____ Prevailing Wage (janitorial cleaning, window cleaning, building and grounds, site technician, natural resources, food services, and security services, if valued at more than \$200 per month or \$2000 per year (30 ILCS 500/25-60)

_____ Prevailing Wage (all printing contracts) (30 ILCS 500/25-60)

_____ Prohibition on Contingent Fees (certain federally funded contracts)

_____ BEP Subcontracting Requirements

_____ State Supplemental Terms and Conditions

_____ Vendor Supplemental Terms and Conditions

_____ Other (describe)