



Jim Riemer, Sr.  
Executive Director

# **CDB BOARD BOOK**

**May 11, 2010, 10:30 a.m.**

**Video-Conference**

**between**

**James R. Thompson Center**

**100 West Randolph Street, Suite 14-600**

**Chicago, Illinois 60601**

**and**

**Robert Oxtoby Board Room**

**3<sup>rd</sup> Floor Stratton Office Building**

**401 S. Spring Street**

**Springfield, Illinois 62706**

**Board Members:** **Anthony R. Licata (Chairman)**  
**Mark J. Ladd**  
**Glyn M. Ramage**  
**Michael Chin**  
**Stewart A. Munoz**  
**Stephen A. Toth**

**CAPITAL DEVELOPMENT BOARD**  
10:30 a.m. - Tuesday, May 11, 2010  
Video-Conference between  
James R. Thompson Center  
100 West Randolph Street, Suite 14-600  
Chicago, Illinois 60601  
and  
Robert Oxtoby Board Room  
3<sup>rd</sup> Floor Stratton Office Building  
401 S. Spring Street  
Springfield, Illinois 62706

1. **CALL TO ORDER**

**PRELIMINARY ITEMS**

- 2. Adoption of Agenda
- 3. Approval of April 13, 2010 Minutes ..... 1-8
- 4. Introduction of Guests

**BOARD ACTION**

- 5. Modification
  - OCA – Capitol Building..... 9-13
- 6. Staff Recommendations for Architect/Engineer Selections ..... 14-31
- 7. Higher Ed Recommendation for Architect/Engineer Selections ..... 32-33
- 8. Proposed FY 2011 CDB Board Meeting Schedule ..... 34
- 9. Proposed Rule Change for the School Construction Program ..... 35-50
- 10. Proposed Rule Change for Access to Information ..... 51-75

**INFORMATIONAL ITEMS**

- 11. Architect/Engineers approved by Executive Director ..... 76-77
- 12. Architects/Engineers approved by CSU ..... 78-79

**EXECUTIVE SESSION**

staff contact: Candy Bearden  
217.782.8722

SUBJECT: Meeting Minutes for April 13, 2010 Board Meeting

The April 13, 2010 meeting of the Capital Development Board was held by video-conference at the James R. Thompson Center, 100 West Randolph Street, Suite 14-600, Chicago, Illinois and the Stratton Office Building, 401 South Spring Street, Third Floor, Springfield, IL 62706.

The following Board Members were present in Chicago:

Anthony R. Licata, Chairman  
Mark J. Ladd  
Michael Chin  
Stewart Munoz  
Glyn Ramage via teleconference

Others present:

Chicago

Jim Riemer, CDB  
Jim Underwood, CDB  
Don Broughton, CDB  
Ron Wright, CDB  
Fred Hahn, CDB  
David Boland, Henneman Eng.  
David Hrabal, Vinci-Hamp Arch.  
Karen Fredrickson, CDB  
Brie Yaksic, dbHMs  
Richard Runner, ISU  
Eddie Frazier, CDB  
Tom Brauer, 4240 Architecture  
Michael O'Connell, Walsh Construction  
Michele Silveth-Schmitt, HBRA  
Eric Lasher, HBRA  
Jesse Martinz, CDB  
Leonard McGee, CDB  
Charles Park, Clark-Dietz, Inc.  
Ngozi Okorafor, CDB

Springfield

Candy Bearden, CDB  
Meredith Jamison, CDB  
Nancy Fuchs, CDB  
Gwen Diehl, DVA  
Gary Kitchen, CDB  
Lisa Mattingly, CDB  
Eric Whitlock, SOS  
Chuck Evans, DMA  
Bob Allison, DMA  
J. R. Alsop, AOC  
Marcy Joerger, CDB

Chairman Licata called the meeting to order at 10:36 a.m.

Meredith Jamison took roll call. For the record, Chairman Licata and members Mark Ladd, Michael Chin and Stewart Munoz were present at the Chicago meeting site. Board Member, Glyn Ramage was present via tele-conference.

Mr. Munoz moved and Mr. Ladd seconded a motion for adoption of the agenda. Chairman Licata called for a vote, which was approved unanimously.

Mr. Ramage moved and Mr. Ladd seconded a motion to approve the minutes of the March 9, 2010 meeting. Chairman Licata called for a vote, which was approved unanimously.

Mr. Wright gave presentation on the following single bid for approval:

**Illinois Board of Higher Education**

Renovate Riverfront Campus  
Western Illinois University – Quad Cities  
Moline, Rock Island County, Illinois.  
CDB Project No. 818-020-004, Phase 1  
A/E: Philips Swager Associates, Inc.

Single Bid for Temperature Control . . . . . \$356,245.00

Mr. Chin moved and Mr. Munoz seconded a motion to approve the single bid. Chairman Licata called for a vote, which was approved unanimously.

Mr. Wright gave presentation on the following change order for approval:

**Illinois Board of Higher Education – Change Order**

Life Safety Improvements – *Asbestos Abatement*  
Turner – Stevenson Halls  
Illinois State University  
Normal, McLean County, Illinois  
CDB Project No. 821-010-722  
A/E: Clark-Dietz, Inc.

Change Order ASB-15 . . . . . \$44,247.40

Mr. Ramage moved and Mr. Ladd seconded a motion to approve the change order. Chairman Licata called for a vote, which was approved unanimously.

Mr. Wright gave presentation on the following proceed order for approval. Mr. Charlie Park with Clark-Dietz, Inc. briefed the Board on the current status of the Turner-Stevenson Hall projects at ISU.

**Illinois Board of Higher Education – Proceed Order**

Life Safety Improvements - *Turner Technology Department Suite*  
Turner – Stevenson Halls  
Illinois State University  
Normal, McLean County, Illinois

CDB Project No. 821-010-095  
A/E: Clark-Dietz, Inc.

Proceed Order G-038 .....	\$ 62,000.00
Proceed Order E-028 .....	31,700.00
Proceed Order H-25 .....	1,400.00
Proceed Order V-16 .....	7,300.00
Proceed Order TC-08 .....	1,000.00
Proceed Order P-007 .....	1,500.00
Proceed Order FP-01 .....	<u>2,700.00</u>
TOTAL ALL PROCEED ORDERS	\$107,600.00

Mr. Munoz moved and Mr. Chin seconded a motion to approve the proceed order. Chairman Licata called for a vote, which was approved unanimously.

Mr. Wright gave presentation on the following change order for approval:

**Illinois Department of Military Affairs – Change Order**  
Rehab Mechanical Systems / Upgrade Interior / 03  
Bloomington Armory  
Bloomington, McLean County, Illinois  
CDB Project No. 546-015-019  
A/E: G E C Design Group d/b/a Globetrotters Engineering Corp

Change Order G-43 .....	\$194,105.21
Change Order E-16 .....	8,713.80
Change Order H-7 .....	<u>11,680.61</u>
TOTAL ALL CHANGE ORDERS	\$214,499.62

Mr. Ladd moved and Mr. Munoz seconded a motion to approve the change order. Chairman Licata called for a vote, which was approved unanimously.

Mr. Wright gave presentation on the following change order for approval:

**Illinois Board of Higher Education – Change Order**  
Student Services / Parking Facility  
Truman City College  
Chicago, Cook County, Illinois  
CDB Project No. 810-010-005  
A/E: STV, Inc.

Change Order G-20 .....	\$456,371.81
Change Order E-3 .....	<u>20,425.55</u>
TOTAL ALL CHANGE ORDERS	\$476,797.36

Mr. Munoz moved and Mr. Chin seconded a motion to approve the change order. Chairman Licata called for a vote, which was approved unanimously.

Mr. Wright gave presentation on the following modification for approval. Mr. Paul Boland with Henneman Engineering gave a brief status update on the Capitol Building projects. Mr. Richard Alsop with the Office of the Architect of the Capitol stated important facts regarding the current situation at the Capitol Building projects.

**Office of the Architect of the Capitol**

Upgrade HVAC  
 Capitol Building  
 Springfield, Sangamon County, Illinois  
 CDB Project No. 006-100-004  
 A/E: Henneman Engineering, Inc.

Modification No. 9 requested ..... \$1,524,911.00

For the record, Board Member Mark Ladd opposed partial budget approval of this modification.

Mr. Chin moved and Mr. Munoz seconded a motion to approve preliminary authorization of the modification seeking the Board's final approval at the next Board meeting, contingent upon two conditions; confirming a specific funding source for the modification and a full negotiated price for all of the design services defined in the modification. Chairman Licata called for a vote, which was approved unanimously including Board Member Mark Ladd's "aye" vote, provided the preliminary authorization included the conditions which were specified.

Mr. Broughton presented the following A/E selection recommendation:

1.	007-010-023	<b>Office of the Illinois Courts</b> Renovate Supreme Court Building Springfield, Sangamon County, IL 1. 4240 Architecture, Inc. 2. DeStefano and Partners, Ltd. 3. Hammond Beeby Rupert Ainge, Inc.	Appropriation: \$15,955,000 Project Cost: \$15,955,000
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Mr. Ladd moved and Mr. Munoz seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

2.	039-050-003	<b>Department of Agriculture</b> Replace Roofing System Animal Disease Laboratory Centralia, IL 1. The Upchurch Group, Inc. 2. Wm B Ittner, Inc. 3. S T R Partners, LLC	Appropriation: \$615,000 Project Cost: \$615,000
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Mr. Chin moved and Mr. Ramage seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

3	039-150-165	<b>Department of Agriculture</b> Repair Administration Building Interior Water Damage and Remediate Mold Illinois State Fairgrounds Springfield, Sangamon County, IL 1. Walton and Associates Arch. PC 2. Sarti Architectural Group, Inc. 3. Allied Design Consultants, Inc.	Appropriation: \$767,000 Project Cost: \$767,000
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Mr. Ladd moved and Mr. Munoz seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

4.	040-010-097	<b>Department of Veterans Affairs</b> Plan and Begin Renovation – Kent, Schapers B, and Elmore Buildings Quincy Veterans Home Quincy, Adams County, IL 1. Perkins Eastman Architects, PC 2. Farnsworth Group, Inc. 3. Ferry & Associates Architects LLC	Appropriation: \$1,056,000 Project Cost: To be determined
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Mr. Ladd moved and Mr. Munoz seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

5.	102-249-072	<b>Department of Natural Resources</b> Replace Roofing Systems Starved Rock State Park & Lodge LaSalle County, Illinois 1. Hutchinson Design Group, Ltd. 2. Bradley & Bradley Arch. & Eng. PC 3. J H 2 B Architects, Inc.	Appropriation: \$500,000 Project Cost: \$500,000
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Mr. Chin moved and Mr. Munoz seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

6.	102-777-014	<b>Department of Natural Resources</b> Replace Roofing Systems Wayne Fitzgerrell State Park Jefferson County, IL 1. Formation Architects, Inc. 2. Wm B. Ittner, Inc. 3. Eggemeyer Associates Architects	Appropriation: \$262,004 Project Cost: \$262,004
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Mr. Ladd moved and Mr. Munoz seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

7.	250-285-004	<b>Dept. of Central Management Services</b> Replace Roofing Systems Collinsville Regional Office Complex 1. David A Loyet & Associates, Inc. Arch. 2. E D M of Illinois Inc. d/b/a EDM Inc. 3. AAIC Inc.	Appropriation: \$3,350,000 Project Cost: \$3,350,000
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Mr. Munoz moved and Mr. Chin seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

8.	321-125-051	<b>Department of Human Services</b> Replace Roofs – Kennedy & Administration McFarland Mental Health Center Springfield, Sangamon County, IL 1. Kenyon & Associates Arch., Inc. 2. Melotte Morse Leonatti Parker, Ltd. 3. Gorski Reifsteck Architects, Inc.	Appropriation: \$2,476,000 Project Cost: \$2,476,000
9.	321-155-011	<b>Department of Human Services</b> Replace Roofing Systems Illinois School for the Visually Impaired Jacksonville, Morgan County, IL 1. Sarti Architectural Group, Inc. 2. Allied Design Consultants, Inc. 3. Kelly & Associates Architecture	Appropriation: \$392,832 Project Cost: \$392,832
10.	321-160-022	<b>Department of Human Services</b> Replace Administration Building Roof and Renovate Dorm Restrooms Illinois School for the Deaf Jacksonville, Morgan County, IL 1. Melotte Morse Leonatti Parker Ltd. 2. Renaissance Architects, Inc. 3. Evan Lloyd Associates, Inc.	Appropriation: \$3,776,000 Project Cost: \$3,776,000

Mr. Ladd moved and Mr. Ramage seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

11.	738-020-040	<b>Office of the Attorney General</b> Replace Roofing System Attorney General Building Springfield, Sangamon County, IL 1. Graham & Hyde Architects, Inc. 2. Walton and Associates Arch. PC 3. John Shafer & Associates, Inc.	Appropriation: \$378,000 Project Cost: \$378,000
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Mr. Ramage moved and Mr. Munoz seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Mr. Broughton presented the following A/E selection recommendation:

12.	750-010-006	<b>Office of the Secretary of State</b> Replace Roofing Systems Michael J. Howlett Building Springfield, Sangamon County, IL 1. White & Borgognoni Architects PC 2. Allied Design Consultants, Inc. 3. Tripartite, Inc.	Appropriation: \$662,000 Project Cost: \$662,000
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Mr. Ramage moved and Mr. Chin seconded a motion to approve the recommendation for the selection of architects/engineers. Chairman Licata called for a vote, which was approved unanimously.

Chairman Licata noted the following informational items:

1. Architect/Engineers approved by Executive Director.

Chairman Licata stated that bonds were sold and are currently paying contractors. He also stated that School Construction Bonds have been sold. Director Riemer gave an update of the status of these bond sales.

Director Riemer gave the Board brief updates on the U of I Lincoln Hall project and the SIU Carbondale Transportation Center project.

Chairman Licata stated that a notification of an unpaid internship program for construction management is currently posted on the web.

Mr. Broughton gave a handout and presentation on the Design Excellence Program. The Board agreed to review the program with possible approval at the May 11, 2010 CDB Board meeting.

Ms. Karen Fredrickson gave a brief status update on the JRTC Emergency

Mr. Munoz moved and Mr. Ladd seconded a motion to adjourn. Chairman Licata called for a vote, which was approved unanimously. Motion carried and the meeting adjourned at 12:32 p.m.

Subject: *Modification*

**Office of the Capitol Architect**

- A. Upgrade HVAC  
Capitol Building  
Springfield, Sangamon County, Illinois  
CDB Project No. 006-100-004

A/E: Henneman Engineering, Inc.

Modification No. 9 requested .....\$1,984,418.00

## Executive Summary for Board Level Modification

**CDB Project No.** 006-100-004  
**Project Description:** Upgrade HVAC  
**Project Location:** Capitol Building  
Springfield, Sangamon County, Illinois

### Project History:

Scope of the project is to upgrade the HVAC system in the Capitol Building. Phase 2 upgrades the West Quadrant of the Capitol Building. This includes an upgrade of the HVAC system, and modifications to meet Life Safety and ADA requirements.

### Requested Action:

Modification No. 9 adds user-requested additional scope of \$13.2MM. From the B list, the modification adds 26 items, including restrooms, architectural restoration of historic decorative ceilings, renovation of men/womens' restrooms on the 1<sup>st</sup> and 2<sup>nd</sup> floors, meeting rooms, hearing rooms, office suites, basement cafeteria, associated electrical and lighting, CATV, public address system and communication hub, and replacement of various doors.

This modification will compensate the A/E as an additional service for the added scope of work.

We are requesting approval of Modification No. 9 (Revised) in the amount of \$1,984,418.00 for the B-List improvements listed above. This includes compensation for design services, full-time site observation and professional services for an additional estimated \$14,613,356.00 in new construction to the project. No additional schedule will be added to this project plan.

*Note 1: At the April 13, 2010 Board Meeting, we presented the Modification to which the Board tentatively approved, contingent on the funding availability and a complete design fee for this modification.*

*Note 2: On April 30, the Office of the Architect issued a letter (attached herein) to CDB which substantiates the funding source.*

**State of Illinois  
Capital Development Board**

**Request for Board Approval of Modification to  
Professional Services Agreement**

**Project Number:** 006-100-004  
**Contract Number:** 54-0120-10  
**Modification No.:** 9  
**Total Project Budget:**  
**Unobligated Funds:**  
**Project Manager:** Ed James  
**Unit Manager:** Ron Wright

**Using Agency:** Capitol Architect's Office  
**Description:** Upgrade HVAC, Ph 2  
 Capitol Building

**Project Status:** Design

**Architect-Engineer:** Henneman Engineering, Inc.

**PURPOSE OF THIS AGREEMENT:**

Modification #9 (revised) adds user-requested additional scope of \$13.2MM. From the B list, the mod adds 26 items, including restrooms, architectural restoration of historic decorative ceilings, renovation of men/womens' restrooms on the 1<sup>st</sup> and 2<sup>nd</sup> floors, meeting rooms, hearing rooms, office suites, basement cafeteria, associated electrical and lighting, CATV, public address system and communication hub, and replacement of various doors.

This modification will compensate the A/E as an additional service for the added scope of work.

**SUBJECT AGREEMENT AMENDED AS FOLLOWS:**

AGREEMENT SUMMARY	Total Obligation Per Original Agreement	Total Obligation Prior to this Modification	Total Amount of this Modification	Total Agreement Obligation Including this Modification
1. Basic Services	\$ 283,820.00	\$ 3,006,412.00	\$	\$ 3,006,412.00
2. C.A.F.	\$ 8,800.00	\$ 138,900.00	\$ 42,800.00	\$ 181,700.00
3. Additional Services	\$ 4,000.00	\$ 1,623,865.00	\$ 1,425,043.00	\$ 3,048,908.00
4. On-Site Representative	\$	\$ 464,000.00	\$ 395,387.00	\$ 859,387.00
5. ACBM Sampling	\$ 5,000.00	\$ 5,000.00	\$	\$ 5,000.00
6. XRF LBP	\$ 1,650.00	\$ 1,650.00	\$	\$ 1,650.00
7. Elect. Gear Rdgs.	\$ 5,000.00	\$ 5,000.00	\$	\$ 5,000.00
8. GC Patch / Repair	\$ 25,000.00	\$ 52,000.00	\$ 121,188.00	\$ 173,188.00
9. Reproduction	\$ 1,000.00	\$ 26,000.00	\$	\$ 26,000.00
10. K & H Clean/Trng.	\$	\$ 6,500.00	\$	\$ 6,500.00
11. T & B Verification	\$ 20,000.00	\$ 100,000.00	\$	\$ 100,000.00
12.	\$	\$	\$	\$
<b>TOTALS</b>	<b>\$ 354,270.00</b>	<b>\$ 5,429,327.00</b>	<b>\$ 1,984,418.00</b>	<b>\$ 7,413,745.00</b>

State of Illinois  
Capital Development Board

# MODIFICATION

Professional Services Agreement  
Modification No. 9 Revised  
Project No. 006-100-004  
Date: 4/22/2010

FIRM NAME, ADDRESS  
Henneman Engineering, Inc  
1605 South State St  
Champaign, IL 61820

PROJECT:  
HVAC Upgrade, Phase II  
Capitol Building  
Springfield, Sangamon

**This Modification**

- Establishes a Full Service Agreement  
 Increases the Full Service Agreement By 37%  
 Decreases the Full Service Agreement By \_\_\_\_\_ %

AGREEMENT  
Date: 4/22/2004  
Number: 54-0120-10

**PURPOSE OF THIS AGREEMENT MODIFICATION:**

This modification will compensate the A/E as an additional service, for an estimated \$14,613,356.00 of added architectural renovations to Phase II. Included also as an additional service is a negotiated budget for Design Team attendance at User/CDB meetings and a specialty lighting consultant. A reimbursable amount for General Contractor Patch/Repairs are included to reflect actual cost over and above what was negotiated from Modification #6. A negotiated budget for On-Site Representation during the construction phase will be included.

**SUBJECT AGREEMENT AMENDED AS FOLLOWS:** See chart below

AGREEMENT SUMMARY	Total Obligation Per Original Agreement	Total Amount of Previous Modifications	Total Obligation Prior to this Modification	Total Amount of this Modification	Total Agreement Obligation Including this Modification
1. Basic Services	\$283,820.00	\$2,722,592.00	\$3,006,412.00		\$3,006,412.00
2. C.A.F.	\$8,800.00	\$130,100.00	\$138,900.00	\$42,800.00	\$181,700.00
3. Additional Services	\$4,000.00	\$1,619,865.00	\$1,623,865.00	\$1,425,043.00	\$3,048,908.00
4. On-Site Rep		\$464,000.00	\$464,000.00	\$395,387.00	\$859,387.00
5. ACBM Sampling	\$5,000.00		\$5,000.00		\$5,000.00
6. XRF LBP	1650		\$1,650.00		\$1,650.00
7. Elect. Gear Rdgs.	5000		\$5,000.00		\$5,000.00
8. GC Patch/Repair	\$25,000.00	\$27,000.00	\$52,000.00	\$121,188.00	\$173,188.00
9. Reproduction	\$1,000.00	\$25,000.00	\$26,000.00		\$26,000.00
10. K&H Clean/Tmg.		\$6,500.00	\$6,500.00		\$6,500.00
11. T&B Verification	\$20,000.00	\$80,000.00	\$100,000.00		\$100,000.00
12.			\$ 0.00		\$ 0.00
13.			\$ 0.00		\$ 0.00
<b>TOTALS</b>	<b>\$354,270.00</b>	<b>\$5,075,057.00</b>	<b>\$5,429,327.00</b>	<b>\$1,984,418.00</b>	<b>\$7,413,745.00</b>

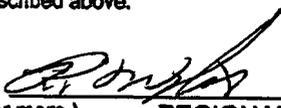
C.A.F. ADJUSTMENT \$42,800.00  
C.A.F. TOTAL \$181,700.00

My review of this modification has determined that the circumstances which have necessitated this modification: Were not reasonably foreseeable at the time the contract was signed; were not within the contemplation of the contract as signed; or, are in the best interest of the State of Illinois; and are authorized by law, as described above.

CDB FISCAL (FUNDS AVAILABLE)  
\$ \_\_\_\_\_

(Applicable only to modifications increasing or decreasing the contract amount more than \$10,000.00

or extending the contract time 30 days or more.)

  
REGIONAL MANAGER

Prepared by:

  
Contract Executive 04/22/2010

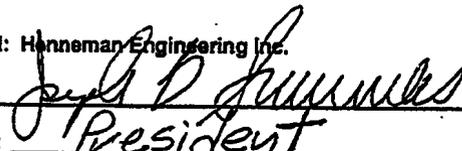
USING AGENCY  
By \_\_\_\_\_

Approved by \_\_\_\_\_

Legal

CAPITAL DEVELOPMENT BOARD

FIRM: Henneman Engineering Inc.

By: 

Title: President

By: \_\_\_\_\_

CDB 64-4-1 Rev. 04/01

Printed by the authority of the State of Illinois



J. Richard Alsop III  
AIA LEED AP  
Architect of the Capitol

**THE OFFICE OF THE ARCHITECT OF THE CAPITOL**  
William G. Stratton Building Suite 602 Springfield, Illinois 62706  
Telephone: 217.782.7863 Facsimile: 217.524.1873

April 30, 2010

Mr. Jim Riemer, Executive Director  
Capital Development Board  
3<sup>rd</sup> Floor, William G. Stratton Building  
Springfield, IL 62706

Re: HVAC Phase II Design Scope Funding

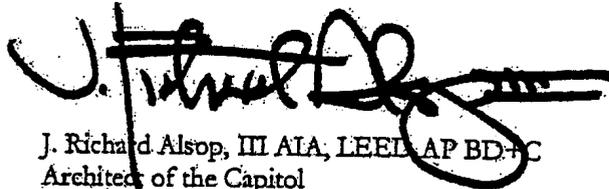
Director Riemer:

By this letter, I confirm the decision of the Board of the Office of the Architect to use the following funding source for the additional design work for Phase II of the HVAC project at the Capitol:

Funds as necessary and mutually agreed upon by the Office of the Architect and the Capital Development Board from Public Act 096-0039, Article 3, Section 50

If we can be of any further assistance, please let me know.

Thank you,



J. Richard Alsop, III AIA, LEED AP BD+C  
Architect of the Capitol



Subject Staff Recommendations for Concurrence in  
the Selection of Architects/Engineers

APPROP. &  
TOTAL  
COST  
AMOUNTS

<u>PROJECT #</u>	<u>ARCHITECT/PROJECT DESCRIPTION</u>	
1 039-150-162	Plan and Begin Upgrade of Electrical Systems - Phase 2, Illinois State Fairgrounds, Springfield, Sangamon County, Department of Agriculture	\$600,000 \$6,900,000
	<i>FIRMS BEING CONSIDERED FOR SELECTION:</i>	
	D L Z Illinois Inc	
	H D R / C W I d/b/a HDR Engineering Inc	
	Hurst Rosche Engineers Inc	
2 039-150-164	Replace HVAC - Administration Building, Illinois State Fairgrounds, Springfield, Sangamon County, Department of Agriculture	\$3,212,000 \$5,012,000
	<i>FIRMS BEING CONSIDERED FOR SELECTION:</i>	
	CCJM Engineers, Ltd.	
	Farnsworth Group Inc	
	Hurst Rosche Engineers Inc	
3 102-432-025	Replace/Upgrade Electrical Service, Jake Wolf Memorial Hatchery, Mason County, Department of Natural Resources	\$348,000 \$1,706,000
	<i>FIRMS BEING CONSIDERED FOR SELECTION:</i>	
	Burkhardt Robert G & Associates Inc	
	Milhouse Engineering & Construction Inc	
	Singh & Associates Inc	
4 120-021-012	Replace Roofing Systems, Southwestern Correctional Center, East. St. Louis, St. Clair County, Department of Corrections	\$825,000 \$825,000
	<i>FIRMS BEING CONSIDERED FOR SELECTION:</i>	
	AAIC Inc	
	Design Architects Inc	
	Ittner Wm B Inc	

Subject Staff Recommendations for Concurrence in the Selection of Architects/Engineers

APPROP. &  
TOTAL  
COST  
AMOUNTS

<u>PROJECT #</u>	<u>ARCHITECT/PROJECT DESCRIPTION</u>	
5 120-135-058	Replace Roofs on Housing Units, Logan Correctional Center, Lincoln, Department of Corrections	\$829,000 \$829,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	Architectural Expressions LLP	
	Farnsworth Group Inc	
	Fitch Fitzgerald Inc	
6 120-245-070	Replace Roofing Systems, Vienna Correctional Center, Johnson County, Department of Corrections	\$940,000 \$940,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	Eggemeyer Associates Architects Inc	
	H Michael Bohnsack Architects	
	Image Architects Inc	
7 125-300-004	Replace Sprinkler System, Illinois Youth Center, Kewanee, Department of Juvenile Justice	\$600,000 \$6,500,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	Duffin Engineering Co	
	H O H Architects Inc	
	Wold Architects and Engineers Inc d/b/a Wold Architects	
8 250-025-022	Upgrade HVAC System, James R. Thompson Center, Chicago, Cook County, Department of Central Management Services	\$4,150,000 \$4,750,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	Cohen Melvin and Associates Inc	
	Henneman Engineering Inc	
	P E C LLC d/b/a Power Engineers Collaborative LLC	

Subject Staff Recommendations for Concurrence in the Selection of Architects/Engineers

APPROP. &  
TOTAL  
COST  
AMOUNTS

<u>PROJECT #</u>	<u>ARCHITECT/PROJECT DESCRIPTION</u>	
9 321-010-095	Life Safety Improvements to Two Residence Buildings, Alton Mental Health Center, Alton, Madison County, Department of Human Services	\$932,000 \$932,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	E D M of Illinois Inc d/b/a EDM Inc	
	Ittner Wm B Inc	
	Oates Associates Inc	
10 321-060-047	Upgrade for Life/Fire Safety Compliance, Fox Developmental Center, Dwight, Department of Human Services	\$353,000 \$528,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	A M S C O Engineering Inc	
	Building Systems Eng d/b/a Power Engineers Collaborativ	
	Thermal Energy Inc	
11 546-385-035	Construct a Training Device/Simulation Facility, Marseilles Armory (Training Area), LaSalle County, Department of Military Affairs	\$650,000 \$650,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	D L Z Illinois Inc	
	Farnsworth Group Inc	
	J H 2 B Architects Inc	
12 624-060-031	Repair Parking Ramp, Willard Ice (Revenue) Buildig, Springfield, Sangamon County, Department of Revenue	\$2,791,000 \$2,791,000
	<b>FIRMS BEING CONSIDERED FOR SELECTION:</b>	
	Desman Associates d/b/a Desman Inc	
	Goettsch Partners Inc	
	Walker Carl Inc	

Subject Staff Recommendations for Concurrence in  
the Selection of Architects/Engineers

APPROP. &  
TOTAL  
COST  
AMOUNTS

<u>PROJECT #</u>	<u>ARCHITECT/PROJECT DESCRIPTION</u>	
13 750-010-007	Install Emergency Generator, Michael J. Howlett Building, Springfield, Sangamon County, Office of the Secretary of State	\$791,000 \$4,491,000

***FIRMS BEING CONSIDERED FOR SELECTION:***

Clark Dietz Inc

Farnsworth Group Inc

H D R / C W I d/b/a HDR Engineering Inc

14 750-100-003	Replace Roofing System, Motor Vehicle Services Building, Office of the Secretary of State	\$1,482,000 \$1,482,000
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***FIRMS BEING CONSIDERED FOR SELECTION:***

Allied Design Consultants Inc

Renaissance Architects Inc

Steckel Parker Architects Inc

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 039-150-162

**PROJECT DESCRIPTION:** Plan and Begin Upgrade of Electrical Systems - Phase II

**PROJECT LOCATION:** Illinois State Fairgrounds - Springfield  
Department of Agriculture

**APPROPRIATION AMOUNT:** \$ 600,000

**ESTIMATED TOTAL PROJECT COST:** \$6,900,000

**PROJECT SCOPE OF WORK:**

The Illinois State Fairgrounds is located on a 366 acre site originally constructed in 1894.

The scope of work provides for planning and beginning the upgrade and/or replacement of the secondary power distribution system, including vendor tombstones and all other associated improvements. This project may be multiphased.

**A/E SELECTION COMMITTEE RECOMMENDATIONS  
May 11, 2010**

**CDB PROJECT NO:** 039-150-164

**PROJECT DESCRIPTION:** Replace HVAC - Administration Building

**PROJECT LOCATION:** Illinois State Fairgrounds - Springfield  
Department of Agriculture

**APPROPRIATION AMOUNT:** \$3,212,000

**ARRA ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT:** \$1,800,000

**ESTIMATED TOTAL PROJECT COST:** \$5,012,000

**PROJECT SCOPE OF WORK:**

The Illinois State Fairgrounds is located on a 366 acre site originally constructed in 1894.

The scope of work provides for replacing four chillers and one cooling tower and associated pumps and piping in the Administration Building. The work also includes upgrading the fairground's energy management system which serves multiple buildings. The Historic Preservation Agency should be consulted during every phase of the project.

An additional component of this project will be funded with ARRA Energy Efficiency and Conservation Block Grant Funds (EECBG). The scope is provided below and this component of the project will include ARRA reporting requirements. Services may also include completing an application for the Energy Efficiency Portfolio Rebate Program through the Department of Commerce and Economic Opportunity.

The scope of work provides for replacing existing lighting with energy efficient lighting and replacing hot water heaters and associated components.

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 102-432-025

**PROJECT DESCRIPTION:** Replace/Upgrade Electrical Service

**PROJECT LOCATION:** Jake Wolf Memorial Hatchery - Mason County  
Department of Natural Resources

**APPROPRIATION AMOUNT:** \$ 348,000

**ESTIMATED TOTAL PROJECT COST:** \$1,706,000

**PROJECT SCOPE OF WORK:**

The Jake Wolf Memorial Hatchery is a 57,968 square foot, seven-building facility constructed in 1980.

The scope of work provides for replacing motor control centers in the main hatchery building and replacing a switchboard in the generator building. It also includes replacing all panelboards, feeders, control wiring, controls and any other associated work. This project may be multiphased.

**A/E SELECTION COMMITTEE RECOMMENDATIONS  
May 11, 2010**

**CDB PROJECT NO:** 120-021-012

**PROJECT DESCRIPTION:** Replace Roofing Systems

**PROJECT LOCATION:** Southwestern Correctional Center - East St. Louis  
Department of Corrections

**APPROPRIATION AMOUNT:** \$ 825,000

**ESTIMATED TOTAL PROJECT COST:** \$ 825,000

**PROJECT SCOPE OF WORK:**

The Southwestern Illinois Correctional Center is a 130,870 square foot, 15-building facility constructed in 1951.

The scope of work provides for removing approximately 44,000 square feet of ballasted EPDM roof to the deck and replacing it. A fully adhered EPDM roof is suggested. A cool roof should be considered.

**A/E SELECTION COMMITTEE RECOMMENDATIONS  
May 11, 2010**

**CDB PROJECT NO:** 120-135-058

**PROJECT DESCRIPTION:** Replace Roofs on Housing Units

**PROJECT LOCATION:** Logan Correctional Center - Lincoln  
Department of Corrections

**APPROPRIATION AMOUNT:** \$ 829,000

**ESTIMATED TOTAL PROJECT COST:** \$ 829,000

**PROJECT SCOPE OF WORK:**

The Logan Correctional Center is a 526,195 square foot, 62-building facility constructed in 1930.

The scope of work provides for replacing approximately 39,860 square feet of roofing on two housing units. The work includes new decking, ventilation, sheet metal, membrane roofs and all necessary accessories. A cool roof should be considered.

**A/E SELECTION COMMITTEE RECOMMENDATIONS  
May 11, 2010**

**CDB PROJECT NO:** 120-245-070

**PROJECT DESCRIPTION:** Replace Roofing Systems

**PROJECT LOCATION:** Vienna Correctional Center - Johnson County  
Department of Corrections

**APPROPRIATION AMOUNT:** \$ 940,000

**ESTIMATED TOTAL PROJECT COST:** \$ 940,000

**PROJECT SCOPE OF WORK:**

The Vienna Correctional Center is a 544,424 square foot, 63-building facility constructed in 1930.

The scope of work provides for replacing approximately 160,000 square feet of standing seam metal and EPDM roofing systems on four buildings. A cool roof should be considered. Asbestos abatement may be required.

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 125-300-004

**PROJECT DESCRIPTION:** Replace Sprinkler System

**PROJECT LOCATION:** Illinois Youth Center - Kewanee  
Department of Juvenile Justice

**APPROPRIATION AMOUNT:** \$ 600,000

**ESTIMATED TOTAL PROJECT COST:** \$6,500,000

**PROJECT SCOPE OF WORK:**

The Illinois Youth Center at Kewanee is a 227,480 square foot, 11-building facility constructed in 2001.

The scope of work provides for planning and beginning the removal and replacement of the existing sprinkler system with a "wet pipe" system, including fire pump, hose cabinets, fire extinguishers and all other accessories. The scope also includes removing and replacing approximately 23,000 square feet of drywall ceiling in all buildings to facilitate construction.

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 250-025-022

**PROJECT DESCRIPTION:** Upgrade HVAC System

**PROJECT LOCATION:** James R. Thompson Center - Chicago  
Department of Central Management Services

**APPROPRIATION AMOUNT:** \$4,150,000

**ARRA ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT:** \$ 600,000

**ESTIMATED TOTAL PROJECT COST:** \$4,750,000

**PROJECT SCOPE OF WORK:**

The James R. Thompson Center (J0205) is a 1,200,000 square foot, 19-story building constructed in 1985.

The scope of work provides for replacing two rotary screw compressors, the evaporative condensers that serve the compressors, and the six original refrigeration pumps. The work also includes providing new DDC controls and new electric control valves for the thermal storage system and connecting these new controls to the existing building's control system, replacing control valves at the direct expansion (DX) cooling coils at the air handling units, replacing the water in the ice storage tanks with water that has a "safe" corrosion inhibitor, and providing all necessary electrical work in support of mechanical work. In addition, the work includes adding controls and components to ensure compliance with ASHRAE 15.

An additional component of this project will be funded with ARRA Energy Efficiency and Conservation Block Grant Funds (EECBG). The scope is provided below and this component of the project will include ARRA reporting requirements. Services may also include completing an application for the Energy Efficiency Portfolio Rebate Program through the Department of Commerce and Economic Opportunity.

The scope of work provides for replacing existing lighting throughout the building, including stair lighting and exit signs with energy efficient lighting.

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 321-010-095

**PROJECT DESCRIPTION:** Life Safety Improvements to Two Residence Buildings

**PROJECT LOCATION:** Alton Mental Health Center - Madison County  
Department of Human Services

**APPROPRIATION AMOUNT:** \$ 932,000

**ESTIMATED TOTAL PROJECT COST:** \$ 932,000

**PROJECT SCOPE OF WORK:**

The Forensic Service Building (BD081) is a 98,000 square foot, one-story building constructed in 1996. Locust Cottage (BD013) is an 11,424 square foot, one-story building constructed in 1937.

The scope of work provides for repairing and replacing existing building elements at the Forensic Services Building and Locust Cottage to achieve compliance with applicable life safety codes and standards including work at doors, fire separation assemblies, egress routes, emergency lighting, fire alarms and other fire protection equipment. The Illinois Historic Preservation Agency should be consulted during every phase of the project.

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 321-060-047

**PROJECT DESCRIPTION:** Upgrade for Life/Fire Safety Compliance

**PROJECT LOCATION:** Fox Developmental Center - Dwight  
Department of Human Services

**APPROPRIATION AMOUNT:** \$ 353,000

**ARRA ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT:** \$175,000

**ESTIMATED TOTAL PROJECT COST:** \$ 528,000

**PROJECT SCOPE OF WORK:**

The Main Building (BZ001) is a 44,333 square foot, three-story building constructed in 1901. The Administration Building (BZ002) is a 36,922 square foot, two-story building constructed in 1901. The Hospital Building (BZ008) is a 36,877 square foot, five

The scope of work provides for installing fire dampers in the horizontal bathroom exhaust duct penetrations of a rated shaft and in the supply and exhaust air duct penetrations of the elevator equipment room. The work also includes filling in one existing window with masonry and modifying and adding to existing sprinkler systems. The Illinois Historic Preservation Agency should be consulted during every phase of the project.

An additional component of this project will be funded with ARRA Energy Efficiency and Conservation Block Grant Funds (EECBG). The scope is provided below and this component of the project will include ARRA reporting requirements. Services may also include completing an application for the Energy Efficiency Portfolio Rebate Program through the Department of Commerce and Economic Opportunity.

The scope of work provides for removing two water heaters in building #1 (constructed in 1901) and two in building #8 (constructed in 1944), along with all related controls, circulating pumps and associated piping and installing new insulated piping, three in-line on-demand steam heated water heaters, pumps and balancing valves.

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 546-385-035

**PROJECT DESCRIPTION:** Construct a Training Device/Simulation Facility

**PROJECT LOCATION:** Marseilles Armory (Training Area) - LaSalle County  
Department of Military Affairs

**APPROPRIATION AMOUNT:** \$ 650,000 (Federally Funded)

**ESTIMATED TOTAL PROJECT COST:** \$ 650,000 (Federally Funded)

**PROJECT SCOPE OF WORK:**

The Marseilles Training Area is a 206,445 square foot, 53-building facility constructed in 1960.

The scope of work provides for constructing an approximately 3,500 square foot pre-engineered building, including HVAC, electrical, and plumbing systems, restrooms, briefing/control room, storage area, and a utility room.

Bid level documents must be completed within 30 days after the award of the Professional Services Agreement and the construction contracts must be awarded by September 30, 2010.  
The project orientation meeting will be held on May 12, 2010.

**A/E SELECTION COMMITTEE RECOMMENDATIONS**  
**May 11, 2010**

**CDB PROJECT NO:** 624-060-031

**PROJECT DESCRIPTION:** Repair Parking Ramp

**PROJECT LOCATION:** Revenue Building (Willard Ice Building) - Sangamon County  
Department of Revenue

**APPROPRIATION AMOUNT:** \$2,791,000

**ESTIMATED TOTAL PROJECT COST:** \$2,791,000

**PROJECT SCOPE OF WORK:**

The Willard Ice Building is a 913,236 square foot building constructed in 1982.

The scope of work provides for repairing the structure, upgrading the lighting, providing corrosion protection, and resurfacing all levels of the garage to prohibit further water infiltration and subsequent deterioration of the structure.

## **A/E SELECTION COMMITTEE RECOMMENDATIONS**

**CDB PROJECT NO:** 750-010-007

**PROJECT DESCRIPTION:** Install Emergency Generator

**PROJECT LOCATION:** Michael J. Howlett Building - Springfield  
Office of the Secretary of State

**APPROPRIATION AMOUNT:** \$ 791,000

**ARRA ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT:** \$3,700,000

**ESTIMATED TOTAL PROJECT COST:** \$4,491,000

### **PROJECT SCOPE OF WORK:**

The Michael J. Howlett Building (M0102) is a 450,000 square foot, eight-story building constructed in 1929.

The scope of work provides for replacing the generator with a unit large enough to provide basic building services during a power outage.

An additional component of this project will be funded with ARRA Energy Efficiency and Conservation Block Grant Funds (EECBG). The scope is provided below and this component of the project will include ARRA reporting requirements.

The scope of work provides for replacing existing lighting throughout the building with energy efficient lamps and ballasts.

**A/E SELECTION COMMITTEE RECOMMENDATIONS  
May 11, 2010**

**CDB PROJECT NO:** 750-100-003

**PROJECT DESCRIPTION:** Replace Roofing System

**PROJECT LOCATION:** Motor Vehicle Services Building - Springfield  
Office of the Secretary of State

**APPROPRIATION AMOUNT:** \$1,482,000

**ESTIMATED TOTAL PROJECT COST:** \$1,482,000

**PROJECT SCOPE OF WORK:**

The Dirksen Parkway Motor Vehicle Facility (M0108) is a 131,400 square foot, two-story building constructed in 1974.

The scope of work provides for removing approximately 75,000 square feet of roofing down to the deck and replacing it. A cool roof should be considered.

**SUBJECT:   *Staff A/E Recommendations Higher Education***

<b><u>PROJECT #</u></b>	<b><u>FIRM/JOB DESCRIPTION</u></b>	<b><u>PROJECT AMOUNT</u></b>
822-010-120	PSA Dewberry / BCA Renovate/Expand Stevens Building Northern Illinois University DeKalb, Illinois	\$22,517,600

**CAPITAL DEVELOPMENT BOARD  
RECOMMENDATION FOR BOARD CONCURRENCE  
IN THE SELECTION OF  
HIGHER EDUCATION ARCHITECT/ENGINEER  
May 11, 2010**

**CDB PROJECT NO:** 822-010-120

**PROJECT DESCRIPTION:** Renovate/Expand Stevens Building

**PROJECT LOCATION:** Northern Illinois University  
DeKalb, Illinois

**APPROPRIATION AMOUNT:** \$2,322,300

**ESTIMATED TOTAL PROJECT COST:** \$22,517,600

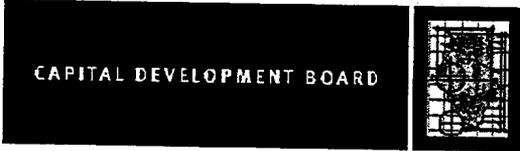
**PROJECT SCOPE OF WORK:**

The Stevens Building is a 66,475 square foot, two-story steel frame and masonry building constructed in 1959.

The scope of work provides for constructing an approximately 33,000 square foot addition to the east side of the Stevens Building, including an approximately 18,000 square foot black box theater and support space for the Department of Theater Arts. The scope also provides for renovating approximately 67,000 square feet in the Stevens Building, including demolishing partitions and walls, upgrading the HVAC, electrical, mechanical and lighting systems, replacing the windows, ceilings and flooring, tuckpointing the exterior and abating asbestos-containing materials.

**Proposed  
FY-11 CDB BOARD MEETING SCHEDULE**

<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
July 13, 2010	10:30 a.m.	Chicago and Springfield video-conference
August 10, 2010	10:30 a.m.	Chicago and Springfield video-conference
September 14, 2010	10:30 a.m.	Chicago and Springfield video-conference
October 19, 2010	10:30 a.m.	Chicago and Springfield video-conference
November 9, 2010	10:30 a.m.	Chicago and Springfield video-conference
December 14, 2010	10:30 a.m.	Chicago and Springfield video-conference
January 11, 2011	10:30 a.m.	Chicago and Springfield video-conference
February 8, 2011	10:30 a.m.	Chicago and Springfield video-conference
March 8, 2011	10:30 a.m.	Chicago and Springfield video-conference
April 12, 2011	10:30 a.m.	Chicago and Springfield video-conference
May 10, 2011	10:30 a.m.	Chicago and Springfield video-conference
June 14, 2011	10:30 a.m.	Chicago and Springfield video-conference



Jim Riemer, Sr., Executive Director

MEMORANDUM

**TO:** Capital Development Board  
**FROM:** Fredrick W. Hahn, Chief Counsel  
**DATE:** May 11, 2010  
**RE:** Proposed Rule Change  
School Construction Program  
IAC Title 71, Part 40

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Attached for your approval is a proposed amendment to the School Construction Program Rules (71 IAC 40). This amendment is due to a change in the US Green Building Council requirements for Schools constructed after July 1, 2007. School buildings constructed after July 1, 2007 must be Green Certified and those constructed after July 1, 2009 must be Silver Certified. Square foot allowances have been removed and added to the School Construction Standards booklet. This allows CDB to update square footage allowances to better reflect inflation.

Upon your approval, the rules will be filed with the Secretary of State and submitted to JCAR (Joint Committee on Administrative Rules).

cc: Jim Riemer

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CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 71: PUBLIC BUILDINGS, FACILITIES AND REAL PROPERTY  
CHAPTER I: CAPITAL DEVELOPMENT BOARD  
SUBCHAPTER a: RULES

PART 40  
STANDARDS FOR AWARD OF GRANTS:  
SCHOOL CONSTRUCTION PROGRAM

Section	
40.100	Definitions
40.110	General
40.120	Planning Assistance Grants (Repealed)
40.130	Construction Grants
40.140	Debt Service Grants (Repealed)

**AUTHORITY:** Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Section 5-55 of that Act, and the School Construction Law [105 ILCS 230].

**SOURCE:** Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20342, effective October 1, 1984; amended at 9 Ill. Reg. 17345, effective October 29, 1985; amended at 13 Ill. Reg. 6973, effective April 21, 1989; amended at 20 Ill. Reg. 15244, effective November 15, 1996; emergency amendment at 22 Ill. Reg. 2597, effective January 13, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 9518, effective May 21, 1998; emergency amendment at 23 Ill. Reg. 6521, effective May 12, 1999, for a maximum of 150 days; emergency expired on October 9, 1999; amended at 23 Ill. Reg. 10788, effective August 20, 1999; emergency amendment at 23 Ill. Reg. 11320, effective August 27, 1999, for a maximum of 150 days; amended at 24 Ill. Reg. 233, effective December 27, 1999; amended at 25 Ill. Reg. 14364, effective October 24, 2001; amended at 26 Ill. Reg. 10412, effective July 1, 2002; amended at 34 Ill. Reg. , effective

**Section 40.110 General**

- a) The Capital Development Board (hereinafter "Board") will implement the School Construction Law through its School Construction Program (hereinafter "SCP").
- b) The objective of school grants is to fund classrooms and costs necessary for the support of classrooms. Items not fundable with grant funds may be funded with the school district's funds.

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

- c) The Board will make no grant awards prior to compliance by the school district with the Illinois State Board of Education (ISBE) regulations for grant entitlement [105 ILCS 230/5-5].
- d) The ISBE will forward the application to the Board to determine if the program statement has been provided and has adequate information to schedule a survey by the Board.
- e) Proof of local share will be required by the Board prior to a grant award. A school district failing to have access to the local share of funds within the time period set forth in Section 40.130(c)(8)(H) of this Part shall be reprioritized and must update its application to establish its priority ranking for the following fiscal year.
- f) If the school district begins the project in some manner (such as letting bids, awarding contracts, or starting actual construction) after entitlement is issued by the ISBE, such actions shall have no effect on the eligibility for a construction grant.
- g) Grant awards will be issued in accordance with ISBE's priority ranking.
- h) School districts shall enter into intergovernmental agreements with the Board that may include, but are not limited to, provisions for the following:
  - 1) That funding of the State share in progress payments to school districts for project costs will be made upon submittal of required documentation by the school district.
  - 2) That the school district agrees to comply with all applicable statutes, codes, and rules.
  - 3) That establishment and maintenance of a separate set of accounts is required for the construction, study, and planning of the project in accordance with generally accepted accounting principles (FASB Accounting Standards, Financial Accounting Standards Board, High Ridge Park, Stanford, Connecticut 06905 (1998)).
  - 4) That access to the work, materials, payrolls, and other data and records relevant to the project for purposes of audit and inspection by the Board or other authorized agencies is required.

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CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

- 5) That the architect retained by the school district shall certify on each payment submittal that the expenditures were in accordance with the provisions of the appropriation Act and the terms of the intergovernmental agreement.
- 6) That increases in project costs added by change order shall not increase the amount of the State share.
- 7) That if the school district requests the Board to assume administrative or oversight duties, the extent of those duties requested shall be described in the intergovernmental agreement.
- 8) Other provisions as may be necessary, including those required to ensure a legal and binding agreement.
- 9) With respect to those school construction projects for which a school district first applies for a grant on or after July 1, 2007, the school construction project must receive certification from the United States Green Building Council's Leadership in Energy and Environmental Design Green Building Rating System or the Green Building Initiative's Green Globes Green Building Rating System or must meet green building standards of the Capital Development Board and its Green Building Advisory Committee.

With respect to those school construction projects for which a school district first applies for a grant on or after July 1, 2009, the school construction project must receive silver certification from the United States Green Building Council's Leadership in Energy and Environmental Design Green Building Rating System.

An allowance will be given to those districts seeking a green building certification or rating as outlined in the School Construction Law Project Standards.

(Source: Amended at 34 Ill. Reg. , effective )

**Section 40.130 Construction Grants**

Prior to the award of a construction grant, school districts shall meet the following requirements:

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CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

- a) **Program Statements**  
Program statements must be submitted as part of the school district's Application for Construction Grant Entitlement for proposed facilities and sites requiring SCP funding. Program statements must conform to the School Construction Law Project Standards as developed by the Board and must address, but need not be limited to, the following:
- 1) project description and rationale
  - 2) occupant capacity
  - 3) site analysis
  - 4) project design
  - 5) funding sources and cost estimates
  - 6) time schedule of major events
- b) **Prohibited Uses**  
Program statements shall not include any on-going operational costs or any construction projects for which the General Assembly and the Governor have approved specifically designated funds.
- c) **School Site Selection**
- 1) The local school district shall select the sites for all new projects.
  - 2) **Suitability for Development and Construction**
    - A) The site should be free of physical structures, topographical features or subsurface physical conditions that would preclude necessary construction, present insurmountable obstacles to safety or normal utilization, shorten building life, cause excessive delays in project completion, or cause costs to exceed the funds available. "Necessary construction" shall include but not necessarily be limited to: buildings, utility lines, storm water disposal arrangements and paving.

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CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

- B) The site should not be subject to existing or foreseeable, harmful or disruptive environmental hazards and nuisances. Such hazards and nuisances may include, but are not necessarily limited to: excessive dust, smoke, noise, odors, air pollutants, soil pollutants, floods, ground water incursions, vibrations, explosions, and electrical discharges. Site acquisition shall be subject to the Farmland Preservation Act [505 ILCS 75], Interagency Wetland Policy Act of 1989 [20 ILCS 830], Illinois State Agency Historic Resources Preservation Act [20 ILCS 3410], Archaeological and Paleontological Resources Protection Act [20 ILCS 3435], the Illinois Endangered Species Protection Act [520 ILCS 10], and the Environmental Protection Act [415 ILCS 58.15], as may be applicable.
- 3) Availability of Site  
The school district shall have a period of 150 days from the time of grant award to acquire title to the site, or rights of use and exclusion sufficient to carry out the purposes and programs of the school. Extensions will be granted in those cases in which there is a reasonable expectation that the district will be able to acquire the site within the period of the extension and the delay has been occasioned by a condition beyond the control of the district, such as a delay in acquiring a title commitment.
- 4) Site Size and Configuration  
The proposed site should contain usable space sufficient in size and of regular configuration so as to accommodate the school's on-site program as well as to accommodate ancillary functions that are better served on-site than off-site, such as parking, bus loading and unloading, casual student assembly and play, and pedestrian movement between different points on the site.
- 5) Utilities and Services
- A) Water Supply  
Water must be made available at the site in sufficient volume and delivery rates and of appropriate quality to serve the firefighting needs of the proposed school as well as to accommodate other forms of water consumption.
- B) Sanitary Sewage Disposal

CAPITAL DEVELOPMENT BOARD

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The location or character of the site must not prevent the disposal of sanitary sewage from the school.

- C) Storm Water Disposal  
The location or character of the site must not prevent the disposal of storm water from the school.
  - D) Electric, Power, Telephone, Gas  
The site must present no obstacles to the provision of electric power, telephone services, and whatever gas service the school may require at the point in the construction process when utility hook-ups are made.
  - E) Solid Waste Management Systems  
Solid waste management services must be available to the site.
- 6) Architect/Engineer (A/E) Selection  
The selection of an architect/engineer shall be in accordance with the Local Government Professional Services Selection Act [50 ILCS 510].
- 7) Eligible and Ineligible Expenditures:
- A) The Board will participate in the funding of academic facilities, including vocational/technical education facilities, for all programs approved by the ISBE, which are areas with a loading factor greater than zero as determined by the ISBE (see 23 Ill. Adm. Code 151.50(d)).
  - B) The Board will not participate in funding administrative facilities intended for district administration.
  - C) The Board will not fund facilities intended for commercial use by profit making organizations. This is not meant to exclude facilities to be operated by non-profit organizations such as student groups, PTAs, etc.
  - D) Although the Board encourages development of facilities intended for joint use by school and community, the Board's participation in the funding of facilities intended for joint use by school and community is limited to those items required to meet the needs of

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CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENTS

the school's educational and support programs.

- E) The Board will not participate in funding facilities designed exclusively for interscholastic activities.
- F) Off-site improvements are defined as any improvements outside of the property line. Off-site improvements are not recognized as eligible project costs except under exceptional circumstances and only in those cases where the off-site improvements are necessary to the functional operation of a school facility. The following specific policies apply to off-site improvements:
  - i) Off-site improvements that exceed the requirements needed for the project are ineligible project costs. For example, if a larger water main is desired by the locality than is needed for the school project itself, the Board will not participate in any cost attributable to the increased size of the main.
  - ii) The district must provide documentation (appraisals, bills, etc.) that local and/or federal funding sources are not available to the district or any other public body for off-site improvements before the Board will consider participation in their funding.
  - iii) The Board's participation in funding off-site improvements is only permitted if the off-site property or interest in the property, such as an easement or leasehold, is owned by a public body.
- G) On-site improvements may be defined as any improvements outside the building's five feet line but inside the property line of the site. The Board's participation in funding on-site improvements is limited to those minimum requirements that are necessary to making the site functionally operational. The Board will not fund certain types of site improvements, including but not limited to the following:
  - i) Driver's education range
  - ii) Storage facilities

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- iii) Lawn sprinkling systems
  - iv) Exterior commons area, such as paved sitting areas, benches, etc.
  - v) Traffic signals at intersections
  - vi) Landscaping in excess of seeding costs
  - vii) Off-site access roads
- H) The following types of spaces are not included in determining the square footage used to calculate the recognized project cost:
- i) Gymnasium
  - ii) Cafeteria
  - iii) Auditorium
  - iv) Administrative office
  - v) Other ancillary spaces, including but not limited to:
    - Field house
    - Swimming pool
    - Indoor track
    - Permanent seating beyond school's student and staff population
    - Broadcast area
    - Radio/TV studios for primarily noninstructional uses
    - Coat room
    - Green room (auditorium/theater)
    - Teacher serving area
    - Meeting room
    - Exhibition room
    - District administration space
    - Bus storage
    - Bus maintenance space

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Guard rooms  
Toilet facilities beyond needs of school's students and staff  
Before/after school programs space  
Concession space  
Bookstore

I) Items that are not allowable as eligible associated expenses for physical education outdoor space and facilities include, but are not limited to, the following:

- i) Structures housing locker rooms
- ii) Toilets and storage facilities
- iii) Bleachers
- iv) Lighting
- v) Concession stands
- vi) Broadcast booths
- vii) Benches
- viii) Scoreboards
- ix) Artificial turf, and fencing except for health/life safety

J) Under the following circumstances, the Board will not fund land acquisition costs:

- i) Land was owned by school district prior to January 1, 1996.
- ii) Land was purchased after January 1, 1996, but not supported by documentation.
- iii) Land was donated to the school district.
- iv) Land is already owned by the school district and will be the site of an addition to an existing facility.

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8) State and Local Financial Participation in School Construction Projects

A) Policy Basis for Determinations

- i) The School Construction Law [105 ILCS 230/5-30] states the following prioritization of school district needs for awarding grants:

*Replacement or reconstruction of school buildings destroyed or damaged by flood, tornado, fire, earthquake, or other disasters, either man-made or produced by nature;*

*Projects designed to alleviate a shortage of classrooms due to population growth or to replace aging school buildings;*

*Projects resulting from interdistrict reorganization of school districts contingent on local referenda;*

*Replacement or reconstruction of school facilities determined to be severe and continuing health or life safety hazards;*

*Alterations necessary to provide accessibility for qualified individuals with disabilities; and*

*Other unique solutions to facility needs.*

School districts identify such needs in their applications to ISBE for grant entitlements, and such needs become the basis for entitlement to a grant. Eligible expenditures as determined by CDB are limited to expenditures necessary to meet the project needs that are based on prioritization category of entitlement.

- ii) The recognized project cost is the sum total of unit costs (\$/sq. ft.) and eligible associated costs.

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~~The square foot allowance per student and cost per square foot standards are based on the applicable regional cost and square foot averages provided in the 1997 Council of Educational Facilities Planners (CEFPI) School Construction Report. Square foot costs are escalated three percent annually for inflation.~~

The maximum square foot allowance per student is commensurate with the national average and outlined in the School Construction Law Project Standards. The cost per square foot is outlined in the School Construction Law Project Standards and is escalated annually for inflation.

Eligible associated costs are those determined to be necessary to provide the infrastructure for the grant project.

- B) Determination of Recognized Project Cost
- i) Recognized project cost shall be based upon calculations in accordance with the School Construction Law Project Standards (see also subsection (c)(7)) and shall include unit cost (\$/sq.ft.) as follows: buildings constructed to the five feet line, design and construction contingencies, building fixed equipment; plus additional associated costs as deemed appropriate by the Board in consultation with local school districts as follows: site improvements including related A/E fees and reimbursements, land acquisition and associated legal fees for the project site acquired, movable equipment, and utility service lines, both on-site and off-site, and special foundation construction and related A/E fees deemed necessary as a result of unusual sub-surface soil conditions. Specific associated cost allowances are outlined in the School Construction Law Project Standards.

~~Specific Associated Cost Allowances~~

~~For each eligible classroom, an allowance of \$600~~

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~~will be given when an enhanced security phone call back system is installed.~~

~~The following building related maximum movable equipment allowances are provided:~~

~~\$5,200/elementary classroom~~

~~\$6,100/middle/junior high classroom~~

~~\$6,900/high school classroom~~

- ii) The recognized project costs initially calculated by the Board will establish the maximum acceptable cost of the eligible expenditures. If the bid price received by the district from the various contractors for the eligible expenditures is less than the bid estimate amount included in this initial calculation, then the recognized project cost will be reduced by the amount of the difference.
  - iii) The Board shall establish and include in the School Construction Law Project Standards (see also subsection (c)(7)) unit cost guidelines for determining the recognized project cost.
- C) Project Standards for New Construction and Additions
- i) General  
The Board shall establish detailed project standards including space and capacity standards in the School Construction Law Project Standards (see also subsection (c)(7)). New schools with adequate space for all necessary instructional and ancillary activities require more space per students than additions to existing schools. Different space standards are required to accommodate different grade levels, i.e., Pre-K-6, 7-9, and 9-12. Economies of scale in terms of space per student can be anticipated for larger schools.
  - ii) ~~Square Footage for Calculation of Unit Costs~~

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The following maximum standards are established for the determination of the State share of the recognized project cost in connection with a construction grant:

Square Foot Per Student

For a New School:

New Elementary School

Gross square footage per student 100

Gross square footage per additional student  
beyond 240 students 82

New Middle/Junior High School

Gross square footage per student 120

Gross square footage per additional student  
beyond 400 students 100

New High School

Gross square footage per student 140

Gross square footage per additional student  
beyond 600 students 110

Classroom Additions:

Elementary School

Gross square footage per student for additions  
for 250 or more students 100

Gross square footage per student for additions  
for less than 250 students 82

Middle School

Gross square footage per student for additions  
for 250 or more students 120

Gross square footage per student for additions  
for less than 250 students 100

High School

Gross square footage per student for additions  
for 250 or more students 140

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~~Gross square footage per student for additions  
for less than 250 students~~

110

- D) **Renovation Projects**  
The recognized project cost for renovation projects is calculated by an estimation of the eligible project costs. Eligible renovation costs are for renovations to existing facilities determined to be functionally over 100 years old (as determined by ISBE) or for renovation projects in existing facilities that provide additional classroom capacity.
- E) **Unit Costs**  
Unit costs (\$/sq.ft.) used for determining the recognized project cost, including A/E design fees, building construction to the five feet line, fixed equipment, and a contingency shall be established by the Board and included in the School Construction Law Project Standards (see also subsection (c)(7)). In establishing unit costs the Board shall be guided by current costs within the construction industry and the goal of receiving fair value for public funds expended.
- F) **Limits on SCP Participation and Site Cost**  
Districts will not receive grant funding for acreage beyond the following maximums:  
Elementary – 5 acres plus 1 acre per 100 students,  
Middle/Junior High – 15 acres plus 1 acre per 100 students, and  
High School – 20 acres plus 1 acre per 100 students.
- G) **The State and local share of the recognized project cost shall be computed by multiplying the recognized project cost by the grant index as defined by the School Construction Law and determined by the ISBE. For each grant issued after September 1, 1999, the equalized assessed valuation and average daily attendance used in calculating a district's grant index shall be taken from the district's general State aid claim filed in the fiscal year in which the grant entitlement is made. The average daily attendance to be used shall be the district's best three months' average daily attendance. A grant index shall lapse if a grant is not awarded within 36 months after entitlement, and a new grant index shall be issued based upon the district's most recent general State aid claim.**

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- H) School districts must have access to the local share of the recognized project cost before a grant award will be given. Proof (referendum, resolution, etc.) of the local share will be required by the Board.
- I) The local share of the recognized project cost may be placed in a local trust account pursuant to 71 Ill. Adm. Code 30.
- J) School districts may add to a project cost beyond the recognized project cost with local funds. Funds for such project supplements may be deposited in local trust accounts.
- K) All enrichment project costs that are not included in the recognized project cost and designated as ineligible expenditures by the Board will be paid by the school district.

(Source: Amended at 34 Ill. Reg. , effective )



**James A. Riemer, Executive Director**

**MEMORANDUM**

**TO:** Capital Development Board  
**FROM:** Fredrick W. Hahn, Chief Counsel  
**DATE:** May 6, 2010  
**RE:** Proposed Rule Change  
Access to Information  
IAC Title 2, Part 1651



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Attached for your approval are revised proposed rules to the Access to Information Rule (2 IAC 1651). This revision is necessary because the Governor's office has requested all state agencies use their draft rules for purposes of uniformity.

On January 12, 2010, we proposed rules to the Board, to which they were approved. The attached rules will take the place of the previously approved rules.

Upon your approval, the rules will be filed with the Secretary of State and submitted to JCAR (Joint Committee on Administrative Rules).

cc: Jim Riemer

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TITLE 2: GOVERNMENTAL ORGANIZATIONS  
SUBTITLE E: MISCELLANEOUS STATE AGENCIES  
CHAPTER VI: CAPITAL DEVELOPMENT BOARD

PART 1651  
ACCESS TO RECORDS OF THE CAPITAL DEVELOPMENT BOARD

SUBPART A: INTRODUCTION

Section	
1651.101	Summary and Purpose
1651.102	Definitions

SUBPART B: CLASSIFICATION OF RECORDS

Section	
1651.201	Records that Shall be Disclosed
1651.202	Records that Shall be Withheld from Disclosure

SUBPART C: PROCEDURES FOR REQUESTING RECORDS FROM THE  
AGENCY

Section	
1651.301	Submittal of Requests for Records
1651.302	Information to be Provided in Requests for Records
1651.303	Requests for Records for Commercial Purposes

SUBPART D: AGENCY RESPONSE TO REQUESTS FOR RECORDS

Section	
1651.401	Timeline for Agency Response
1651.402	Requests for Records that the Agency Considers Unduly Burdensome
1651.403	Requests for Records that Require Electronic Retrieval
1651.404	Denials of Requests for Records
1651.405	Requests for Review of Denials- Public Access Counselor
1651.406	Circuit Court Review
1651.407	Administrative Review

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SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section

- 1651.501 Inspection and Copying of Records
- 1651.502 Fees for Records
- 1651.503 Reduction and Waiver of Fees

1651.APPENDIX A: FEE SCHEDULE FOR DUPLICATION OF RECORDS

AUTHORITY: Implementing and authorized by Section 3(h) of the Freedom of Information Act [5 ILCS 140] and implementing Section 5-15 of the Illinois Administrative Procedures Act [5 ILCS 100/5-15].

SOURCE: Adopted at 1651,

SUBPART A: INTRODUCTION

**Section 1651.101 Summary and Purpose**

- a) This part is established to implement the provisions of the Freedom of Information Act [5 ILCS 140]. The purpose of these rules is to support the policy of providing accessibility and transparency in obtaining public records retained by the Capital Development Board while protecting legitimate privacy interests and maintaining administrative efficiency.
- b) These rules establish the procedures by which the public may request and receive public records of the Capital Development Board. The rules also set forth the procedures that the Capital Development Board must comply with in responding to requests for information.

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.102 Definitions**

Terms not defined in this Section shall have the same meaning as in the Freedom of Information Act [5 ILCS 140]. The following definitions are applicable for purposes of this Part:

“Act” means Capital Development Board Act. [20 ILCS 3105]

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“Agency” means Capital Development Board as established by the Act.

“Commercial purpose” means the use of any part of a record or records, or information derived from records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a ‘commercial purpose’ when the principal purpose of the request is (i) to access and disseminate information concerning news and current or passing events, (ii) for articles or opinion or features of interest to the public, or (iii) for the purpose of academic, scientific, or public research or education. (Section 2(c-10) of FOIA.)

“Copying” means the reproduction of any record by means of any photographic, electronic, mechanical, or other process, device or means now known or hereafter developed and available to the Agency. (Section 2(d) of FOIA.)

“Director” means the Director of the Agency.

“FOIA” means the Freedom of Information Act [5 ILCS 140].

“News media” means a newspaper or other periodical issued at regular intervals, news service in paper or electronic form, radio station, television station, community antenna television service, or person or corporation engaged in making news reels or other motion picture news for public showing. (Section 2(f) of FOIA)

“Person” means any individual, corporation, partnership, firm, organization or association, acting individually or as a group. (Section 2(b) of FOIA.)

“Private information” means unique identifiers, including a person’s Social Security number, driver’s license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. (Section 2(c-5) of FOIA.)

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“Public Access Counselor” means an individual appointed to that office by the Attorney General under Section 7 of the Attorney General Act [15 ILCS 205].

“Records” means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of or under the control of the Agency. (Section 2(c) of FOIA.)

“Requester” is any person who has submitted a written request, electronically or on paper, for records to the Agency.

“Unwarranted invasion of personal privacy” means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject’s right to privacy outweighs any legitimate public interest in obtaining the information. (Section 7(1)(c) of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

SUBPART B: CLASSIFICATION OF RECORDS

**Section 1651.201 Records that Shall be Disclosed**

Upon request meeting the requirements of this Part, the Agency shall disclose to the requester all records requested except that it shall not disclose certain records as provided in Section 1651.202. Records covered under this Section shall include, but are not be limited to:

- a) Records of funds. All records relating to the obligation, receipt, and use of public funds of the Agency are records subject to inspection and copying by the public. (Section 2.5 of FOIA);
- b) Payrolls. Certified payroll records submitted to the Agency under Section 5(a)(2) of the Prevailing Wage Act are records subject to inspection and copying in accordance with the provisions of FOIA; except that contractors’ and employees’ addresses, telephone numbers, and Social Security numbers must be redacted by the Agency prior to disclosure. (Section 2.10 of FOIA);

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- c) Criminal history records. The following documents maintained by the Agency pertaining to criminal history record information are records subject to inspection and copying by the public pursuant to FOIA:
  - 1) Court records that are public;
  - 2) Records that are otherwise available under State or local law; and
  - 3) Records in which the requesting party is the individual identified, except as provided under Section 1651.202(a)(1)(D) of this Part. (Section 2.15(b)(iii) of FOIA).
  
- d) Settlement agreements. All settlement agreements entered into by or on behalf of the Agency are records subject to inspection and copying by the public, provided that information exempt from disclosure under Section 1651.202 of this Part may be redacted. (Section 2.20 of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.202 Records that Shall be Withheld from Disclosure**

- a) When a request is made to inspect or copy a record that contains information that is otherwise exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the Agency shall make the remaining information available for inspection and copying.
  - 1) Subject to this requirement and Section 7 of FOIA, the following shall be exempt from inspection and copying:
    - A) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.
    - B) Files, documents, and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual

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- subjects;
- C) Personal information contained within records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy;
  - D) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:
    - i) Interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;
    - ii) Interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;
    - iii) Create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;
    - iv) Unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the Agency will provide traffic accident reports, the identities of witnesses to traffic accidents, and rescue reports, except when disclosure would interfere with an active criminal investigation;

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- v) Disclose unique or specialized investigative techniques other than those generally used and known, or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;
  - vi) Endanger the life or physical safety of law enforcement personnel or any other person; or
  - vii) Obstruct an ongoing criminal investigation by the agency that is the recipient of the request;
- E) Records that relate to or affect the security of correctional institutions and detention facilities.
- F) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the Agency. The exemption provided in this subparagraph (F) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents;
- G) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested. All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The

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exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm. Nothing in this subparagraph (G) shall be construed to prevent a person or business from consenting to disclosure;

- H) Proposals and bids for any contract, grant, or agreement, including information that if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made;
- I) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by the Agency when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this subparagraph (I) does not extend to requests made by news media as defined in Section 1651.102 of this Part when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public;
- J) The following information pertaining to educational matters:
  - i) Test questions, scoring keys, and other examination data used to administer an academic exam;
  - ii) Information received by a primary or secondary school, college, or university under its procedure for the evaluation of faculty members by their academic peers;

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- iii) Information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and
  - iv) Course materials or research materials used by faculty members.
- K) Architects' plans and engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security;
- L) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act;
- M) Communications between the Agency and an attorney or auditor representing the Agency that would not be subject to discovery in litigation, and materials prepared or compiled by or for the Agency in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the Agency, and materials prepared or compiled with respect to internal audits of the agency;
- N) Records relating to the Agency's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed;
- O) Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts,

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source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section;

- P) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying;
- Q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment;
- R) The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act, records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt only until a sale is consummated;
- S) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications;
- T) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is

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otherwise required by State law;

- U) Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act;
- V) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations;
- W) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency;
- X) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission;
- Y) Information about students exempted from disclosure under Sections 10-20.38 or 34-18.29 of the School Code, and information about undergraduate students enrolled at an institution of higher education exempted from disclosure under Section 25 of the Illinois Credit Card Marketing Act of 2009;

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- Z) Information the disclosure of which is exempted under the Viatical Settlements Act of 2009; and
  - AA) Information regarding interments, entombments, or inurnments of human remains that are submitted to the Cemetery Oversight Database under the Cemetery Care Act or the Cemetery Oversight Act, whichever is applicable. (Section 7 of FOIA.)
- 2) A record that is not in the possession of the Agency but is in the possession of a party with whom the Agency has contracted to perform a governmental function on behalf of the Agency, and that directly relates to the governmental function and is not otherwise exempt under FOIA, shall be considered a record of the Agency for purposes of Subpart C of this Part. (Section 7(2) of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

SUBPART C: PROCEDURES FOR REQUESTING RECORDS FROM THE AGENCY

**Section 1651.301 Submittal of Requests for Records**

Any request for public records should be submitted in writing to the FOIA officer at the Agency. The FOIA officer is located at 401 South Spring Street, 3<sup>rd</sup> Floor Wm. G. Stratton Building, Springfield, Illinois 62706. Contact information for the Agency FOIA officer can be found online at [www.cdb.state.il.us](http://www.cdb.state.il.us). FOIA requests may be submitted via mail, e-mail, fax, or hand delivery. Requests should be mailed or hand delivered to:

Capital Development Board  
401 South Spring Street  
3<sup>rd</sup> Floor Wm. G. Stratton Building  
Springfield, IL 62706  
Attn.: FOIA Officer

E-mailed requests should be sent to [CDB.FOIA@Illinois.gov](mailto:CDB.FOIA@Illinois.gov), contain the request in the body of the e-mail, and indicate in the subject line of the e-mail that it contains a FOIA request. Faxed FOIA requests should be faxed to (217) 524-0565, Attn: FOIA Officer.

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(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.302 Information to be Provided in Requests for Records**

A request for records should include:

- a) The complete name, mailing address and telephone number of the requester;
- b) As specific a description as possible of the records sought. Requests that the Agency considers unduly burdensome or categorical may be denied. (Section 3(g) of FOIA);
- c) A statement as to the requested medium and format for the Agency to use in providing the records sought: for example paper, specific types of digital or magnetic media, or videotape;
- d) A statement as to the requested manner for the Agency to use in providing the records sought: for example for inspection at Agency headquarters or by providing paper or electronic copies;
- e) A statement as to whether the requester needs certified copies of all or any portion of the records, including reference to the specific documents that require certification; and
- f) A statement as to whether the request is for a commercial purpose.

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.303 Requests for Records for Commercial Purposes**

- a) It is a violation of FOIA for a person to knowingly obtain a record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the Agency.
- b) The Agency shall respond to a request for records to be used for a commercial purpose within 21 working days after receipt. The response shall:
  - 1) Provide to the requester an estimate of the time required by the Agency to

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provide the records requested and an estimate of the fees to be charged, which the Agency may require the person to pay in full before copying the requested documents;

- 2) Deny the request pursuant to one or more of the exemptions set out in Section 1651.202 of this Part;
  - 3) Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or
  - 4) Provide the records requested.
- c) Unless the records are exempt from disclosure, the Agency shall comply with a request within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes. (Section 3.1 of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

SUBPART D: AGENCY RESPONSE TO REQUESTS FOR RECORDS

**Section 1651.401 Timeline for Agency Response**

- a) Except as stated in Subsection (b) of this Section, the Agency will respond to any written request for public records within 5 business days after its receipt of the request. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request. If the Agency fails to respond to a request within the requisite periods in this Subsection but thereafter provides the requester with copies of the requested public records, it may not impose a fee for such copies. If the Agency fails to respond to a request received, it may not treat the request as unduly burdensome as provided under Section 1651.402 of this Part. (Section 3 (d) of FOIA.)
- b) The time limits prescribed in Subsection (a) of this Section may be extended for

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not more than 5 business days from the original due date for any of the following reasons:

- 1) The requested records are stored in whole or in part at locations other than the office having charge of the requested records;
  - 2) The request requires the collection of a substantial number of specified records;
  - 3) The request is couched in categorical terms and requires an extensive search for the records responsive to it;
  - 4) The requested records have not been located in the course of routine search and additional efforts are being made to locate them;
  - 5) The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of FOIA or should be revealed only with appropriate deletions;
  - 6) The request for records cannot be complied with by the Agency within the time limits prescribed by Subsection (a) of this Section without unduly burdening or interfering with the operations of the Agency; or
  - 7) There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request. (Section 3(e)(v) of FOIA.)
- c) The person making a request and the Agency may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the Agency agree to extend the period for compliance, a failure by the Agency to comply with any previous deadlines shall not be treated as a denial of the request for the records. (Section 3(e) of FOIA.)
- d) When additional time is required for any of the reasons set forth in Subsection (b) of this Section, the Agency shall, within 5 business days after receipt of the

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request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request. If the Agency fails to respond to a request within the time permitted for extension but thereafter provides the requester with copies of the requested public records, it may not impose a fee for those copies. If the Agency requests an extension and subsequently fails to respond to the request, it may not treat the request as unduly burdensome. (Section 3(f) of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.402 Requests for Records that the Agency Considers Unduly Burdensome**

- a) The Agency shall fulfill requests calling for all records falling within a category unless compliance with the request would unduly burden the Agency, there is no way to narrow the request, and the burden on the Agency outweighs the public interest in the information. Before invoking this exemption, the Agency shall extend to the requester an opportunity to confer with it in an attempt to reduce the request to manageable proportions. (Section 3(g) of FOIA.) The amended request must be in writing.
- b) If the Agency determines that a request is unduly burdensome, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the Agency. Such a response shall be treated as a denial of the request for information. (Section 3(g) of FOIA.)
- c) Repeated requests for records that are unchanged or identical to records previously provided or properly denied under this Part from the same person shall be deemed unduly burdensome. (Section 3(g) of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.403 Requests for Records that Require Electronic Retrieval**

- a) A request for records that require electronic retrieval will be treated the same as any other request for records, with the same timeline and extensions as allowed for other records.

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- b) The Agency will retrieve and provide electronic records only in a format and medium that is available to the Agency.

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.404 Denials of Requests for Records**

- a) The Agency shall deny requests for records when:
- 1) Compliance with the request would unduly burden the Agency, as determined pursuant to Section 1651.402 of this Part, and the requester has not reduced the request to manageable proportions;
  - 2) The records are exempt from disclosure pursuant to Section 7 of FOIA or Section 1651.202 of this Part; or
- b) The denial of a request for records must be in writing. The notification shall include:
- 1) A description of the records denied; the reason for the denial, including a detailed factual basis for the application of any exemption claimed; and the names and titles or positions of each person responsible for the denial;
  - 2) Each notice of denial shall also inform such person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor (Section 9(a) of FOIA); and
  - 3) When a request for records is denied on the grounds that the records are exempt under Section 7 of FOIA, the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to the supporting legal authority. (Section 9(b) of FOIA.)
- c) A requester may treat the Agency's failure to respond to a request for records within 5 business days after receipt of the written request as a denial for purposes of the right to review by the Public Access Counselor.

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- d) If the Agency has given written notice pursuant to Section 1651.401(d) of this Part, failure to respond to a written request within the time permitted for extension may be treated as a denial for purposes of the right to review by the Public Access Counselor.
- e) Any person making a request for records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the Agency fails to act within the time periods provided in Section 1651.401 of this Part. (Section 9(c) of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.405 Requests for Review of Denials - Public Access Counselor**

- a) As indicated in Section 9.5 of FOIA, a person whose request to inspect or copy a record is denied by the Agency may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of the final denial.
- b) If the Agency asserts that the records are exempt under Section 1651.202(a)(1)(C) or Section 1651.202(a)(1)(F) of this Part, it shall, within the time periods provided for responding to a request, provide written notice to the requester and the Public Access Counselor of its intent to deny the request in whole or in part. The notice shall include:
  - 1) A copy of the request for access to records;
  - 2) The proposed response from the Agency; and
  - 3) A detailed summary of the Agency's basis for asserting the exemption.
- c) Upon receipt of a notice of intent to deny from the Agency, the Public Access Counselor shall determine whether further inquiry is warranted. The Public Access Counselor shall process the notification of intent to deny as detailed in Section 9.5(b) of FOIA. Times for response or compliance by the Agency under Section 1651.501 of this Part shall be tolled until the Public Access Counselor concludes his or her inquiry.

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- d) Within 7 working days after the Agency receives a request for review from the Public Access Counselor, the Agency shall provide copies of records requested and shall otherwise fully cooperate with the Public Access Counselor.
- e) Within 7 working days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the Agency may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy.
- f) The requester may, but is not required to, respond in writing to the answer within 7 working days and shall provide a copy of the response to the Agency.
- g) In addition to the request for review, and the answer and response thereto, if any, a requester or the Agency may furnish affidavits or records concerning any matter germane to the review.
- h) A binding opinion from the Attorney General shall be binding upon both the requester and the Agency, subject to administrative review under Section 1651.407 of this Part.
- i) If the Attorney General decides to exercise his or her discretion to resolve a request for review by mediation or by a means other than issuance of a binding opinion, the decision not to issue a binding opinion shall not be reviewable.
- j) Upon receipt of a binding opinion concluding that a violation of FOIA has occurred, the Agency shall either take necessary action immediately to comply with the directive of the opinion or shall initiate administrative review under Section 1651.407 of this Part. If the opinion concludes that no violation of FOIA has occurred, the requester may initiate administrative review under Section 1651.407 of this Part.
- k) If the Agency discloses records in accordance with an opinion of the Attorney General, the Agency is immune from all liabilities by reason thereof and shall not be liable for penalties under FOIA.

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- l) If the requester files suit under Subsection (n) of this Section with respect to the same denial that is the subject of a pending request for review, the requester shall notify the Public Access Counselor, and the Public Access Counselor shall so notify the Agency.
  
- m) The Attorney General may also issue advisory opinions to the Agency regarding compliance with FOIA. A review may be initiated upon receipt of a written request from the Director of the Agency or the Agency's Chief Legal Counsel, which shall contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the Agency in order to assist in the review. If the Agency relies in good faith on an advisory opinion of the Attorney General in responding to a request, the Agency is not liable for penalties under FOIA, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor. (Section 9.5 of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.406 Circuit Court Review**

A requester also has the right to file suit for injunctive or declaratory relief in the Circuit Court for Sangamon County or for the county in which the requester resides, in accordance with the procedures set forth in Section 11 of FOIA.

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.407 Administrative Review**

A binding opinion issued by the Attorney General shall be considered a final decision of an administrative agency, for purposes of administrative review under the Administrative Review Law (735 ILCS 5/Art. III). An action for administrative review of a binding opinion of the Attorney General shall be commenced in Cook County or Sangamon County. An advisory opinion issued to the Agency shall not be considered a final decision of the Attorney General for purposes of this Section. (Section 11.5 of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

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SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

**Section 1651.501 Inspection and Copying of Records**

- a) The Agency may make available records for personal inspection at the Agency's headquarters office located at 401 S. Spring St., 3<sup>rd</sup> Floor, William G. Stratton Building, Springfield, IL 62706, or at another location agreed to by both the Agency and the requester. The Agency may provide records in duplicate forms including, but not limited to, paper copies, data processing printouts, videotape, microfilm, audio tape, reel to reel microfilm, photographs, computer disks and diazo.
- b) When a person requests a copy of a record maintained in an electronic format, the Agency shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the records in the specified electronic format, then the Agency shall furnish it in the format in which it is maintained by the Agency, or in paper format at the option of the requester. (Section 6(a) of FOIA.)
- c) A requester may inspect records at the Agency's headquarters or at another location agreed to by both the Agency and the Requester by appointment only, scheduled subject to space availability. The Agency will schedule inspection appointments to take place during normal business hours, which are 8:30 AM to 5:00 PM Monday through Friday, exclusive of State holidays. If the requester must cancel the viewing appointment, the requester shall so inform the Agency as soon as possible before the appointment.
- d) In order to maintain routine Agency operations, the requester may be asked to leave the inspection area for a specified period of time.
- e) The requester will have access only to the designated inspection area.
- f) Requesters shall not be permitted to take briefcases, folders or similar materials into the room where the inspection takes place. An Agency employee may be present during the inspection.
- g) The requester shall segregate and identify the documents to be copied during the course of the inspection.

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(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.502 Fees for Records**

- a) In accordance with Section 1651.503 of this Part, unless a fee is otherwise fixed by statute, the Agency will provide copies of records and certifications of records in accordance with the fee schedule set forth in Section 1651.Appendix A.
- b) In calculating its actual cost for reproducing records or for the use of the equipment of the Agency to reproduce records, the Agency shall not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records. (Section 6(b) of FOIA.)
- c) In order to expedite the copying of records that the Agency cannot copy, due to the volume of the request or the operational needs of the Agency, in the timelines established in Section 1651.401 of this Part, the requester may provide, at the requester's expense, the copy machine, all necessary materials, and the labor to copy the public records at the Agency headquarters set forth in Section 1651.501 (a), or at another location agreed to by both the Agency and the requester.
- d) Copies of records will be provided to the requester only upon payment of any fees due. The Agency may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium, but the Agency may not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records. Payment must be by check or money order sent to the Agency, payable to "Treasurer, State of Illinois." (Section 6(a) of FOIA.)
- e) If a contractor is used to inspect or copy records, the following procedures shall apply:
  - 1) The requester, rather than the Agency, must contract with the contractor;
  - 2) The requester is responsible for all fees charged by the contractor;
  - 3) The requester must notify the Agency of the contractor to be used prior to the scheduled on-site inspection or copying;

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- 4) Only Agency personnel may provide records to the contractor;
- 5) The Agency must have verification that the requester has paid the Agency, if payment is due, for the copying of the records before providing the records to the contractor; and
- 6) The requester must provide to the Agency the contractor's written agreement to hold the records secure, to copy the records only for the purpose stated by the requester, and to return the records at a specified date and time.

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.503 Reduction and Waiver of Fees**

- a) Fees may be reduced or waived by the Agency if the requester states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. In making this determination, the Agency shall consider the following:
  - 1) Whether the principle purpose of the request is to disseminate information regarding the health, safety, welfare, or legal rights of the general public; and
  - 2) Whether the principle purpose of the request is personal or commercial benefit. For purposes of this Subsection (a) of this Section, "commercial benefit" shall not apply to requests made by news media when the principal purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public. (Section 6(c) of FOIA.)
- b) The Agency shall provide records without charge to federal, state, and municipal agencies, Constitutional officers and members of the General Assembly, and not-for-profit organizations in good standing with the Secretary of State's office.
- c) Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of public records when furnished in a paper format shall not

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be applicable to those records when furnished to a requester in an electronic format. (Section 6(a) of FOIA.)

(Source: Adopted at Ill. Reg. , effective , 2010)

**Section 1651.APPENDIX A Fee Schedule for Duplication and Certification of Records**

TYPE OF DUPLICATION	FEE (PER COPY)
Paper copy from original, up to and including 50 copies of black and white, letter or legal sized copies	No charge
Paper copy from original, in excess of 50 copies of black and white, letter or legal sized copies	\$.15/page
Paper copy from microfilm original	\$.15/page
Microfilm diazo from original	\$.50/diazo
VHS video copy of tape	Actual cost of the reproduction
Audio tape copy of tape	Actual cost of the reproduction
CD ROM of disk	Actual cost of the reproduction
Photograph from negative	Actual cost of the reproduction
Blueprints/oversized prints	Actual cost of the reproduction
Paper copies in color or in a size other than letter or legal	Actual cost of the reproduction
Certification fee	\$1.00/record

NOTE: Expense for delivery other than United States First Class mail must be borne by the requester.

**SUBJECT: *Director Selection / Informational Items***

<u>PROJECT #</u>	<u>FIRM/JOB DESCRIPTION</u>	<u>PROJECT AMOUNT</u>
120-230-123	Infrastructure Engineering, Inc. Inspect/Repair High Mast Lighting Stateville Correctional Center - Joliet Department of Corrections	\$100,000

**A/E SELECTION APPROVED BY THE EXECUTIVE DIRECTOR****BOARD MEETING DATE:** May 11, 2010**CDB PROJECT NO:** 120-230-123**PROJECT DESCRIPTION:** Inspect/Repair High Mast Lighting**PROJECT LOCATION:** Stateville Correctional Center - Joliet  
Department of Corrections**PROJECT AMOUNT:** \$100,000**PROJECT SCOPE OF WORK:**

The Stateville Correctional Center is an adult male maximum security institution constructed in the 1920's.

The scope of work provides for repairing nine high mast light poles, including repair of fatigue cracking.

**ARCHITECT/ENGINEER:** Infrastructure Engineering, Inc. 26816  
33 W Monroe #1540  
Chicago, IL 60603

This firm is an African American Male owned firm.

The firm was selected because of their expertise in highway lighting structures (high mast poles), they are minority owned, and they are available to expedite the project

**APPROVED BY THE EXECUTIVE DIRECTOR:** March 30, 2010

**SUBJECT: *Informational Item – Chicago State University Selection***

<b><u>PROJECT #</u></b>	<b><u>FIRM/JOB DESCRIPTION</u></b>	<b><u>PROJECT AMOUNT</u></b>
814-010-072	Frega Associates, Ltd. Emergency Roof Repairs Education Building and the Physical Plant Chicago, Cook County, Illinois Chicago State University	\$486,000

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**A/E SELECTION APPROVED BY CHICAGO STATE UNIVERSITY**

**BOARD MEETING DATE:** May 11, 2010

**CDB PROJECT NO:** 814-010-072

**PROJECT DESCRIPTION:** Emergency Roof Repairs - Education Building and the Physical Plant

**PROJECT LOCATION:** Chicago, Cook County, Illinois  
Chicago State University

**PROJECT AMOUNT:** \$486,000

**PROJECT SCOPE OF WORK:**

The Education Building is a 70,995 square foot, six-story steel frame and brick building constructed in 1973. The Physical Plant is a 49,841 square foot, two-story steel frame and brick building constructed in 1972.

The scope of work provides for replacing approximately 59,600 square feet of EPDM roofing systems on the Education Building and Physical Plant, including replacing flashing, associated tuckpointing, repairing roof decking, and installing miscellaneous roofing accessories. The scope of work also provides for the abatement of asbestos-containing materials.

**ARCHITECT/ENGINEER:** Frega Associates, Ltd. 22468  
411 S Wells Street  
Chicago, IL 60607

The firm was selected by Chicago State University because of their previous design experience with the Education Building.

**APPROVED BY CHICAGO STATE UNIVERSITY:** April 1, 2010

**FY-10 CDB BOARD MEETING SCHEDULE**

<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
July 14, 2009	9:30 a.m.	Chicago and Springfield video-conference
August 11, 2009	10:00 a.m.	CANCELLED
September 15, 2009	10:00 a.m.	Chicago and Springfield video-conference
October 20, 2009	10:00 a.m.	Chicago and Springfield video-conference
November 17, 2009	10:00 a.m.	CANCELLED
December 8, 2009	10:00 a.m.	Chicago and Springfield video-conference
January 12, 2010	10:30 a.m.	Chicago and Springfield video-conference
February 23, 2010	10:30 a.m.	Chicago and Springfield video-conference (RESCHEDULED)
March 9, 2010	10:30 a.m.	Chicago and Springfield video-conference
April 13, 2010	10:30 a.m.	Chicago and Springfield video-conference
May 11, 2010	10:30 a.m.	Chicago and Springfield video-conference
June 8, 2010	10:30 a.m.	Chicago and Springfield video-conference