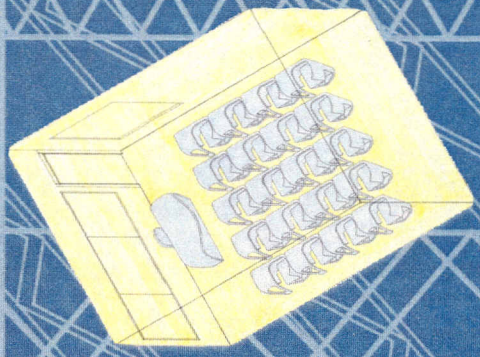
Building with State School Construction Grants



A Quick Reference for School Districts

CAPITAL DEVELOPMENT BOARD

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With the creation of the state's School Construction Program five years ago, the State of Illinois is making a great investment in replacing aging school buildings and alleviating overcrowded classrooms. Many of our school districts are well practiced at constructing new facilities. Others have less construction experience because they have not built a new school or renovated an old building in many years.

The Capital Development Board along with the members of the CDB Industry Advisory Committee thought it beneficial to provide a brief guide for procurement and statutory requirements that impact school construction projects. This guide identifies statutes and provides contacts to assist with compliance questions.

A comprehensive guide to school construction is provided in CDB's 103-page publication, *BUILD SMART School Construction in Illinois*.

Procurement of Construction Contracts for School Construction:

The Illinois School Code (105 ILCS 5/10-20.21) requires the award of contracts to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality and serviceability. These contracts include contracts for repair, maintenance, remodeling, renovation, or construction of a single project involving an expenditure in excess of $20,000 or involving a change or increase in the size, type or extent of an existing facility. Plans and specifications are expected to be as detailed as practicable to promote competitive bidding, but may not unfairly restrict the number of bidders.

All competitive bids for contracts must be sealed by the bidder and must be opened by a member or employee of the school board at a public bid opening.

The requirement for advertisement includes, but is not limited to, at least one public notice at least 10 days before the bid date in a newspaper published in the district, or if no newspaper is published in the district, in a newspaper of general circulation in the area of the district.

Selecting the Design Professional and QBS

Qualifications-Based Selection (QBS) is used in Illinois for the selection of professional design firms. It entails a proven step-by-step process that facilitates the school district's selection of a design professional firm on the basis of qualifications and competence in relation to the scope of the project.

QBS applies to units of local government except home rule units and units with more than three million inhabitants. In Illinois, school districts are required to follow the Local Government Professional Services Selection Act (50 ILSCS 510/0.01), which establishes local government policy to select architects, engineers and land surveying services on the basis of qualifications and to negotiate contracts that are fair and reasonable. The process is straight forward and easy to implement. It is objective and fair. It can be well documented and it is open to public scrutiny.

The process involves many variables, but can be tailored to fit a specific project's requirements. Some basic steps that should be followed include:

- Notifying firms of the needed professional services via mail or newspaper advertisement. Notice should identify the general scope of work and the projected time frame.
- Appointment of a selection committee and preparation of a written scope of work for negotiations.
- Evaluation of submitted statements of qualifications resulting in a selection of a minimum of three firms in rank order of preference.
- Once ranking is complete, negotiations begin with the top firm relative to scope, services, fee payment schedule and contract. If an agreement cannot be satisfactorily negotiated with the top-ranked firm, negotiations are terminated and the owner enters into negotiations with the second-ranked firm, and on down the line, until agreement is reached and a firm is selected.

Projects may be exempt from some provisions of the act if a satisfactory relationship with one or more firms exists, an emergency requires an expeditious selection, or if costs of the services are expected to be less than $25,000. However, even in these cases the fee negotiation provision prevails.

A helpful guide with more detailed information on the selection of architects, engineers and land surveyors is available from AIA Illinois, the Consulting Engineers Council of Illinois or the Capital Development Board. These entities as well as the Illinois Construction Industry Committee, the Illinois Society of Professional Engineers, and the Illinois Mechanical and Specialty Contractors Association can provide valuable assistance to districts undertaking school construction projects.

AIA Illinois
A Council of The American Institute of Architects

What we do is all around you
Consulting Engineers Council of Illinois

ICIC
Illinois Construction Industry Committee

Illinois Society of Professional Engineers

IMSCA
Illinois Mechanical & Specialty Contractors Association

CAPITAL DEVELOPMENT BOARD

Capital Development Board School Construction Unit
Karen Shoup, *Administrator* • Marcy Joerger, *Unit Manager*
217/782-8720

Guide for Compliance with Illinois Statutes

To assist in compliance with the Intergovernmental Agreement for state grants of the School Construction Program, here is a list of agency contacts and statutes.

.....Statutes and Agency Contacts.....

The Farmland Preservation Act (505 ILCS 75)

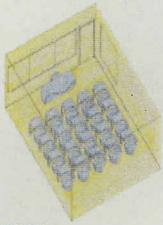
Illinois Department of Agriculture
Bureau of Land and Water Resources
P.O. Box 19281
Springfield, IL 62794-9281
Contact: Ms. Terry Savko, 217/785-4470

The Interagency Wetlands Policy Act (20 ILCS 830)
The Illinois Natural Areas Preservation Act (525 ILCS 30)
The Endangered Species Protection Act (520 ILCS 10)

Illinois Department of Natural Resources
Office of Realty & Environmental Planning
One Natural Resources Way
Springfield, IL 62707-1271
Contact: Mr. Mike Branham, 217/785-5500

The Illinois State Agency Historic Resources Act (20 ILCS 3420)

Illinois Historic Preservation Agency
Preservation Services Division
500 East Madison Street
Springfield, IL 62701-1028
Contact: Ms. Anne Haaker, 217/785-5027



The Archaeological and Paleontological Resources Protection Act (20 ILCS 3435)

Illinois Historic Preservation Agency
Preservation Services Division
500 East Madison Street
Springfield, IL 62701-1028
Contact: Mr. Mark Esarey, 217/785-4999

Note : *The completion of forms is required for the Farmland Preservation Act (505 ILCS 75), the Interagency Wetlands Policy Act (20 ILCS 830), the Illinois Natural Areas Preservation Act (525 ILCS 30) and the Endangered Species Protection Act (520 ILCS 10). The forms are available from Kim Young, Capital Development Board 217/782-8677.*