

TITLE 44: GOVERNMENT CONTRACTS, GRANTMAKING,
PROCUREMENT AND PROPERTY MANAGEMENT
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES
CHAPTER XII: CAPITAL DEVELOPMENT BOARD

PART 1000
SELECTION OF ARCHITECTS/ENGINEERS (A/E)

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23 AUTHORITY: Implementing the Capital Development Board Act [20 ILCS 3105] and
24 authorized by Sections 9.06 and 16 of that Act, Article 30 and Section 1-15.25 of the Illinois
25 Procurement Code [30 ILCS 500/Art. 30 and 1-15.25] and Sections 20, 25, 30 and 35 of the
26 Architectural, Engineering, and Land Surveying Qualifications Based Selection Act [30 ILCS
27 535/20].

28
29 SOURCE: Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p.
30 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981;
31 amended and codified at 8 Ill. Reg. 20332, effective October 1, 1984; amended at 9 Ill. Reg.
32 17338, effective October 29, 1985; amended at 12 Ill. Reg. 17815, effective October 25, 1988;
33 Part repealed and new Part adopted at 22 Ill. Reg. 1176, effective January 1, 1998; amended at
34 24 Ill. Reg. 11618, effective July 24, 2000; amended at 25 Ill. Reg. 11774, effective August 10,
35 2001; amended at 26 Ill. Reg. 2610, effective February 8, 2002; amended at 37 Ill. Reg. 7122,
36 effective May 9, 2013; recodified Title of the Part at 39 Ill. Reg. 5903; amended at 49 Ill. Reg.
37 _____, effective _____.

38
39 **Section 1000.100 Definitions**

40
41 ["Act" means the Architectural, Engineering, and Land Surveying Qualifications](#)
42 [Based Selection Act \[30 ILCS 535\].](#)
43

44 "A/E" means an individual or firm in the business of providing architectural,
45 engineering or land surveying services as authorized by the Illinois Department of
46 Financial and Professional Regulation.~~architectural or engineering firm that is in~~
47 ~~the business of offering the practice of furnishing architectural or engineering~~
48 ~~services for building projects, that is registered with the Department of~~
49 ~~Professional Regulation and licensed to practice architecture, structural~~
50 ~~engineering or professional engineering in the State of Illinois, or that is properly~~
51 ~~authorized under the Professional Service Corporation Act and by the Department~~
52 ~~of Professional Regulation to practice architecture, structural engineering or~~
53 ~~professional engineering in the State of Illinois. For purposes of this Part, this~~
54 ~~includes licensed individuals transacting business as sole proprietorships, which~~
55 ~~are not required to be registered with the Department of Professional Regulation.~~

56
57 "Board" means the seven-member~~seven member~~ Board of the Capital
58 Development Board.

59
60 "CDB" means Capital Development Board, the agency.

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62 "Chairperson" means the person delegated by the Executive Director to lead A/E
63 selection committees.

64
65 "Executive Director" means the individual appointed by the Board *to serve as the*
66 *chief executive officer of CDB. (20 ILCS 3105/8)*

67
68 "MBE/WBE/PBE/VBE" means a minority-owned business/women-owned
69 business/business owned by a person with a disability/qualified veteran-owned
70 small business or qualified service-disabled veteran-owned small businesses as
71 those terms are defined in Section 2 of the Business Enterprise for Minorities,
72 Women, and Persons with Disabilities Act [30 ILCS 575] and Section 45-57 of
73 Illinois Procurement Code [30 ILCS 500].

74
75 "Statement of qualifications~~Qualifications~~" means the information supplied by the
76 A/Es that cites their specific experience and expertise that may qualify the A/E to
77 provide the services requested.

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79 "Total project cost" means the complete cost of all components of construction
80 project, including the cost for the A/E; all construction work; contingency
81 amounts; and furniture, fixtures, and equipment, if applicable.

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83 "User agency" means the agency or unit of government for which the
84 architectural/engineering firm is being selected.

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86 (Source: Amended at 49 Ill. Reg. _____, effective _____)

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Section 1000.120 Selection Procedures

- a) CDB shall select three A/Es qualified to provide the professional services for a specific project, unless fewer than three qualified firms submit a statement of qualifications. These A/Es shall be ranked in order of qualifications. CDB's rankings shall be presented to the Board for approval. The Board may approve or deny the rankings as presented. Board approval of these A/Es shall be final and binding.
- b) In the event that fewer than three A/Es submit statements of qualifications for a specific project, if CDB determines that one or both are qualified to perform the services, CDB may proceed with the selection process.

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1000.130 Selection Committee

The Chairperson~~selection committee chairman~~ shall appoint a committee to recommend to the Executive Director and the Board a list of A/Es qualified to perform the required services. This committee may be established for each selection or may be established for a series of selections. The committee~~and~~ may be composed of standing members and rotating members from CDB staff. In addition to the CDB staff members, the Chairperson may request representatives from the user agency or members of the public to be members of the committee.~~a representative from the user agency may be requested to be a member of the committee.~~

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1000.140 Evaluation Procedures

- a) In making its recommendations, the selection committee ~~will~~may consider, among others:
 - 1) The A/E's qualifications.
 - 2) The ability of professional personnel submitted by the A/E.
 - 3) The A/E's past record and experience.
 - 4) The prior performance of the A/E on CDB professional services agreements.
 - 5) The willingness of the firm to meet time requirements.

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- 6) The location of the project relative to the firm's place of business.
- 7) The results of preliminary evaluations performed by CDB staff.
- 8) The current work load of the A/Es and their prior selections by CDB.
- 9) References.
- 10) Interviews conducted with the A/Es.
- 11) Minority, women, persons with disabilities or veteran ~~and/or female~~ ownership of the A/E and the consultants.

b) For each project with an estimated total project cost of \$1,000,000 ~~basic services fee of \$75,000~~ or more, the CDB Diversity Contracting Unit Fair Employment Practices department will set MBE/WBE/PBE/VBE participation goals with approval of the Commission on Equity and Inclusion. Goals will be established in conformance with procedures set by the Commission on Equity and Inclusion. ~~for minority and female owned business enterprises.~~ The goals for each project will be described in the CDB Professional Services Bulletin. ~~The goals will be based on the availability of minority and female owned business enterprises in the area capable of doing the work. CDB may waive goals for a particular project if it determines that no minority and female owned business enterprises would be available to perform the type of work involved in the area of the project or if the work involved does not lend itself to the use of consultants. No A/E that fails to meet the goal shall be considered unless it provides sufficient evidence to CDB within 7 days after submitting its proposal that, after making a good faith effort, it was unable to find sufficient minority or female owned business enterprises willing and able to perform the work.~~

e) ~~An A/E attempting to demonstrate that it made a good faith effort to meet minority and female business enterprise goals shall submit:~~

- ~~1) All information indicating why the specified goal cannot be met;~~
- ~~2) A list of all minority and female business enterprises that were contacted;~~
- ~~3) Copies of all solicitation letters to minority and female business enterprises. Letters shall contain, at a minimum:~~
 - ~~A) Project title and location;~~

- 173 ~~B) Classification of work items for which consultants are sought;~~
- 174
- 175 ~~C) Date, time and place responses are due;~~
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- 177 ~~D) Returnable acknowledgement of the solicitation;~~
- 178
- 179 4) ~~Evidence, such as a log, of telephone contact, including time and date of~~
- 180 ~~call, telephone number, and name of person spoken to;~~
- 181
- 182 5) ~~Any other evidence of good faith effort or other relevant information in~~
- 183 ~~support of the request.~~
- 184
- 185 d) ~~In determining if a firm has submitted sufficient evidence that it made a good~~
- 186 ~~faith effort to find sufficient minority or female owned business enterprises~~
- 187 ~~willing and able to perform the work, CDB shall consider:~~
- 188
- 189 1) ~~The number of minority and female owned business enterprises contacted~~
- 190 ~~(including any log of communications provided to CDB);~~
- 191
- 192 2) ~~Whether the work to be allocated to minority and female owned business~~
- 193 ~~enterprises was selected in order to increase the likelihood of achieving~~
- 194 ~~the specified goal;~~
- 195
- 196 3) ~~Whether the firm negotiated in good faith with minority and female owned~~
- 197 ~~business enterprises without imposing conditions that are not imposed on~~
- 198 ~~other business enterprises or denying benefits that are offered to other~~
- 199 ~~business enterprises;~~
- 200
- 201 4) ~~Whether the firm engaged CDB's Fair Employment Practices Division to~~
- 202 ~~provide referrals.~~
- 203
- 204 ce) In no case shall the committee, prior to selecting an A/E for negotiation, seek
- 205 formal or informal submission of verbal or written estimates of costs or proposals
- 206 in terms of dollars, hours required, percentage of construction cost, or any other
- 207 measure of compensation.
- 208

(Source: Amended at 49 Ill. Reg. _____, effective _____)

Section 1000.150 Preliminary Evaluations

CDB may make appointments for the performance of~~appoint staff members to perform~~ a preliminary evaluation (prescreening). The prescreening provides~~to provide~~ a preliminary ranking of the A/Es for the committee's consideration. This prescreening shall consider, among

216 others, the relevant project experience of the prospective A/Es and the expertise and experience
217 of the firm and its consultants' staff to be assigned to the project if the firm is selected.

218
219 (Source: Amended at 49 Ill. Reg. _____, effective _____)

220
221 **Section 1000.160 Interviews**

222
223 CDB requires the selection committee to conduct interviews when the estimated value of the
224 basic services fee exceeds \$~~500,000~~300,000. The Chairperson, with approval of the Executive
225 Director may choose to conduct interviews for smaller projects under special circumstances.
226 Unless fewer than three qualified firms submit a statement of qualifications~~In all cases~~, a
227 minimum of three firms will be interviewed. For projects that are narrow in scope or low in
228 complexity, the~~The~~ Executive Director in consultation with the Board may exempt any contract
229 from requiring interviews.

230
231 (Source: Amended at 49 Ill. Reg. _____, effective _____)

232
233 **Section 1000.170 Delegation of Evaluations**

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235 CDB may delegate the evaluation of prospective A/Es to a user agency, including, but not
236 limited to, a university, college, or community college~~the user agency (school district, college,~~
237 ~~university, Illinois Community College Board or unit of local government).~~ The user agency
238 ~~shall be required to comply with the Architectural, Engineering, and Land Surveying~~
239 ~~Qualification Based Selection Act [30 ILCS 535] or the Local Government Professional Services~~
240 ~~Selection Act [50 ILCS 510], as may be applicable. Recommendations pursuant to 30 ILCS 535~~
241 ~~for contracts of \$25,000 or more shall state the three selected firms ranked in order of~~
242 ~~qualifications. Recommendations pursuant to 50 ILCS 510 for contracts of \$25,000 or more~~
243 ~~shall state the three selected firms ranked in order of qualifications unless the selection is stated~~
244 ~~to be an exception under 50 ILCS 510/5.~~ CDB or the user agency may request that a member of
245 CDB's~~its~~ staff be a voting or nonvoting member of the user agency's evaluation committee. The
246 user agency shall transmit its recommendations to CDB for review and approval of the Board.
247 CDB will provide a form for submitting the recommendations. Transmittal to CDB shall include
248 a letter with a certification statement requiring an authorized signature verifying that the
249 selections were made in accordance with the Architectural, Engineering, and Land Surveying
250 Qualifications Based Selection Act [30 ILCS 535], ~~and~~ the Local Government Professional
251 Services Selection Act [50 ILCS 510], and the Business Enterprise for Minorities, Women, and
252 Persons with Disabilities Act [30 ILCS 575], as applicable. CDB may request the user agency
253 make other recommendations if the firm(s) recommended are not acceptable to CDB.

254
255 (Source: Amended at 49 Ill. Reg. _____, effective _____)

256
257 **Section 1000.180 Public Notice**

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- 259 a) ~~When the services of an A/E are required and the estimated value of the contract~~
260 ~~exceeds \$25,000, CDB shall publish the list of projects requiring A/E services. In~~
261 ~~addition, CDB may publish a list of projects whose contract values do not exceed~~
262 ~~\$25,000.~~
- 263
- 264 ab) Unless it is a small contract under Section 45 of the Act or contract for emergency
265 services under Section 50 of the Act, This public notice by CDB for A/E services
266 shall include an abstract of the services required for each project and the required
267 expertise of the A/E to be considered. This public notice shall also include the
268 statement of qualifications form to be completed for each project as well as the
269 date and time by which the statement of qualifications must be submitted to
270 CDB~~submittal of the statement of qualifications will be accepted.~~
- 271
- 272 be) Notice shall be posted on CDB's website (http://cdb.illinois.gov)~~Internet Site~~
273 ~~(www.cdb.state.il.us)~~ and may be published in the official State newspaper or
274 otherwise made available in print.

275
276 (Source: Amended at 49 Ill. Reg. _____, effective _____)

277
278 **Section 100.190 Submittal Requirements**

- 279
- 280 a) All A/Es submitting a statement of qualification~~statements of qualifications~~ for a
281 specific project shall be prequalified with CDB prior to the date and time that the
282 submittals are due. Failure to be prequalified will result in rejection of the
283 submittal~~submittal(s)~~.
- 284
- 285 b) If the A/E will be subcontracting part of the services to professional consultants,
286 those professional consultants that will be performing architectural, engineering
287 or land surveying professional services shall also be prequalified with CDB prior
288 to the date and time that the submittals are due. Failure of the professional
289 consultants to be prequalified shall result in rejection of the A/E's submittals.
- 290
- 291 c) The A/E shall clearly indicate the anticipated percentage of the services that will
292 be performed by each listed professional consultant. Failure to list these
293 percentages may result in rejection of the submittal.
- 294
- 295 d) The submittal shall include the names of persons who will perform the services,
296 including their project assignment or duties, as well as a resume of their
297 experience and expertise that qualifies them to perform the assignment. This
298 includes the listed professional consultant's designated staff.

299
300 (Source: Amended at 49 Ill. Reg. _____, effective _____)

301

302 **Section 1000.200 Small Projects (Repealed)**

303

304 ~~For contracts whose estimated value is less than \$25,000, CDB may select any prequalified A/E~~
305 ~~in accordance with Section 45 of the Architectural, Engineering, and Land Surveying~~
306 ~~Qualification Based Selection Act [30 ILCS 535].~~

307

308 (Source: Repealed at 49 Ill. Reg. _____, effective _____)

309

310 **Section 1000.210 Emergency Projects (Repealed)**

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312 ~~CDB may immediately select an A/E when it is in the best interest of the State or in emergencies~~
313 ~~to protect public health or safety in accordance with Section 50 of the Architectural, Engineering,~~
314 ~~and Land Surveying Qualification Based Selection Act [30 ILCS 535/50].~~

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316 (Source: Repealed at 49 Ill. Reg. _____, effective _____)