**Section 6.1030 CMGC Procurement Process**

a) The construction manager/general contractor project delivery method utilizes a CMGC contractor under a CMGC contract to provide pricing, constructability reviews, and risk analysis during design development. The CMGC contractor negotiates a guaranteed maximum price for the construction, and upon the Department's acceptance of the GMP and agreement on contract terms for construction, the CMGC contractor is given notice to proceed with construction. During the implementation phase, the CMGC contractor manages the construction and hiring of subcontractors to perform the construction work.

b) CMGC projects are implemented in four phases:

1) Pre-procurement Phase (Preliminary Design/Project Readiness)

2) Procurement Phase (Advertisement/Evaluation/Selection)

3) Preconstruction Phase (Design Advancement/Contract Price)

4) Implementation Phase (Construction)

c) Pre-procurement Phase

During the pre-procurement phase for a CMGC project, the Department will perform the typical project development activities associated with Phase I of the Department's project development process before procuring a CMGC contractor. These activities include preliminary engineering, engineering studies, environmental and permitting activities, to prepare for beginning the CMGC procurement.

d) CMGC Procurement Phase

1) Overview

A) The CMGC contractor is procured utilizing a single-phase or two-phase procurement process to inform a best value selection of the successful CMGC contractor pursuant to a request for proposals. The decision to utilize a single phase or two-phase procurement will be done in consultation with the Chief Procurement Office.

B) Under a two-phase procurement, the Department will first issue a request for qualifications and then an RFP.

2) Selection and Award

A) Each proposer submission, such as an SOQ and proposal, will be evaluated by the IPD evaluation committee. Each individual IPD evaluation committee member will review each submission independently, observing its strengths and weaknesses, based on project specific evaluation criteria provided in the procurement documents. After all IPD evaluation committee members conduct an independent review, the IPD evaluation committee will meet to review each submission collectively and generate a consensus score for such submission. The consensus scores will be used to rank the proposers unless otherwise directed by the IPD bureau chief after consultation with the SPO/CPO.

B) All IPD evaluation committee members will participate in interviews, if anticipated in the RFP and conducted. Each individual IPD evaluation committee member will review each interview independently, observing its strengths and weaknesses based on project specific evaluation criteria provided in the procurement documents. Once all interviews are evaluated individually, the IPD evaluation committee will meet to confirm or update the consensus score for each proposer.

C) The highest ranked proposer (inclusive of the interview score, if interviews were conducted) will be selected to serve as the CMGC contractor.

D) The award will occur upon notification to the selected proposer and completion of any conditions to award specified in the RFP.

E) Once the Department approves the selection, and after consultation with the SPO/CPO, the proposers will be notified of the selection results.

F) Once a CMGC contract is executed with the successful proposer, the Department may offer a debrief meeting with unsuccessful proposers.

3) Final Preconstruction Phase Services Cost Proposal

A) The selected CMGC contractor will prepare a preconstruction phase services cost proposal inclusive of a detailed project scope and price for providing the necessary preconstruction services to reach an agreed price which is in line with any cost information included in the selected proposal. The price will then be reviewed and negotiated, to the extent necessary, with the Department.

B) The CMGC contract, inclusive of agreed preconstruction phase services costs, will be executed and the Department will issue notice to proceed with the preconstruction phase services.

C) If the CMGC is unable or unwilling to execute the CMGC contract, the Department may award the project to the proposer with the next best score or reprocure the project under any other delivery method.

4) CMGC Preconstruction Phase

A) The Department and the CMGC contractor will work collaboratively to advance the project design to a level of completion necessary for the Department and the CMGC contractor to reach a mutually agreed GMP for the construction of the project.

B) The CMGC contractor shall submit a GMP for the construction of the project unless otherwise directed by the IPD bureau chief to submit a lump sum price.

C) If the Department and the CMGC contractor mutually agree on the project scope, risk allocations, cost assumptions and the commercial terms of the CMGC contract, the CMGC contractor submits a GMP proposal for the construction work.

D) Upon agreement, the CMGC contract will be amended to reflect the negotiated construction terms. If the Department and the CMGC contractor are unable reach an agreed GMP, after consultation with the SPO/CPO, the CMGC contract will be terminated and the Department may award to the next highest ranked proposer, if such proposer's proposal remains valid, or reprocure the project under any other delivery method.

E) All work product produced by the CMCG contractor becomes the property of the Department pursuant to the terms of an executed CMGC contract.

(Source: Added at 48 Ill. Reg. 10137, effective July 1, 2024)