**Section 650.260 Equipment Factor (EqF)**

a) Work categories which require the applicant to have specific equipment and plant facilities are indicated in Appendix A. Determination of work ratings in these categories requires the calculation of an Equipment Factor which measures the physical productive capacity of the applicant's equipment and facilities. Equipment Factors are based on standards which produce an average dollar value of productivity as set forth in Appendix A. The Department may adjust the standards as necessary to reflect increases in construction costs. The word "equipment" used in this Section includes all machines, tools and plant facilities.

b) In calculating Equipment Factors, the Department will consider:

1) Equipment owned outright.

2) Rented equipment. Confirmation of rented equipment available for use by the lessee shall be by submittal of a signed and notarized affidavit. No credit will be given for rented equipment not available to establish an equipment factor. Applicants shall submit a copy of the rental agreement, which must contain the following:

A) Time period.

B) Make, model, year, serial number and size or capacity of the equipment.

C) Monetary consideration.

D) Signature of the lessee and lessor.

c) Credit for equipment will not be given until the applicant provides proof that all required federal, State or local permits or licenses to operate the equipment have been obtained.

d) No credit will be given for any piece of equipment that is not serviceable, that is in disrepair or that is inoperable. A disassembled piece of equipment, including new equipment, that is in all other respects serviceable, operable if assembled and available in accordance with subsection (f) may be credited provided that it will be assembled for the performance of contracts awarded during the period of prequalification. For example, a batch plant supporting a Portland Cement Concrete Paving work rating may be disassembled, stored and reassembled for use on contracts awarded during the period of prequalification.

e) Equipment, including but not limited to front-end loaders, motor graders and cranes are versatile and can perform several types of work. If the contractor does not assign equipment to a specific category, the Department will assign the equipment on the basis of the contractor's work experience and requested ratings.

f) The Department will give credit for equipment that is available for a work rating category. Conditions rendering equipment unavailable may include but are not limited to the following:

1) Equipment owned but leased to another individual or business.

2) Equipment that is devoted to a business enterprise of the applicant unrelated to or inconsistent with making the equipment available for the work category sought. Examples of this unavailability condition include but are not limited to the following. An applicant may have front-end loaders that are used in a quarry. This equipment would not be considered available for the work category of Earthwork. An applicant may sell the product of a concrete plant to the public by retail sales. This plant would not be available for the work category of Portland Cement Concrete Paving.

3) Equipment that is not readily transported or relocated and that is not located within the State of Illinois or a bordering state or commonwealth at a location sufficiently proximate to the State of Illinois necessary to satisfy contract delivery requirements.

4) Equipment that is readily transported or relocated but the applicant does not demonstrate, with intent and action, the transportation or relocation to the State of Illinois or a bordering state or commonwealth at a location sufficiently proximate to the State of Illinois necessary to satisfy contract delivery requirements.

5) Equipment not available to the applicant or not capable of being used to perform contracts for any reason.

g) The applicant shall make equipment available for inspection by the Department to verify possession, to determine serviceability, and to confirm availability for use in the work category.

(Source: Amended at 40 Ill. Reg. 7170, effective April 25, 2016)