**Section 980.120 Definitions**

The following definitions shall apply to this Part:

"A/E" means an individual or firm in the business of providing architectural, engineering or land surveying services as authorized by the State of Illinois Department of Professional Regulation (DPR). Licensed individuals shall be registered with DPR as sole proprietorships. Firms and corporations shall be registered with DPR.

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

"Consultant" means a firm or individual who will perform a portion of the contract or assist the A/E in its performance of the contract under a contract with the A/E.

"Contract or Contract Requirements" consist of any and all provisions of the CDB Professional Services Agreement (PSA).

"Office Location" means all locations at which the A/E provides professional services under the license granted by the Department of Professional Regulation and that are under the responsibility of the managing agent for that license.

"Parent Office" means the primary location of the A/E's place of business.

"Key Person" means any individual who holds 5% or more ownership interest in the firm. In the event the firm is owned by another corporation, partnership, trust or business association, any individual within that organization or who is a trust beneficiary who holds a 5% or more ownership or beneficial interest is considered a "key person". Regardless of ownership interest, any officer, partner, managing agent or director is considered a "key person". This definition also includes any individual who assumes the responsibility of an officer, owner, partner, director, etc., regardless of ownership interest.

"Performance Record" consists of, but is not limited to, the following:

Evidence of material compliance with all CDB contract requirements.

Data indicating the A/E has met all contract requirements on previous contracts, private and public.

"Prequalification" is the status granted by CDB to responsible A/Es that permits them to make submittals on CDB projects or be awarded a CDB contract.

"Profile Codes" means branches of knowledge or expertise of architectural or engineering practice that may be provided by firms and that are listed on CDB's A/E prequalification application.

"Responsibility" is a determination made by CDB that the A/E is a responsible A/E. The determination may be made at any time. Because responsibility is affected by such things as financial resources, performance records, and organizational and operational factors, all of which are subject to change, the initial determination of responsibility, made through evaluation of an application to CDB, may be changed upon receipt of additional or different information. The A/E is required to inform CDB of any significant change to the information submitted in its application. Each A/E must provide CDB with adequate documentation of responsibility. CDB will ordinarily provide forms for this information. CDB may supplement this information from other sources and may require additional documentation at any time. A responsibility determination may also be verified on an ongoing basis through other information, including but not limited to performance evaluations and reference contacts.

"Responsible A/E" is a firm that:

Has adequate financial resources to perform the contract, or the ability to obtain them. This includes, but is not limited to, the ability to obtain required insurance from insurance companies acceptable to CDB.

Is able to comply with the contract requirements, considering the firm's other business obligations.

Has a satisfactory performance record.

Has a satisfactory record of integrity and business ethics.

Has the necessary organization, experience, accounting and operational controls, and technical skills.

Has provided all information required by the Financial Interest and Potential Conflicts of Interest Disclosure forms required under Section 50-35 of the Illinois Procurement Code [30 ILCS 500/50-35].

Is otherwise qualified and eligible to receive a contract award under applicable laws and regulations.

"Trade Codes" means the professional practice in which the individual is licensed, or the firm is registered, by DPR to practice and, for general engineering licenses, any area of specialty within that practice.

(Source: Amended at 25 Ill. Reg. 10759, effective August 10, 2001)