

**Statement of Kevin Artl
President and Chief Executive Officer
American Council of Engineering Companies of Illinois**

**Senate Executive Committee
Subject-matter Hearing: HB 2685-SFA 3
No Position on the Merits
Sunday, January 10, 2020**

Chairman and Minority Spokesman thank you for providing an opportunity to offer our input on the proposed legislation.

I'm the President and CEO of the American Council of Engineering Companies of Illinois—we are the voice of the engineering Industry in Illinois, representing over 200 engineering firms and affiliates and their over 11,000 employees.

ACEC Illinois is a diverse association representing a diverse industry. We represent firms with just one employee to firms with over 5000. Our current Board Chairman is president of a DBE firm and DBE firms are well represented on our Board of Directors as well as Chairs of our Committees. Overall, we have 58 DBEs, 30 WBEs and 45 MBEs among our membership. Our industry is a reflection of the diversity of Illinois.

On behalf of the members of the American Council of Engineering Companies of Illinois, I write to request the sponsor consider language to strengthen the legislation by clarifying that the Illinois Department of Transportation (IDOT) is exempt from the provisions in this bill that conflict with federal law and rule.

Federal law requires recipients of federal transportation funds—in Illinois this includes IDOT, City of Chicago, CTA, Metra, and Pace—to follow Disadvantaged Business Enterprise (DBE) plans that conform to federal rules (as set out in 49 CFR Part 26) and are approved by the United States Department of Transportation (USDOT). Further, federal rule requires USDOT fund recipients to operate under the USDOT-approved DBE program on any project which has any federal funding. Failure to comply with federal rule jeopardizes all federal transportation funding.

I also request the sponsor exempt IDOT from oversight by the Commission on Equity and Inclusion unless the Federal Highway Administration (FHWA) is able to provide its opinion on whether the proposed language violates federal rule. FHWA practices oversight of the procurement processes used by Departments of Transportation around the country and any conflict with their requirements could jeopardize federal funding.

We appreciate the bill sponsor placing some language in the bill to prevent conflict with federal law and rules, but we request further clarification to ensure IDOT is able to

continue meeting federal requirements and Illinois' transportation construction program is not jeopardized. Thousands of Illinois residents are currently working on IDOT projects and we seek this legislative enhancement so that they can continue their work without fear of work stoppage or project cancellation.