

REQUEST FOR PROPOSAL (RFP)
SHIMER SQUARE PHASE 1A (the “Project”)

Rock Island Economic Growth Corporation
d/b/a Economic Growth Corporation
(the “Owner”)

100 19th St., Suite 109
Rock Island, Illinois 61201

Phone: 309-788-6311
Afisher@growthcorp.org

Date: May 10, 2023

See www.EconomicGrowthCorporation.com or www.ShimerSquare.com for Project drawings and specifications.

REQUEST FOR PROPOSAL SHIMER PHASE 1A
Rock Island - Illinois

PROPOSAL SUBMISSION DEADLINE: June 7, 2023, 3:00 pm
BIDDERS' MEETING: 3:00 pm via Microsoft Teams on May 19, 2023
QUESTION SUBMISSION DEADLINE: June 7, 2023, 12:00 pm

Questions can be submitted prior to the Bidders' Meeting on May 19, 2023; however, no answers will be provided and/or circulated prior to May 19, 2023.

Questions may be submitted in written form to the Project Manager:

Contact Name: Andy Fisher
Contact Address: 100 19th St., Suite 109
Rock Island, IL 61201
Telephone Number: 309-788-6311
Email Address: afisher@growthcorp.org

INTRODUCTION

The Owner invites and welcomes proposals for the Project. Please take the time to carefully read and become familiar with the proposal requirements. All proposals submitted for consideration must be received by the time specified above under the "PROPOSAL SUBMISSION DEADLINE."

PROPOSERS SHOULD NOTE THAT ANY AND ALL WORK INTENDED TO BE SUBCONTRACTED AS PART OF THE BID SUBMITTAL MUST BE ACCOMPANIED BY BACKGROUND MATERIALS FOR PROPOSED SUBCONTRACTOR(S) – NO EXCEPTIONS.

PROJECT LOCATION

The Project associated with this RFP is located at 203 E Seminary St, Mount Carroll, Illinois 61053.

PROJECT OBJECTIVE

The objective and ultimate goal for the Project is historic rehabilitation of a portion of the former Shimer College campus, including general renovations to the building commonly known as the Sawyer House, parking lot and sidewalk replacements, and masonry repairs to the main entrance gate. Abatement of Recognized Environmental Conditions is being undertaken through a simultaneous, separate Request for Proposals and will be completed prior to commencement of this Project.

PROJECT SCOPE AND SPECIFICATIONS

The Project Scope and Project Specifications serve as the basis of and reference for all proposals submitted under this RFP. These are available for viewing and download at either www.shimersquare.com and www.economicgrowthcorporation.com.

Bidders are invited to bid on either or both items below:

- Item 1.** Shimer Square Phase 1A – Construction and renovation
- Item 2.** Shimer Square Phase 1A – Lead-based Paint & Asbestos Abatement

SCHEDULED TIMELINE

The following timeline has been established to ensure that the Owner’s Project objective is achieved; however, the following Project timeline shall be subject to change when deemed necessary by management.

MILESTONE	DATE
Start of Project:	
Abatement	July 15, 2023
Construction/renovation	October 15, 2023 (Date contingent on abatement completion)

PROPOSAL REQUIREMENTS

PROJECT PROPOSAL EXPECTATIONS

The Owner shall award the contract to the proposal that best accommodates the various project requirements. The Owner reserves the right to: (i) award the contract to more than one Bidder, and (ii) refuse any proposal or contract.

DEADLINE TO SUBMIT PROPOSAL

All proposals must be received by The Owner no later than 3:00 pm on June 7, 2023, for consideration in the Project proposal selection process.

PROPOSAL SELECTION CRITERIA

Only those proposals received by the stated deadline will be considered. All proposals submitted by the deadline will be reviewed and evaluated based upon information provided in the submitted proposal. The Owner will select the lowest, most responsible bidder and reserves the right to reject any and all proposals or any part thereof and to waive any irregularities or technicalities in the proposals received pursuant to the bid notice. Furthermore, the following criteria will be required and given preference in the proposal selection process, as noted in this section.

1. **Mandatory and General Requirements.** Where applicable, proposals received by the stipulated deadline must comply with all federal and State of Illinois laws and regulations promulgated under them.
 - A. **Qualifications.** Proposer’s ability to provide and deliver qualified personnel having the knowledge and skills required to effectively and efficiently execute proposed services is paramount to the success of the Project. Proposers may document ability through submission of corporate and individual resumes and other means of documenting project experience that supports qualification for this Project.

- B. If bidding on Item 1, Historical Rehabilitation Experience. At least 5 years of successful experience in historic preservation undertaken in compliance with the construction requirements of the Secretary of the Interior's Standards for Rehabilitation, codified as 36 CFR 67.

If bidding on Item 2, Abatement Experience. At least 5 years of successful experience abating lead-based paint, asbestos and mold in residential and/or commercial projects.

- C. Illinois Prevailing Wage Act (820 ILCS 130/) - Contractor shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Wages of Employees on Public Works Act (820 ILCS 130/1-12).
- D. Employment of Illinois Workers on Public Works Act (30 ILCS 570/0.01 et seq.) - Employment of Illinois Workers on Public Works Act (30 ILCS 570/0.01 et seq.) (the "Act") provides that whenever there is a period of excessive unemployment in Illinois (as defined by the Act), if the Grantee is using Grant Funds for (1) constructing or building any public works, or (2) performing the clean-up and on-site disposal of hazardous waste for the State of Illinois or any political subdivision of the State, then the Grantee shall employ at least 90% Illinois laborers on such project. Illinois laborers refers to any person who has resided in Illinois for at least 30 days and intends to become or remain an Illinois resident. Grantee may receive an exception from this requirement by submitting a request and supporting documents certifying that Illinois laborers are either not available, or are incapable of performing the particular type of work involved. In addition, every contractor on a public works project or improvement or hazardous waste clean-up and on-site disposal project in this State may place on such work no more than 3 (or 6 in the case of a hazardous waste clean-up and on-site disposal project) of the contractor's regularly employed non-resident executive and technical experts.
- E. Illinois Works Jobs Program Act (30 ILCS 559/20-1 et seq.) - For grants with an estimated total project cost of \$500,000 or more, the grantee will be required to comply with the Illinois Works Apprenticeship Initiative (30 ILCS 559/20-20 to 20-25) and all applicable administrative rules. The "estimated total project cost" is a good faith approximation of the costs of an entire project being paid for in whole or in part by appropriated capital funds to construct a public work. A goal is set for contractors to use apprentices for 10% of total labor hours worked in each prevailing wage classification on a project, or 10% of the estimated labor hours in each prevailing wage classification, whichever is less. Contractors will be required to report all labor hours performed on a project and the total labor hours performed by apprentices for each prevailing wage category. It is imperative that reports are submitted timely and accurately. Additional reporting will be required including a Budget Supplement to establish the use applicability of the apprenticeship requirement and the applicable wage classifications, which includes a certification of compliance – this form will be required any time there is a change to the project term, scope, or work force. Waivers may be requested in special circumstances. Grantees should contact their individual grant manager or program contact for waiver forms or to request additional information.

Contractors, including subcontractors, should be reminded at every pre-construction conference that the requirements of the Act must be adhered to. It is essential for all

parties to understand the 10% apprenticeship goal applies to each prevailing wage classification rather than the overall hours of work performed on a project. Exceeding the 10% goal in one prevailing wage classification will not make up for being deficient in another prevailing wage classification. The contractor will have to seek a waiver for each classification not meeting the 10% apprenticeship goal.

The prime contractor is not directly responsible for submitting forms for their subcontractors, the prime contractor is held responsible for overall contract compliance. If a subcontractor is not submitting forms as required, the prime shall be informed. Failure by a subcontractor to come into compliance will be cause for removing the subcontractor from the project.

- F. Business Enterprise Program for Minorities, Females, and Persons with Disabilities Act (“BEP”) (30 ILCS 575/0.01 et seq.) - The Business Enterprise Program for Minorities, Females, and Persons with Disabilities Act (“BEP”) (30 ILCS 575/0.01 et seq.), establishes a goal for contracting with businesses that have been certified as owned and controlled by persons who are minority, female or who have disabilities. Grantee shall maintain compliance with the BEP Utilization Plan submitted in conjunction with the Agreement and shall comply with all reporting requirements. Contractors working on state grant-funded construction projects will be required to comply with BEP by subcontracting with CMS BEP Certified vendors and contractors. Compliance will be tracked through the completion and submission of the BEP Utilization Plan submitted with the Contractor’s bid during the procurement process. No awards shall be made until the BEP Utilization Plan is approved by the Department.
- G. Article X – Unlawful Discrimination - Compliance with Nondiscrimination Laws. Grantee, its employees and subcontractors under subcontract made pursuant to this Agreement, shall comply with all applicable provisions of State and federal laws and regulations pertaining to nondiscrimination, sexual harassment and equal employment opportunity including, but not limited to, the following laws and regulations and subsequent amendments thereto:
 - a) The Illinois Human Rights Act (775 ILCS 5/ 1-101 et seq.), including, without limitation, 44 Ill. Admin. Code Part 75,0 which is incorporated herein;
 - b) The Public Works Employment Discrimination Act (775 ILCS 10/ 1 et seq.);
 - c) The United States Civil Rights Act of 1964 (as amended) (42 USC2000a - 2000h-6). (See also guidelines to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (Federal Register: February 18, 2002(Volume 67, Number 13, Pages 2671-2685)));
 - d) Section 504 of the Rehabilitation Act of 1973 (29 USC 794);
 - e) The Americans with Disabilities Act of 1990 (as amended) (42 USC12101 et seq.); and
 - f) The Age Discrimination Act (42 USC 6101et seq.).

2. Ranking Criteria. Proposals that comply with all requirements in Section 1 above will be evaluated for ranking based on the following criteria:

- A. Historic Preservation Experience. 5 years of experience in historic preservation in compliance with the Secretary of the Interior’s Standards for Rehabilitation is mandatory for construction and renovation (Item 1). Additional experience will receive preference.

- B. Additional and considerable consideration will be given to Proposer's performance history and documented ability to timely deliver proposed services. Proposers documenting projects delivered within the proposed timeline and within the project budget within the last five years will be given preference.
- C. Veteran Preference. Proposals including Veteran Business Enterprises (VEBs) and Veteran Owned Small Businesses (VOSBs) certified by the State of Illinois as detailed in the VBP Directory located in the BEP Certification Portal (<https://ceibep.diversitysoftware.com>) will receive preference.

3. Bid Guaranty

- A. The Bid must be accompanied by a Bid guaranty which shall not be less than five percent (5%) of the amount of the Bid. At the option of the Bidder, the guaranty may be a certified check, bank draft, negotiable U.S. Government Bonds (at par value), or a Bid bond in the form attached. The Bid bond shall be secured by a guaranty or a surety company listed in the latest issue of U.S. Treasury Circular 570. The amount of such Bid bond shall be within the maximum amount specified for such Company in said Circular 570. No Bid will be considered unless it is accompanied by the required guaranty. Certified check or bank draft must be made payable to the order of (Local Public Agency). Cash deposits will not be accepted. The Bid guaranty shall insure the execution of the Agreement and the furnishings of the surety bond or bonds by the successful Bidder, all as required by the Contract Documents.
- B. Revised Bids submitted before the opening of Bids, whether forwarded by mail or electronically, if representing an increase in excess of two percent (2%) of the original Bid, must have the Bid guaranty adjusted accordingly; otherwise the Bid will not be considered.
- C. Certified checks or bank drafts, or the amount thereof, Bid bonds, and negotiable U.S. Government bonds of unsuccessful Bidders will be returned as soon as practical after the opening of the Bids.
- D. Please see Bid Bond document in Appendix A.

4. BEP Utilization Plan

- A. The BEP Utilization Plan shall be completed as part of the procurement process for the construction activities of this project. The plan has been pre-filled to include the established BEP Utilization Goal for this project. The certification page will be signed by Economic Growth Corporation prior to submission to DCEO for approval. Sections I and II should be completed by the Contractor(s). Section I must be completed for each sub-contractor that is CMS-BEP certified who is contracted to work on the project. (Note: The percentage goal is based on the entire grant amount, not the prime contract amount.) Section II must be used and completed for all CMS-BEP certified contractors who were given the opportunity to work on the grant-funded project and did not enter into a contract. The efforts to contact each entity must be fully documented (advertisements, online notices, email transmissions and responses, phone logs, etc.).
- B. Assistance will be provided in the pre-bid meeting on May 19, 2023 at 3:00 pm to explain how to complete the Utilization Plan.

The Owner reserves the right to cancel, suspend, and/or discontinue any proposal at any time, without obligation or notice to the proposing bidder.

PROPOSAL SUBMISSION FORMAT

The Proposer must include the following in their proposal submission in addition to supporting documentation:

Summary of Bidder Background

1. Bidder's Name(s)
2. Bidder's Address
3. Bidder's Contact Information (and preferred method of communication)
4. Legal Formation of Bidder (e.g., sole proprietor, partnership, corporation)
5. Date Bidder's Company was Formed
6. Description of Bidder's company in terms of size, range and types of services offered and clientele.
7. Bidder's principal officers (e.g., President, Vice President(s), Chief Financial Officer, Directors) and length of time each officer has performed in his/her field of expertise.
8. Bidder's Federal Employee Identification Number (FEIN)
9. Evidence of legal authority to conduct business in Illinois (e.g., Certificate of Good Standing from the Illinois Secretary of State)
10. Evidence of established track record for providing services and/or deliverables that are the subject of this proposal.
11. Organization chart showing key personnel that would provide services to The Owner

Financial Information

- State whether the Bidder or its parent company (if any) has ever filed for bankruptcy or any form of reorganization under the bankruptcy code.
- State whether the Bidder or its parent company (if any) has ever received any sanctions or is currently under investigation by any regulatory or governmental body.

Proposed Outcome

- Summary of timeline and work to be completed.

Proposed Services

- List any and all equipment or services required for the Project.
- Detailed estimated cost for each piece of equipment or service.
- List any or equipment or services required of a subcontractor, along with a brief explanation.
- List any accommodation, services, or space required from The Owner, along with a brief explanation.

Cost Proposal Summary and Breakdown

- A detailed list of all expected costs or expenses related to the proposed project.
- Summary and explanation of any other contributing expenses to the total cost.
- Brief summary of the total cost of the proposal.

Licensing, Bonding and Insurance

- The proposal must include appropriate licensure and certification for all work to be performed.
- A performance bond and builder's risk insurance will be required.
- Additional information is available upon request.

Appendix A

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned, _____ as PRINCIPAL, AND _____, as SURETY are held and firmly bound unto _____ hereinafter called the Local Public Agency in the penal sum of _____ Dollars, (\$ _____), lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that Whereas the Principal has submitted the Accompanying Bid, dated _____, _____, for _____.

NOW, THEREFORE, if the Principal shall not withdraw said Bid within the period specified therein after the opening of the same, or, if no period be specified, within thirty (30) days after the said opening, and shall within the period specified therefore, or if no period specified, within ten (10) days after the prescribed forms are presented to him for signature, enter into a written Contract with the Local Public Agency in accordance with the Bid as accepted, and give bond with good and sufficient surety or sureties, as may be required, for the faithful performance and proper fulfillment of such contract; or in the event of the withdrawal of said Bid within the period specified, or the failure to enter into such Contract and give such bond within the time specified, if the Principal shall pay the Local Public Agency the difference between the amount specified in said Bid and the amount for which the Local Public Agency may procure the required work or supplies or both, if the latter be in excess of the former, then the above obligation shall be void and of no effect, otherwise to remain in full force and virtue.

IN WITNESS WHEREOF, the above-bounded parties have executed this instrument under their several seals this _____ day of _____, _____, the name and corporate seal of each corporate party being hereto affixed and these present signed by its undersigned representative, pursuant to authority of its governing body.

1. Forms of Bid Bonds prepared to meet the requirements of local or State laws or the needs of the Local Public Agency should be substituted for this form where necessary.

_____(SEAL)

_____(SEAL)

Attest: _____ By: _____

Attest: _____ By: _____ Affix
Corporate Seal

By: _____ Affix
Corporate Seal

Countersigned by _____

2. Attorney-in-Fact, State of _____

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the _____,
_____, Secretary of the Corporation named as
Principal in the within bond; that _____, who signed the
said bond on behalf of the Principal was then _____
of said corporation; that I know his signature, and his signature thereto is
genuine; and that said bond was duly signed, sealed, and attested to for and in
behalf of said corporation by authority of this governing body.

Title _____ Corporate Seal

2. Power-of-attorney for person signing for surety company must be attached to bond.

Appendix B
BEP Utilization Plan following

BEP UTILIZATION PLAN

Minority, Female, Persons with Disability Status and Subcontracting

The Business Enterprise Program Act for Minorities, Females, and Persons with Disabilities (BEP) (30 ILCS 5757) establishes a goal for contracting with businesses that have been certified as owned and controlled by persons who are minority, female or who have disabilities.

Goal to be achieved by the Grantee: This Utilization Plan (UP) includes a specific Business Enterprise Program (BEP) utilization goal based on the availability of certified vendors to perform the anticipated direct subcontracting opportunities of this plan. **The UP must demonstrate that the Grantee has either met the UP goal or that it has made good faith efforts to do so.**

At the time of proposal submission, the certified vendor may not yet be certified with the CMS Business Enterprise Program; however, the proposed vendor must meet the eligibility requirements and be fully certified in the BEP before Grant award. Visit http://www.sell2.illinois.gov/bep/business_enterprise.htm for complete requirements and to apply for certification in the BEP.

Certified Vendor Locator References: Grantees may consult CMS' BEP Certified Vendor Directory at <https://cms.diversitycompliance.com/>, as well as the directories of other certifying agencies, but subcontracting vendors must be certified by CMS as BEP vendors before the time of award.

Grantee Assurance: The Grantee shall not discriminate on the basis of race, color, national origin, sexual orientation or sex in the performance of this plan. Failure by the Grantee to carry out these requirements is a material breach of this plan, which may result in the termination of the Grant Agreement or such other remedy, as the Agency/Grantor deems appropriate. **This assurance must be included in each contract that the Grantee signs with a contractor, subcontractor or supplier.**

Calculating Certified Vendor Participation: The UP should include the work anticipated to be performed by all certified vendors and paid for upon satisfactory completion. Only the value of payments made for the work actually performed by certified BEP vendors is counted toward the plan goal. Counting guidelines are summarized below:

1. The value of the work actually performed by the certified vendor shall be counted towards the goal. The entire amount of that portion the Grant Agreement that is performed by the certified vendors, including supplies purchased or equipment leased by the BEP vendor shall be counted except supplies purchased and equipment rented from the Grantee.
2. A joint venture shall count toward the portion of the total dollar value of the Grant Agreement equal to the distinct, clearly defined portion of the work of the Grant Agreement that the certified vendor performs with its forces toward the goal. A joint venture shall also count the dollar value of work subcontracted to other certified vendors. Work performed by the forces of a non-certified joint venture partner shall not be counted toward the goal.
3. When a certified vendor subcontracts part of the work to another firm, the value of the subcontracted work shall be counted toward the Grant Agreement goal only if the certified vendor's subcontractor is also certified. Work that a certified vendor subcontracts to a non-certified vendor will NOT count towards the goal.
4. A Grantee shall count towards the goal 100% of its expenditure for materials and supplies required under the Grant Agreement when obtained from a certified vendor manufacturer, regular dealer, or supplier.
5. A Grantee shall count towards the goal the following expenditures to certified vendors that are not manufacturers, regular dealers, or suppliers:
 - a. The fees or commissions charged for providing a bona fide service, such as professional, technical, consultant or managerial services and assistance in the procurement of essential personnel, facilities, equipment, materials, or supplies required for the performance of the Grant Agreement, provided that the fee or commission is determined by the Agency/Grantor to be reasonable and not excessive as compared with fees customarily allowed for similar services.
 - b. The fees charged for delivery of materials and supplies required by the Grant Agreement (but not the cost of the materials and supplies themselves) when the hauler, trucker or delivery service is also not the manufacturer of or a regular dealer in the materials and supplies provided that the fee is determined by the Agency/Grantor to be reasonable and not excessive as compared with fees customarily allowed for similar services. The certified vendor trucking firm must be responsible for the management and supervision of the entire trucking operation for which it is responsible and must itself own and operate at least one fully licensed, insured, and operational truck used on the project.

- c. The fees or commissions charged for providing any bonds or insurance specifically required for the performance on the project, provided that the fee or commission is determined by the Agency/Grantor to be reasonable and not excessive as compared with fees customarily allowed for similar services.
6. A Grantee shall count towards the goal only expenditures to firms that perform a commercially useful function in the work of the Grant Agreement.
- a. A firm is considered to perform a commercially useful function when it is responsible for execution of a distinct element of the work on the project and carries out its responsibilities by actually performing, managing, and supervising the work involved. The certified vendor must also be responsible, with respect to materials or supplies used on the project, for negotiating price, determining quality and quantity, ordering the materials or supplies, and installing the materials (where applicable and paying for the materials or supplies. To determine whether a firm is performing a commercially useful function, the Agency/Grantor shall evaluate the amount of work subcontracted, whether the amount the firm is to be paid under this plan is commensurate with the work it is actually performing and the certify claimed for its performance of the work, industry practices, and other relevant factors.
- b. A certified vendor does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction through which funds are passed in order to obtain certain vendor participation. In determining whether a certified vendor is such an extra participant, the Agency/Grantor shall examine similar transactions, particularly those in which certified vendor do not participate, and industry practices.
7. A Grantee shall not count towards the goal expenditures that are not direct, necessary and proximately related to the work of this plan. Only the amount of services or goods that are directly attributable to the performance of the scope of work shall be counted. Ineligible expenditures include general office overhead or other Grantee support activities.

Rock Island Economic Growth Corporation (Grantee) submits the following Utilization Plan as part of our proposal in accordance with the requirements of the Business Enterprise Program Act for Minorities, Females, and Persons with Disabilities (ACT) (30 ILCS 575). We understand that compliance with this Act is a required part of this plan.

Rock Island Economic Growth Corporation (Grantee) makes the following assurance and agrees to include the assurance in each contract with a contractor, subcontractor, or supplier utilized on this plan: We shall not discriminate on the basis of race, color, national origin, sexual orientation, or sex in the performance of this plan. Failure to carry out these requirements is a material breach of this plan, which may result in the termination of this plan or such other remedy, as the Agency/Grantor deems appropriate.

Grantee's persons responsible for compliance:

Name _____
 Title _____
 Telephone _____
 Email _____

- We are certified (or are eligible and have applied to be certified) with BEP and plan to fully meet the BEP utilization goal through self-performance
- We attach Section I to demonstrate our Plan fully meets the BEP utilization goal of % through subcontracting.
- We attached Section I to detail that we do not fully meet the BEP utilization goal. We also attach Section II, Demonstration of Good Faith Efforts.

Authorized Official's Signature

Date

Section I
Utilization of Certified Vendors
(Submit a separate Section for each proposed certified vendor)

Rock Island Economic Growth Corporation's (Grantee) DCEO Rebuild Illinois grant totaling \$1,500,000.00 is subject to a BEP utilization goal of 21% (MBE 16% / WBE 5%), which requires, a total of \$315,000.00 be used for direct subcontracting to BEP certified minority-owned and women-owned businesses for completion of the grant-funded project.

To achieve the BEP utilization goal through subcontracting, the following is proposed:

1. The proposed certified vendor's company name, address, and phone number:

At the time of submission, the above vendor is:

- Certified with the CMS Business Enterprise Program (BEP) as a MBE or WBE or WMBE (circle one).
- *Certified with , a Reciprocal Certification Agency and submitted an application to CMS BEP.
- *Meets the criteria and has submitted an application for certification with BEP. Application # .

2. A detailed description of the commercially useful work to be done by this certified vendor is as follows:

3. The total estimated cost to the state for the Grant Agreement is \$ 1,500,000.00. The portion of the Grant Agreement which will be contracted/subcontracted to this certified vendor is \$, or % of the total cost of the Grant Agreement. *(Divide the contracted amount by the Grant Agreement amount for BEP %; format XX.XX%).*
4. A joint venture agreement is not required, as the arrangement between and is that of contractor/sub-contractor and not a joint venture.
5. The Grantee has not prohibited or otherwise limited (certified vendor) from providing contractor/sub-contractor quotes to other potential bidders/Grantees.

We understand the Agency/Grantor may require additional information to verify our compliance and we agree to cooperate immediately in submitting to interviews, allowing entry to any of our office locations, providing further documentation, or soliciting the cooperation of our proposed certified vendor. We will maintain appropriate records relating to our utilization of the certified vendor, including invoices, cancelled checks, books of account, and time records.

 Authorized Signature

 Date

**Must be certified with CMS BEP prior to entering into a contract for BEP Utilization credit.*

Section II

Demonstration of Good Faith Efforts to Achieve BEP Contracting/Subcontracting Goal

If the BEP contracting/sub-contracting goal was not achieved, the Good Faith Efforts Checklist (Section IIA) and Contacts Log (Section IIB) must be submitted with the solicitation response (or as otherwise specified by Central Management Services (CMS)). The Grantee will promptly provide evidence whether hard copy or via electronic format in support of its Good Faith Efforts to CMS/BEP upon request.

Section II A

Good Faith Efforts Checklist

Insert in each box below the initials of the authorized Grantee representative who is certifying on behalf of the Grantee that the Grantee has completed the corresponding activity described. If any of the items below were not completed, attach a detailed written explanation why each such item was not completed. If any other efforts were made to obtain BEP participation in addition to the items listed below, attach a detailed written explanation.

- Utilized the website: <https://cms.diversitycompliance.com> to identify BEP certified vendors within the respective NIGP code(s) on the solicitation documents. At a minimum, email all listed vendors with project specifications sufficient to build a quote, then solicit quotes from all vendors who express an interest with follow-up emails and telephone calls. Documentation of these efforts must be submitted as evidence, including copies of all emails sent.
- Identified portions of the project work capable of performance by available BEP vendors, including where appropriate, breaking out Grant Agreement work items into economically feasible units to facilitate BEP participation even when the Grantee could perform those scopes with its own forces.
- Solicited through all reasonable and available means (written notices, advertisements) the interest of BEP certified vendors that have the capability to perform the work of the contract with sufficient time to allow for response.
- Provided timely and adequate information about the plans, specifications, and requirements of the Grant Agreement. Followed-up initial solicitations to answer questions and encourage BEP vendors to submit proposals or bids.
- Negotiated in good faith with interested BEP vendors that submitted proposals or bids and thoroughly investigated their capabilities.
- Made efforts to assist interested BEP vendors in obtaining bonding, lines of credit, or insurance as may be required for performance of the Grant Agreement (if applicable).
- Utilized resources available to identify available certified vendors, including but not limited to BEP assistance staff; local, state, and federal minority or women business assistance offices; and other organizations that provide assistance in the recruitment and placement of diverse businesses.

Authorized Signature

Date

Section II

Demonstration of Good Faith Efforts to Achieve BEP Contracting/Subcontracting Goal

Section II B

Good Faith Efforts Contacts Log for Soliciting BEP Contractor/Sub-contractor Participation

Use this form to document all contacts and responses (telephone, email, fax, etc.) regarding the solicitation of BEP contractors/sub-contractors and suppliers. Duplicate as needed. It is not necessary to identify certified vendors with which the Grantee reached an agreement to participate on this project. Those vendors shall be identified in Section I of this Plan.

Agency/Grantor Supplied NIGP Codes (Required):
82008; 82014; 91430, 21015, 31580, 91051, 33010, 91394, 74521; 91082; 91054; 91015; 01065; 91468; 67055; 54091; 91005; 91473; 91347; 91038; 91040; 91240; 90962; 92517; 92544

Other NIGP Codes Utilized by Vendor (Optional):

BEP Vendor Name	Contact Name	Date Contacted	Contact Method	Scope of Work / NIGP Commodity Code	Reason Agreement was Not Reached

Authorized Official's Signature

Date

Appendix C

BEP Good Faith Efforts Guidance following

BEP GFE GUIDANCE

GUIDANCE FOR DOCUMENTING GOOD FAITH EFFORTS TO MEET BEP PARTICIPATION GOALS

In order to show that it has made good faith efforts to meet the *Business Enterprise Program (BEP)* participation goal on a contract, the bidder/offeror must either (1) meet the BEP Goal(s) and document its commitments for participation of BEP Firms, or (2) when it does not meet the BEP Goal(s), document its Good Faith Efforts to try to meet the goal(s).

I. Definitions

BEP Goal(s) – “BEP Goal(s)” refers to the BEP participation goal

Good Faith Efforts – The “Good Faith Efforts” requirement means that when requesting a waiver, the bidder/offeror must demonstrate that it took all necessary and reasonable steps to achieve the BEP Goal(s), which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient BEP participation, even if those steps were not fully successful. Whether a bidder/offeror that requests a waiver made adequate good faith efforts will be determined by considering the quality, quantity, and intensity of the different kinds of efforts that the bidder/offeror has made. The efforts employed by the bidder/offeror should be those that one could reasonably expect a bidder/offeror to take if the bidder/offeror were actively and aggressively trying to obtain BEP participation sufficient to meet the BEP contract goal. **Mere pro forma efforts are not good faith efforts to meet the BEP contract requirements. The determination concerning the sufficiency of the bidder's/offeror's good faith efforts is a judgment call; meeting quantitative formulas is not required.**

Identified Firms – “Identified Firms” means a list of the BEP certified firms identified by the procuring agency during the goal setting process and listed in the procurement as available to perform the Identified Items of Work. It also may include additional BEPs identified by the bidder/offeror as available to perform the Identified Items of Work, such as BEP firms certified or granted an expansion of services after the procurement was issued. If the procurement does not include a list of Identified Firms, this term refers to all the BEP Firms (if State-funded) the bidder/offeror identified as available to perform the Identified Items of Work and should include all appropriately certified firms that are reasonably identifiable.

Identified Items of Work – “Identified Items of Work” means the bid items identified by the procuring agency during the goal setting process and listed in the procurement as possible items of work for performance by BEP Firms, or a “*Commercially Useful Function*”. It also may include additional portions of items of work the bidder/offeror identified for performance by BEP Firms to increase the likelihood that the BEP Goal(s) will be achieved. If the procurement does not include a list of Identified Items of Work, this term refers to all of the items of work the bidder/offeror identified as possible items of work for performance by BEP Firms and should include all reasonably identifiable work opportunities.

BEP Firms – “BEP Firms” refers to a firm certified by the state of Illinois Central Management Services Business Enterprise Program. Only certified BEP Firms can participate in the State’s BEP Program. Firms must be certified at time of the bidder/offeror bid submission.

II. Types of Actions Agency will Consider

The bidder/offeror is responsible for making relevant portions of the work available to BEP subcontractors and suppliers and to select those portions of the work or material needs consistent with the available BEP subcontractors and suppliers, so as to facilitate BEP participation. The following is a list of types of actions the procuring agency will consider as part of the bidder's/offeror’s Good Faith Efforts when the bidder/offeror fails to meet the BEP Goal(s). This list is not intended to be a mandatory checklist, nor is it intended to be exclusive or exhaustive. Other factors or types of efforts may be relevant in appropriate cases.

A. Identify Bid Items as Work for BEP Firms

1. Identified Items of Work in Procurements

(a) Certain procurements will include a list of bid items identified during the goal setting process as possible work for performance by BEP Firms. If the procurement provides a list of Identified Items of Work, the bidder/offeror shall make all reasonable efforts to solicit quotes from BEP Firms to perform that work. **(b)** Bidders/Offerors may, and are encouraged to, select additional items of work to be performed by BEP Firms to increase the likelihood that the BEP Goal(s) will be achieved.

2. Identified Items of Work by Bidders/Offerors

(a) When the procurement does not include a list of Identified Items of Work or for additional Identified Items of Work, bidders/offerors should reasonably identify sufficient items of work to be performed by BEP Firms. **(b)** Where appropriate, bidders/offerors should break out contract work items into economically feasible units to facilitate BEP participation, rather than perform these work items with their own forces. The ability or desire of a prime contractor to perform the work of a contract with its own organization does not relieve the bidder/offeror of the responsibility to make Good Faith Efforts.

B. Identify BEP Firms to Solicit

1. BEP Firms Identified in Procurements

(a) Certain procurements will include a list of the BEP Firms identified during the goal setting process as available to perform the items of work. If the procurement provides a list of Identified BEP Firms, the bidder/offeror shall make all reasonable efforts to solicit those BEP firms. **(b)** Bidders/offerors may, and are encouraged to, search the BEP Directory to identify additional BEPs who may be available to perform the items of

work, such as BEPs certified or granted an expansion of services after the solicitation was issued.

2. BEP Firms Identified by Bidders/Offerors

(a) When the procurement does not include a list of Identified BEP Firms, bidders/offerors should reasonably identify the BEP Firms that are available to perform the Identified Items of Work. **(b)** Any BEP Firms identified as available by the bidder/offeror should be certified to perform the Identified Items of Work.

C. Solicit BEPs

1. Solicit all Identified Firms for all Identified Items of Work by providing written notice. The bidder/offeror should:

(a) provide the written solicitation at least 10 days prior to bid opening to allow sufficient time for the BEP Firms to respond; **(b)** send the written solicitation by first-class mail, facsimile, or email using contact information in the BEP Directory, unless the bidder/offeror has a valid basis for using different contact information; and **(c)** provide adequate information about the plans, specifications, anticipated time schedule for portions of the work to be performed by the BEP firm, and other requirements of the contract to assist BEP Firms in responding. (This information may be provided by including hard copies in the written solicitation.

2. "All" Identified Firms includes the BEP firms listed in the procurement and any BEP Firms you identify as potentially available to perform the Identified Items of Work, but it does not include BEP Firms who are no longer certified to perform the work as of the date the bidder/offeror provides written solicitations.

3. "Electronic Means" includes, for example, information provided via a website or file transfer protocol (FTP) site containing the plans, specifications, and other requirements of the contract. If an interested BEP cannot access the information provided by electronic means, the bidder/offeror must make the information available in a manner that is accessible to the interested BEP.

4. Follow up on initial written solicitations by contacting BEPs to determine if they are interested. The follow up contact may be made: **(a)** by telephone using the contact information in the BEP Directory, unless the bidder/offeror has a valid basis for using different contact information; or **(b)** in writing via a method that differs from the method used for the initial written solicitation.

5. In addition to the written solicitation set forth in C.1 and the follow up required in C.4, use all other reasonable and available means to solicit the interest of BEP Firms certified to perform the work of the contract. Examples of other means include: **(a)** attending any pre-bid meetings at which BEP Firms could be informed of contracting and subcontracting opportunities; and **(b)** if recommended by the procurement, advertising with or effectively using the services of at least

two minority focused entities or media, including trade associations, minority/women community organizations, minority/women contractors' groups, and local, state, and federal minority/women business assistance offices.

D. Negotiate with Interested BEP Firms

Bidders/Offerors must negotiate in good faith with interested BEP Firms.

1. Evidence of negotiation includes, without limitation, the following:

- (a)** the names, addresses, and telephone numbers of BEP Firms that were considered;
- (b)** a description of the information provided regarding the plans and specifications for the work selected for subcontracting and the means used to provide that information; and **(c)** evidence as to why additional agreements could not be reached for BEP Firms to perform the work.

2. A bidder/offeror using good business judgment would consider a number of factors in negotiating with subcontractors, including BEP subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration.

3. The fact that there may be some additional costs involved in finding and using BEP Firms is not in itself sufficient reason for a bidder's/offeror's failure to meet the contract BEP goal(s), as long as such costs are reasonable. Factors to take into consideration when determining whether a BEP Firm's quote is excessive or unreasonable include, without limitation, the following:

- (a)** the dollar difference between the BEP subcontractor's quote and the average of the other subcontractors' quotes received by the bidder/offeror;
- (b)** the percentage difference between the BEP subcontractor's quote and the average of the other subcontractors' quotes received by the bidder/offeror;
- (c)** the percentage that the BEP subcontractor's quote represents of the overall contract amount;
- (d)** the number of BEP firms that the bidder/offeror solicited for that portion of the work;
- (e)** whether the work described in the BEP and Non-BEP subcontractor quotes (or portions thereof) submitted for review is the same or comparable; and
- (f)** the number of quotes received by the bidder/offeror for that portion of the work.

4. The above factors are not intended to be mandatory, exclusive, or exhaustive, and other evidence of an excessive or unreasonable price may be relevant.

5. The bidder/offeror may not use its price for self-performing work as a basis for rejecting a BEP Firm's quote as excessive or unreasonable.

6. The "average of the other subcontractors' quotes received" by the bidder/offeror refers to the average of the quotes received from all subcontractors. Bidder/offeror should attempt to receive quotes from at least three subcontractors, including one quote from a BEP and one quote from a Non-BEP.

7. A bidder/offeror shall not reject a BEP Firm as unqualified without sound reasons based on a thorough investigation of the firm's capabilities. For each certified BEP that is rejected as unqualified or that placed a subcontract quotation or offer that the bidder/offeror concludes is not acceptable, the bidder/offeror must provide a written detailed statement listing the reasons for this conclusion. The bidder/offeror also must document the steps taken to verify the capabilities of the BEP and Non-BEP Firms quoting similar work.

(a) The factors to take into consideration when assessing the capabilities of a BEP Firm, include, but are not limited to the following: financial capability, physical capacity to perform, available personnel and equipment, existing workload, experience performing the type of work, conduct and performance in previous contracts, and ability to meet reasonable contract requirements.

(b) The BEP Firm's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the efforts to meet the project goal.

E. Assisting Interested BEP Firms

When appropriate under the circumstances, the decision-maker will consider whether the bidder/offeror:

1. made reasonable efforts to assist interested BEP Firms in obtaining the bonding, lines of credit, or insurance required by the procuring agency or the bidder/offeror; and
2. made reasonable efforts to assist interested BEP Firms in obtaining necessary equipment, supplies, materials, or related assistance or services.

III. Other Considerations

In making a determination of Good Faith Efforts the decision-maker may consider engineering estimates, catalogue prices, general market availability and availability of certified BEP Firms in the area in which the work is to be performed, other bids or offers and subcontract bids or offers substantiating significant variances between certified BEP and Non-BEP costs of participation, and their impact on the overall cost of the contract to the State and any other relevant factors. The decision-maker may

consider whether a bidder/offeror decided to self-perform subcontract work with its own forces, especially where the self-performed work is Identified Items of Work in the procurement.

The decision-maker also may consider the performance of other bidders/offerors in meeting the contract. For example, when the apparent successful bidder/offeror fails to meet the contract goal, but others meet it, this reasonably raises the question of whether, with additional reasonable efforts, the apparent successful bidder/offeror could have met the goal. If the apparent successful bidder/offeror fails to meet the goal but meets or exceeds the average BEP participation obtained by other bidders/offerors, this, when viewed in conjunction with other factors, could be evidence of the apparent successful bidder/offeror having made Good Faith Efforts.

IV. Documenting Good Faith Efforts

At a minimum, a bidder/offeror seeking a waiver of the BEP Goal(s) or a portion thereof must provide written documentation of its Good Faith Efforts. The written documentation shall include the following:

A. Items of Work (Complete Good Faith Efforts checklist)

A detailed statement of the efforts made to select portions of the work proposed to be performed by certified BEP Firms in order to increase the likelihood of achieving the stated BEP Goal(s).

B. Outreach/Solicitation/Negotiation

1. The record of the bidder's/offeror's compliance with the outreach efforts.
2. A detailed statement of the efforts made to contact and negotiate with BEP Firms including:
 - (a) the names, addresses, and telephone numbers of the BEP Firms who were contacted, with the dates and manner of contacts (letter, fax, email, telephone, etc.) (submit letters, fax cover sheets, emails, etc. documenting solicitations); and
 - (b) a description of the information provided to BEP Firms regarding the plans, specifications, and anticipated time schedule for portions of the work to be performed and the means used to provide that information.

C. Rejected BEP Firms

1. For each BEP Firm that the bidder/offeror concludes is not acceptable or qualified, a detailed statement of the reasons for the bidder's/offeror's conclusion, including the steps taken to verify the capabilities of the BEP and Non-BEP Firms quoting similar work.
2. For each certified BEP Firm that the bidder/offeror concludes has provided an excessive or unreasonable price, a detailed statement of the reasons for the bidder's/offeror's conclusion, including the quotes received from all BEP and Non-BEP firms bidding on the same or comparable work. ***(Include copies of all quotes received.)***

3. A list of BEP Firms contacted but found to be unavailable.

D. Other Documentation

1. Submit any other documentation requested by the Procurement Officer to ascertain the bidder's/offeror's Good Faith Efforts.

2. Submit any other documentation the bidder/offeror believes will help the Procurement Officer ascertain its Good Faith Efforts.

Appendix D

Bid Notice

The Rock Island Economic Growth Corporation d/b/a Economic Growth Corporation (the "Owner") will receive Bids for "Shimer Square Phase 1A" (the "Project") until 3:00PM CST on the 7th day of June 2023, at Economic Growth Corporation, 100 19th Street, Suite 109, Rock Island, IL 61201 at which time and place all bids will be publicly opened and read aloud. The Project generally includes the following renovations of its Shimer Square property: masonry restoration to the campus gate; general renovations and parking for the building commonly known as the Sawyer House; asbestos removal and interior building demolition of the buildings commonly known as Bennet and Hathaway Halls; and parking excavation and placement of base material.

Bids are invited upon the two items of work as follows:

- Item 1. Shimer Square Phase 1A – Construction and Renovation
- Item 2. Shimer Square Phase 1A – Lead-based Paint & Asbestos Abatement

The Project is located at 203 E. Seminary Street within the corporate limits of Mount Carroll in Carroll County, Illinois. This project is being funded by the State of Illinois' Rebuild Regional Economic Development Grant Program (the "Program"), authorized under Illinois Public Act 101-0029. In addition to complying with all applicable provisions of State and federal laws and regulations pertaining to nondiscrimination, sexual harassment and equal opportunity, successful contractors and subcontractors must comply with the following Program requirements:

- Illinois Prevailing Wage Act (820 ILCS 130/)
- Employment of Illinois Workers on Public Works Act (30 ILCS 570/001 et seq.)
- Illinois Works Jobs Program Act (30 ILCS 559/20)
- Business Enterprise Program for Minorities, Females, and Persons with Disabilities Act ("BEP") (30 ILCS 575/0.01 et seq.)

The bid package includes additional information on these and other requirements and may be obtained at www.economicgrowthcorporation.com, www.shimersquare.com, or by contacting Andy Fisher at (309)788-6311 or afisher@growthcorp.org. The Owner will conduct a Pre-Bid meeting for all interested parties via Microsoft Teams on May 19th at 3:00PM. Paper and electronic bids will be accepted at Economic Growth Corporation, 100 19th Street, Suite 109, Rock Island, IL 61201 and afisher@growthcorp.org. The Owner will select the lowest, most responsible bidder and reserves the right to reject any and all proposals or any part thereof and to waive any irregularities or technicalities in the proposals received pursuant to this notice.

A certified check or bank draft, payable to the order of Economic Growth Corporation, negotiable U.S. Government bonds (at par value) or a satisfactory Bid Bond executed by the Bidder and an acceptable surety in an amount equal to five percent (5%) of the total Bid shall be submitted with each Bid.

Attention is call to the fact that not less than the minimum salaries and wages as set forth in the Contract Documents must be paid on this project, and that the Contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

Bids may be held by the Owner for a period not to exceed 30 days from the date of the opening of Bids for the purpose of reviewing the Bids and investigating the qualifications of Bidders, prior to awarding of the Contract.