



# CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

October 31, 2022

Mr. John Hollman  
Clerk of the House, Illinois House of Representatives  
300 Capitol Building  
Springfield, IL 62706

RE: Annual Exempt Contracts Report for Illinois Department of Transportation – Construction for the period of July 1, 2021 through June 30, 2022

Dear Mr. Hollman:

In accordance with 30 ILCS 500 (1-10 (b)), “The chief procurement officer shall submit a report to the Governor and the General Assembly no later than November 1 of each year that shall include, at a minimum, an annual summary of the monthly information reported to the chief procurement officer”.

The following sub-sections of Section 1-10 (b) are the categories of exempt contracts that are relevant to the jurisdiction of the chief procurement office for Illinois Department of Transportation – Construction.

#### **(6) Purchase of Real Estate:**

The department has the need to acquire property related to highway, railroads, airports, and other transportation projects. The Bureau of Land Acquisition acquires these properties with the assistance of land appraisers, negotiators and with the assistance of legal services described in subsection (7).

**During this reporting period the department acquired 53 parcels with a total value of \$4,732,884.00. Based on my review, these purchases appear to be consistent with the purpose and the exemption allowed by the code.**

#### **(7) Land acquisition legal services:**

Eminent domain for the Illinois Department of Transportation is initiated and prosecuted by the attorney general through appointed assistants. The attorney general appoints a Special Assistant Attorney General (SAAG) to act as trial attorneys in the counties where condemnation must be undertaken. These assistants are compensated on an hourly basis by the Illinois Department of Transportation for services performed under the listed exempt agreements. The attorney general has prepared and distributed a Condemnation Manual to the Special Assistant Attorney General, which these appointed assistants must follow. The law firms selected to act as SAAG trial attorneys are determined by the Office of the Illinois Attorney General.

**During this reporting period the department has 49 active Land Acquisition Legal Services contracts in place. Based on my review, these contracts appear to be consistent with the purpose and the exemption allowed by the code.**

**(11) Public-Private Agreements:**

Public-private agreements entered into according to the procurement requirements of Section 20 of the Public-Private Partnerships for Transportation Act and design-build agreements entered into according to the procurement requirements of Section 25 of the Public-Private Partnerships for Transportation Act.

**The Illinois Department of Transportation has not executed any Public-Private-Partnerships during the reporting period.**

**(15) Railroad agreements and Utility agreements:**

Illinois Department of Transportation's central office coordinates with its district offices for the preparation and negotiation of formal agreements between the department and the Railroad. This includes both railroad grade separation and at-grade crossing projects on the State highway system. The Agreement will cover: division of work and expense involved between Illinois Department of Transportation and the Railroad for the crossing improvement; responsibilities for the future maintenance of the improvement; establishment of the Railroad's share of the cost as determined under the provisions of any one of the several classifications provided in the Federal-Aid Policy Guide; reference to the acquisition of property rights; reimbursement of the costs incurred by the Railroad according to the requirements of the Federal-Aid Policy Guide; coverage of liability during construction operations; and reference to or identification of plans and plan approval.

Based on each project's roadway plans, detailed bridge plans, and initial utility plans, Illinois Department of Transportation works with any impacted utility companies and municipalities to implement the utility process. The utility companies are responsible for preparing all utility adjustment/relocation plans. Depending on the right-of-way ownership for existing and proposed utility locations, transportation funds may be eligible for utility adjustments/relocations required by the highway project. The Utilities pay for all betterments. Illinois Department of Transportation prepares a Utility Agreement for each affected utility and works with the utility companies to gain their input and approval and finalize the agreement.

**During this reporting period the department has 81 Railroad and 51 Utility agreements that are active and ongoing. Based on my review, these agreements appear to be consistent with the purpose and the exemption allowed by the code.**

Sincerely,



Bill Grunloh  
Chief Procurement Officer