



Sen. Martin A. Sandoval

**Filed: 4/5/2018**

10000SB2862sam001

LRB100 20537 LNS 36560 a

1 AMENDMENT TO SENATE BILL 2862

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2862 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Highway Code is amended by adding  
5 Section 4-224 as follows:

6 (605 ILCS 5/4-224 new)

7 Sec. 4-224. Pay for Performance program; Quality Control  
8 for Performance program. Within 90 days after the effective  
9 date of this amendatory Act of the 100th General Assembly, the  
10 Department shall revise its Pay for Performance and Quality  
11 Control for Performance programs for the production,  
12 placement, and payment of hot-mix asphalt projects in this  
13 State. The programs shall incorporate and be fully compliant  
14 with Federal Highway Administration publications, guidelines,  
15 and technical briefs. It shall be the goal of the Department in  
16 revising its Pay for Performance and Quality Control for

1 Performance programs to ensure the equitable balancing of  
2 interests between hot-mix asphalt contractors and the  
3 Department. In furtherance of this goal, revisions to the  
4 Department's Pay for Performance and Quality Control for  
5 Performance programs shall include, but are not limited to, the  
6 implementation of a dispute resolution process that: (1)  
7 addresses issues arising out of the pre-production meeting; (2)  
8 utilizes the results of a certified, third-party laboratory for  
9 verification and independent assurance testing; (3) provides a  
10 procedure for addressing outlying test results; and (4)  
11 includes arbitration, such as arbitration administered by the  
12 American Arbitration Association, as a final step.

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law."