



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5262

Introduced 1/31/2022, by Rep. Martin J. Moylan

SYNOPSIS AS INTRODUCED:

New Act

Creates the Infrastructure Delivery and Program Transparency Act. Provides for the creation of an Infrastructure Implementation Coordinator within the Office of the Secretary of Transportation to administer the Rebuild Illinois Program. Provides that the Office of the Secretary of Transportation shall develop a publicly available project information website that includes detailed information about each infrastructure project. Provides that the Coordinator shall track and make publicly available a master program, budget, and construction schedule and program metrics. Provides that after a review of the program metrics, the Coordinator shall implement improvements to the Rebuild Illinois Program in accordance with the established overall program budget and project schedule. Provides that the Department of Transportation and the Coordinator shall implement certain initiatives to assist the Department with meeting program goals.

LRB102 25484 RAM 34772 b

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Infrastructure Delivery and Program Transparency Act.

6 Section 5. Definitions. As used in this Act:

7 "Coordinator" means the Infrastructure Implementation
8 Coordinator appointed by the Office of the Secretary of
9 Transportation.

10 "Department" means the Illinois Department of
11 Transportation.

12 "Infrastructure" means publicly owned infrastructure
13 located in the State of Illinois including(1) streets,
14 roadways, pedestrian ways, commuter linkages and circulator
15 transit systems, bridges, tunnels, overpasses, bus ways, and
16 guideways connected to or adjacent to an infrastructure
17 project; (2) utilities systems and related facilities, utility
18 relocations and replacements, utility-line extensions, network
19 and communication systems, streetscape improvements, drainage
20 systems, sewer and water systems, subgrade structures and
21 associated improvements; (3) landscaping, facade construction
22 and restoration, wayfinding, and signage; (4) public
23 transportation and transit facilities and related

1 infrastructure, vehicle parking facilities, and other
2 facilities that encourage intermodal transportation and public
3 transit connected to or adjacent to a Project; (5) railroad
4 infrastructure, stations, maintenance and storage facilities;
5 (6) parks, plazas, atria, cultural facilities, community and
6 recreational facilities, facilities to promote tourism and
7 hospitality, educational facilities, conferencing and
8 convention centers, broadcast and related multimedia
9 infrastructure, and destination and community retail, dining,
10 and entertainment facilities; and (7) other facilities with
11 the primary purpose of attracting and fostering economic
12 development by generating additional tax base.
13 "Infrastructure" does not include a commercial office,
14 residential or hotel facilities, or any retail, dining, and
15 entertainment space included within such facilities.

16 "Infrastructure project" means the construction or
17 renovation of publicly owned infrastructure located within the
18 State of Illinois.

19 "Program" means the Rebuild Illinois Program.

20 "Secretary" means the Illinois Secretary of
21 Transportation.

22 Section 10. Infrastructure implementation coordinator.

23 (a) The Secretary of Transportation shall appoint an
24 Infrastructure Implementation Coordinator who shall administer
25 the Rebuild Illinois Program, disburse and provide an

1 accounting of capital funding granted to the State by the U.S.
2 Infrastructure Investment Jobs Act, and provide and facilitate
3 regular reporting and communication to the Illinois Department
4 of Transportation, the General Assembly, the Federal Highway
5 Administration, and to key industry and public stakeholders.

6 (b) The Coordinator shall direct the performance of all
7 program implementation processes and procedures and shall be
8 provided the necessary resources to establish a master
9 program, budget, and schedule; to track and monitor key
10 metrics; to report and communicate all program metrics; to
11 implement program initiatives; and to provide leadership that
12 results in improvement to all process and procedures related
13 to the delivery of infrastructure improvements.

14 Section 15. Publicly available master program, budget, and
15 construction schedule. For the purpose of allowing key
16 infrastructure stakeholders to effectively plan and schedule
17 the procurement of required materials and resources and to
18 keep the public informed of project progress, the Office of
19 the Secretary of Transportation shall develop a publicly
20 available project information website that includes the
21 following information:

22 (1) the name of the infrastructure being constructed
23 or renovated;

24 (2) the location of each project;

25 (3) the estimated commencement and completion date of

1 each project, as well as timely updates on any projected
2 changes to such dates;

3 (4) the actual cost of each project.

4 Section 20. Program metrics. To measure construction and
5 renovation progress and performance, resolve issues, and
6 publicly report on the program's accomplishments, the
7 Coordinator shall track and make publicly available the
8 following program metrics:

9 (1) the overall program budget, which the Secretary
10 shall track and report by service type (i.e. construction,
11 consultant services, miscellaneous) and which includes the
12 following:

13 (A) the current program budget;

14 (B) the original amount of each program funding
15 award;

16 (C) the cost of each contract change order or
17 supplemental order;

18 (D) the amount of obligated funding for each
19 project; and

20 (E) the amount remaining in each project budget at
21 the completion of the project;

22 (2) each individual project budget, categorized by
23 core work categories (for example, roadway maintenance,
24 bridges, safety and system modernization, system
25 expansion, and system support);

1 (3) general program metrics, which may be categorized
2 on a subprogram basis by major corridor or core work type,
3 and include the following:

4 (A) the number of direct and indirect jobs
5 created;

6 (B) the number of contracts awarded under
7 \$10,000,000;

8 (C) the number of contracts awarded to
9 construction and engineering firms;

10 (D) the number of contracts awarded to unique
11 veteran-owned firms; and

12 (E) the number of contracts awarded to new firms,
13 established within a year before the date of the
14 contract;

15 (4) diversity metrics, which shall be tracked and
16 reported for construction and consultant services and
17 include the following:

18 (A) the amount in contract awards and the
19 percentage of total contracts awarded to participants
20 in the Disadvantaged Business Enterprise Program;

21 (B) the amount in contract awards and the
22 percentage of total contracts awarded to veteran-owned
23 businesses;

24 (C) the number of contracts awarded under protege
25 agreements;

26 (D) the number of contracts awarded to prime

1 contractors that are participants of the Disadvantaged
2 Business Enterprise Program; and

3 (E) the number of contracts awarded to prime
4 contractors that are veteran-owned businesses; and
5 (5) program administrative metrics that include:

6 (A) the average time from selection of a
7 contractor to the contractor's receipt of a Notice to
8 Proceed;

9 (B) the average time to process a project invoice;

10 (C) the average time to process a project payment;

11 (D) the number of actual advertised contracts;

12 (E) the number of projected advertised contracts;

13 and

14 (F) the projected need for construction and
15 consultant services for each year, to be published in
16 each issue of the Illinois Department of
17 Transportation Professional Transportation Bulletin
18 and updated quarterly.

19 Section 25. Program goal development. After a review of
20 the program metrics, the Coordinator shall implement
21 improvements to the program in accordance with the established
22 overall program budget and project schedule. As a result,
23 individual project budgets and schedules may be adjusted;
24 however, the overall annual expected program expenditures and
25 target delivery dates for major corridor improvements shall

1 not vary significantly from established goals.

2 Section 30. Program goals; expedited processes.

3 (a) The Coordinator shall process a Notice to Proceed
4 within 30 days of a construction bid opening or consultant
5 selection and shall expedite the execution of contracts and
6 the issuance of a Notice to Proceed to meet this goal.

7 (b) The Secretary shall disburse payments to construction
8 contractors on a biweekly basis and shall expedite payment to
9 meet this goal.

10 (c) The Secretary shall disburse payments to consultants
11 within 45 days of the completion of services and shall
12 expedite payments to meet this goal.

13 Section 35. Program initiatives to support program goals.
14 The Department and the Coordinator shall do the following to
15 assist the Department with meeting program goals:

16 (1) develop a mechanism to openly identify and elevate
17 issues within the Rebuild Illinois Program so that they
18 may be resolved in a timely manner;

19 (2) evaluate and improve processes and procedures for
20 State coordination with the Federal Highway Administration
21 to expedite project delivery;

22 (3) evaluate and improve the State processes and
23 procedures for prioritizing right-of-way issues, utility
24 conflicts, and permits, to expedite project delivery;

1 (4) evaluate and improve the State processes and
2 procedures for prioritizing the resolution of construction
3 field issues that require contract change orders;

4 (5) establish and improve a construction and
5 consultant mentor-protege program to promote significant
6 and sustainable growth for participants of the
7 Disadvantaged Enterprise Program and veteran-owned firms.