

CAPITAL DEVELOPMENT BOARD

Government Services/Executive Agency

FY14 Headcount: 143

<http://www2.illinois.gov/cdb/Pages/default.aspx>

Summary of Agency Operations

The Capital Development Board (CDB) manages the design and construction of capital projects for the state in a timely, effective and fiscally responsible manner while spreading opportunities among qualified industry partners. The board also provides construction grants for schools, community health centers, early childhood development providers and other entities. CDB oversees the construction of state facilities, such as prisons, universities, mental health hospitals, and state parks. In addition, CDB is responsible for renovation and rehabilitation projects at the state's 8,644 state-owned buildings, which contain more than 96 million square feet of floor space.

Internal Hiring

Agency positions subject to criminal history restrictions, by statute, regulation or agency policy

None

Statutory, regulatory, agency policy restrictions applicable to internal hiring

None

System of personnel administration

Personnel Code [20 ILCS 415]

Title 80, III Admin Code, Section 302.130 Removal of names from eligible list

See section IV. of the Final Report for the enumerated criminal history restrictions in the Personnel Code related to being qualified for open competitive examinations and subsequent appointment.

Criminal history record check procedures

1) Self-disclosure on application

Yes (CMS 100)

2) Background check review procedure

No background checks conducted, per agency's report to the Task Force

Exemption, waiver, or review mechanisms

N/A

Number of job applicants who were subject to a criminal history records check in 2010-2011

None, per agency's report to the Task Force

Occupational Licensing, Certification, Regulation

N/A

Occupational Contracting

Contract positions subject to criminal history restrictions

Architects, engineers, construction contractors

Contracting restrictions based on criminal history, by statute or regulation

Illinois Procurement Code [30 ILCS 500/]

30 ILCS 500/50-2 (Continuing disclosure; false certification)

30 ILCS 500/50-5 (Bribery)

30 ILCS 500/50-5 (c) (Conduct on behalf of business)

30 ILCS 500/50-10 (Felons)

30 ILCS 500/50-10.5 (Prohibited bidders and contractors)

See section IV. of this report for a discussion of criminal history-based restrictions on contracting with the State in the Illinois Procurement Code.

Administrative Code Title 44, Subtitle B, Chapter XII, Part 950 Prequalification and bidder responsibility

Section 950.340 Contractor Debarment

CDB may debar a contractor to exclude it from bidding on CDB projects as provided herein or otherwise provided by statute. CDB will consider debarment in cases so serious and egregious in nature that a loss in excess of five years up to a permanent loss of bidding privileges may be warranted. In addition to the causes listed in Section 950.210, **causes for debarment may include but not be limited to multiple or repetitive criminal convictions** or multiple non-responsibility determinations. Actions to debar a contractor shall not prevent CDB from taking any other action under this Part. Following a period of debarment, when a contractor submits a prequalification application to CDB, the application shall be deemed to be a first-time application rather than one for renewal.

Restriction Type: Discretionary

Restriction Duration: Not specified

Administrative Code Title 44, Subtitle B, Chapter XII, Part 980 Prequalification of architects and engineers

Section 980.430 Architect/Engineer Contractor Debarment

CDB may debar an A/E to exclude it from submitting on CDB projects. CDB will consider debarment in cases so serious and egregious in nature that a permanent loss of submittal privileges may be warranted. In addition to the causes listed in Section 980.310, **causes for debarment may include but not be limited to multiple or repetitive criminal convictions** or multiple non-responsibility determinations. Following a period of debarment, when an A/E submits a prequalification application to CDB, the application shall be deemed to be a first-time application rather than one for renewal.

Restriction Type: Discretionary

Restriction Duration: Not specified

Administrative Code Title 44, Subtitle B, Chapter XII, Part 990 Prequalification of construction manager

h) Capital Development Board shall grant prequalification to those applicants who: 5) do not meet any of the criteria set forth in questions 18 through 23 of the application (violation of safety or environmental laws; **conviction of bribery, etc.**; bankruptcy; past suspension or debarment; student loan default);

Restriction Type: Discretionary

Restriction Duration: Not specified

Administrative Code Title 44, Subtitle B, Chapter XII Section 990.430 Contract Manager Debarment

CDB may debar a CM to exclude it from submitting on CDB projects. CDB will consider debarment in cases so serious and egregious in nature that a permanent loss of submittal privileges may be warranted. In addition to the causes listed in Section 990.310, **causes for debarment may include, but not be limited to, multiple or repetitive criminal convictions** or multiple non-responsibility determinations. Following a period of debarment, when a CM submits a prequalification application to CDB, the application shall be deemed to be a first-time application rather than an application for renewal. A firm that has been debarred as a contractor or A/E (architectural/engineering) firm will automatically be debarred as a CM firm, and vice versa.

Restriction Type: Discretionary

Restriction Duration: Not specified

Criminal history record check procedures for contracts

Not specified in agency report to the Task Force

Summary of Employment Restrictions from Agency Report

The Capital Development Board does not have employment restrictions based on criminal records in the occupations under its jurisdiction, and does not conduct criminal background checks on applicants seeking employment with the agency.

