



Good Faith Effort Contract Renewal Waiver and Concurrence

No vendor shall be eligible for renewal of a contract when that vendor has failed to meet the goals agreed to in the vendor's utilization plan, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, unless the State agency has determined that the vendor made good faith efforts toward meeting the contract goals. If the State agency determines that the vendor made good faith efforts, the agency may issue a waiver after concurrence by the chief procurement officer. 30 ILCS 500/20-60(f).

Requesting Agency

Original Contract BidBuy PO Number

Renewal Contract BidBuy REQ Number

Section I - General Information

Project Title

Vendor

Section II - BEP Contract Goal Attainment

Provide the current term notice of award dollar amount, the current term contract actual spend, and the proposed renewal notice of award dollar amount.

Current Term
Notice of Award
Amount (\$)

Current Term
Contract Actual
Spend (\$)

Proposed Renewal
Notice of Award
Amount (\$)

Provide current term BEP goal percentage, the BEP goal percentage actually achieved in the current term, and the proposed renewal BEP goal percentage. The actual achieved current term BEP goal percentage is based on the current term contract actual spend.

Current Term BEP
Goal (%)

BEP Goal (%) Actually
Achieved Current Term

Proposed Renewal BEP
Goal (%)

List the names of **all** BEP subcontractors identified on the Utilization Plan. For the current term, list each BEP subcontractor's goal percentage, the actual achieved goal percentage, and the actual achieved goal dollar value.

BEP Subcontractor Name	Goal Percentage	Achieved Goal Percentage	Achieved Goal Value (\$)
Professional Elevator Services, Inc.	16	3.47	\$4,642.00

Add Row

Delete Row



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Section III - Contract Description

Provide a brief description of the current term contract supplies or services:

Tollway Contract 21-0129R Elevator Maintenance, Inspection, Repair, and Full Hydraulic Pressure Testing Services

Tollway Board approval received 01/20/2022 (Resolution No. 22367) for an upper limit of compensation not to exceed \$377,766.72 for an initial three-year term and an amount not to exceed \$274,030.72 for a possible two-year renewal term.

This contract provides a continued source for the purchase of elevator maintenance, inspection, repair, and full hydraulic pressure testing services of all passenger and freight elevators at Tollway locations systemwide. Elevator brands include Otis, Jeffrey, Kone, Automatic, Lakeland, Schindler, Plow Industries, and Dover.

Three-year initial term dates are from 03/14/2022-03/13/2025.

Two-year renewal term dates will be from 03/14/2025-03/13/2027.

Section IV - Good Faith Effort

List **actions** that the vendor took which constitute a good faith effort to meet the contract's current term BEP goal percentage. Responses must describe the vendor's actual actions (actions that occurred). **Intended** actions should **not** be listed here.

The vendor began adjusting/increasing their BEP subcontractor's labor participation through maintenance and inspections in lieu of large elevator repair projects.

Describe in detail the impact to the State if this renewal is not approved.

This renewal allows the Tollway to continue to have elevator inspections, maintenance, and repairs. Elevator inspections and pressure testing are required by the State of Illinois. This renewal will provide all elevator inspections and full hydraulic pressure testing and any necessary repairs. All inspections are to conform to all prevailing current state and county regulations and codes, including the State Fire Marshall requirements. This includes all passenger elevators located through the entire Tollway system. Without having a contract in place, the Tollway will not be in compliance with state law requiring said elevator inspections.

The inspections are a requirement by the state and are done routinely to meet the state requirements as well as local municipality codes. A licensed inspector will come out and inspect all equipment in accordance with the local municipality. Maintenance and repairs will also be done by this vendor to keep elevators operational. If repairs and inspections are not done, the Tollway will be in violation of state municipality codes. Safety issues also could arise from malfunctioning elevators. For this contract the pricing structure will be quarterly inspections for Central Administration, and twice a year for all other elevators located throughout the Tollway. Full hydraulic pressure testing will be performed once a year. Without having a contract in place, the Tollway will not be in compliance with state law requiring said elevator inspections.

Section V - Additional Information



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If the vendor's actions alone do not fully explain the vendor's good faith effort, provide additional information explaining why the contract's current term BEP goal percentage was not achieved.


The vendor's plan was to work with their BEP subcontractor on all large repair projects. Unfortunately, there has been little repair work, and the total work is less than 30% of the contract award value. The BEP participation shortage was identified in early 2024 and the vendor immediately began adjusting/increasing their BEP subcontractor labor participation through maintenance and inspections in lieu of large repairs. Per Facilities and Fleet Operations, because of the lack of activity at most Plazas, the elevator use/breakdown has been greatly reduced.

Section VI - State Agency Head Determination

The State Agency Head's signature cannot be delegated or signed by a designee.

"As the Agency Head, I have determined that the vendor's actions constitute a good faith effort to meet the contract's current term BEP goal percentage."

State Agency Head Signature

 Digitally signed by Cassandra Rouse
Date: 2025.02.18 21:18:24 -06'00'

Printed Name

Title

Date

Section VII - Chief Procurement Officer Concurrence

- ☐ I concur with the State Agency Head's determination that the vendor made a good faith effort to satisfy the contract's current term BEP goal percentage.
- ☐ I **do not** concur with the State Agency Head's determination that the vendor made a good faith effort to satisfy the contract's current term BEP goal percentage.

CPO's Signature

Date