



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

February 3, 2006

CIRCULAR LETTER 2006-01

RESPONSIBLE BIDDER PROTESTS ON LOCAL LETTINGS

COUNTY ENGINEERS/SUPERINTENDENT OF HIGHWAYS
MUNICIPAL ENGINEERS/DIRECTORS OF PUBLIC WORKS/MAYORS
CONSULTING ENGINEERS

Circular 2005-08 outlined the procedures that the department has implemented to handle responsible bidder protests on local lettings. The new procedure is outlined below.

1. All protests must be in writing and filed with the Office of Chief Counsel (OCC) within seven calendar days of the bid opening. Protests filed after the seven calendar day period will not be considered.
2. The department will not concur with the award of any contract until the eighth calendar day following the letting; therefore, the local authority shall not proceed with the award for eight calendar days.

For local authorities under an agreement of understanding with the department, the local authority shall wait eight calendar days before awarding the project.

3. When a protest has been timely filed with the OCC, the District Local Roads Engineer will be contacted. The department will not concur with the award of the contract until the protest has been resolved.

For local authorities under an agreement of understanding with the department, the District Local Roads Engineer will contact the local authority. The local authority shall not award the contract until the protest has been resolved.

4. The OCC will coordinate with the District Local Roads Engineer to gather the documents and information necessary to resolve the protest. The bidder shall cooperate by promptly providing requested information. Failure to cooperate shall result in the bidder being deemed non-responsible. In this event, the department will withhold motor fuel tax or other state funds; or, otherwise deem the project as non-participatory.
5. If a protest is sustained, the remedies available are limited to award to the next lowest responsible bidder, cancellation of the solicitation, or readvertisement of the solicitation.

Any questions about the bid protest process should be directed to Julita Kuzminaite, Office of Chief Counsel, at (217) 782-0692 or KuzminaiteJ@dot.il.gov.

Sincerely,

Handwritten signature of Charles J. Ingersoll in black ink.

Charles J. Ingersoll, P. E.
Engineer of Local Roads and Streets

Handwritten signature of Ellen J. Schanzle-Haskins in black ink.

Ellen J. Schanzle-Haskins
Chief Counsel