



EXECUTIVE ETHICS COMMISSION
ILLINOIS DEPARTMENT OF TRANSPORTATION
CHIEF PROCUREMENT OFFICE

August 25, 2011

Mr. Lawrence E. LeClair
National Association of Surety Bond Producers
1140 19th Street NW, Suite 800
Washington, DC 20036-5104

Dear Mr. LeClair:

I am in receipt of your recent letter on behalf of the National Association of Surety Bond Producers in which you expressed your concerns with the recommended change to 44 Ill. Admin. Code 6.290 that permits the Illinois Department of Transportation to affix an amount for the performance and payment bond that must be furnished by the successful bidder on a construction contract which may be less than the full amount of the contract.

The purpose behind this change is to allow the Department some flexibility so as to encourage the participation of smaller firms in public construction. In Illinois, some of the smaller firms who are endeavoring to do business with the Department, including minority-owned and women-owned business, have raised issues about their inability to get bonded. The anticipated objective is that a lesser penal sum may make it easier for these firms to be bonded by sureties. It is for this limited purpose that the change is proposed.

I appreciate hearing the concerns of the Association and thank you for your communication. Rest assured that the Department intends to insure adequate protection for the public on construction projects while providing an avenue for increased involvement of smaller businesses in public construction.

Sincerely,

Bill Grunloh
Chief Procurement Officer

cc: Lance Jones
Christine Caronna-Beard

2300 SOUTH DIRKSEN PARKWAY, ROOM 200 • SPRINGFIELD, ILLINOIS 62764
PHONE (217) 558-5434 • FAX (217) 557-5445