



ENGINEERING ENTERPRISES, INC.

Lead Service Line Replacement Plan

April 2025

Village of Clarendon Hills
PWS ID No. IL0430250



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Abbreviations and Acronyms

| | |
|--------|--|
| ADD | AVERAGE DAY DEMAND |
| AWWA | AMERICAN WATER WORKS ASSOCIATION |
| BMP | BEST MANAGEMENT PRACTICE |
| CF | CUBIC FEET |
| CWS | COMMUNITY WATER SYSTEM |
| EPA | ENVIRONMENTAL PROTECTION AGENCY |
| EWST | ELEVATED WATER STORAGE TANK |
| FT | FOOT |
| GAL | GALLON(S) |
| GPCPD | GALLONS PER CAPITA PER DAY |
| GPM | GALLONS PER MINUTE |
| IEPA | ILLINOIS ENVIRONMENTAL PROTECTION AGENCY |
| IN | INCH(ES) |
| LCR | LEAD AND COPPER RULE (1991) |
| LSLRNA | LEAD SERVICE LINE REPLACEMENT AND NOTIFICATION ACT |
| MDD | MAXIMUM DAY DEMAND |
| MGAL | MILLION GALLONS |
| MGD | MILLION GALLONS PER DAY |
| PPB | PARTS PER BILLION |
| PPM | PARTS PER MILLION |
| PSI | POUNDS PER SQUARE INCH |
| PWS | PUBLIC WATER SUPPLY |
| SF | SQUARE FEET |
| USEPA | UNITED STATES ENVIRONMENTAL PROTECTION AGENCY |



VILLAGE VILLAGE OF CLARENDON HILLS

WM WATER MAIN



1 Background

1.1 History of Lead in Household Plumbing

Lead pipes were commonly used in homes built in the early 20th century as lead was a less expensive and more durable option than iron. Concerns about lead poisoning contributed to the creation of the United States Environmental Protection Agency's (USEPA) Safe Drinking Water Act (SDWA) in 1986. The SDWA prohibited the use of pipes, solder or flux that were not "lead free" in public water systems or plumbing in facilities providing water for human consumption. At the time "lead free" was defined as solder and flux with no more than 0.2% lead and pipes with no more than 8% lead content.

In 1991, the USEPA published the Lead and Copper Rule (LCR) which regulates the concentration of lead and copper permitted in public drinking water by regularly sampling at the consumer's tap. The LCR established an action level of 15.0 parts per billion (ppb) for lead based on the 90th percentile level of tap water samples. This means that no more than 10 percent of samples can be above the action level. The action level is the concentration of lead in tap water which, if exceeded, triggers treatment or other requirements that a water system must follow. If lead levels are found above the action levels, it does not signal a violation but can trigger additional requirements.

1.2 Regulatory Background

In 2021, the Illinois General Assembly found and declared that there is no safe level of exposure to lead, as found by the USEPA and the Centers for Disease Control and Prevention. Furthermore, water service lines composed of lead can convey this harmful substance to the drinking water supply. According to the Illinois Environmental Protection Agency (IEPA), the State of Illinois is estimated to have over 680,000 lead-based service lines still in operation. The true number of lead service lines is not fully known because Illinois lacks an adequate inventory of lead service lines. Thus, the Illinois General Assembly concluded that for the general health, safety and welfare of its residents, all lead service lines in Illinois should be disconnected from the drinking water supply, and the State's drinking water supply.

As a result, the General Assembly passed the Lead Service Line Replacement and Notification Act (LSLRNA) (Public Act 102-0613), and Governor Pritzker signed the Act with an effective date of January 1, 2022. The Act is referenced as 415 ILCS 5/17.12 throughout this report. The purpose of the Act is to require the owners and operators of community water supplies to:

- develop, implement, and maintain a comprehensive water service line material inventory;
- develop, implement, and maintain a comprehensive lead service line replacement plan;
- provide notice to occupants of potentially affected buildings before any construction or repair work on water mains or lead service lines and request access to potentially affected buildings before replacing lead service lines; and,
- prohibit partial lead service line replacements, except as authorized by the Act.



1.3 Material Inventory (415 ILCS 5/17.12(g-h))

The requirements for the comprehensive water service line material inventory include the identification of:

- (1) the total number of service lines connected to the community water supply's distribution system;
- (2) the materials of construction of each service line connected to the community water supply's distribution system;
- (3) the number of suspected lead service lines that were newly identified in the material inventory for the community water supply after the community water supply last submitted a service line inventory to the Agency; and
- (4) the number of suspected or known lead service lines that were replaced after the community water supply last submitted a service line inventory to the Agency, and the material of the service line that replaced each lead service line.

When identifying the materials of construction under paragraph (2) above, the owner or operator of the community water supply shall to the best of the owner's or operator's ability identify the type of construction material used on the customer's side of the curb box, meter, or other line of demarcation and the community water supply's side of the curb box, meter, or other line of demarcation (see Exhibit 1-1).

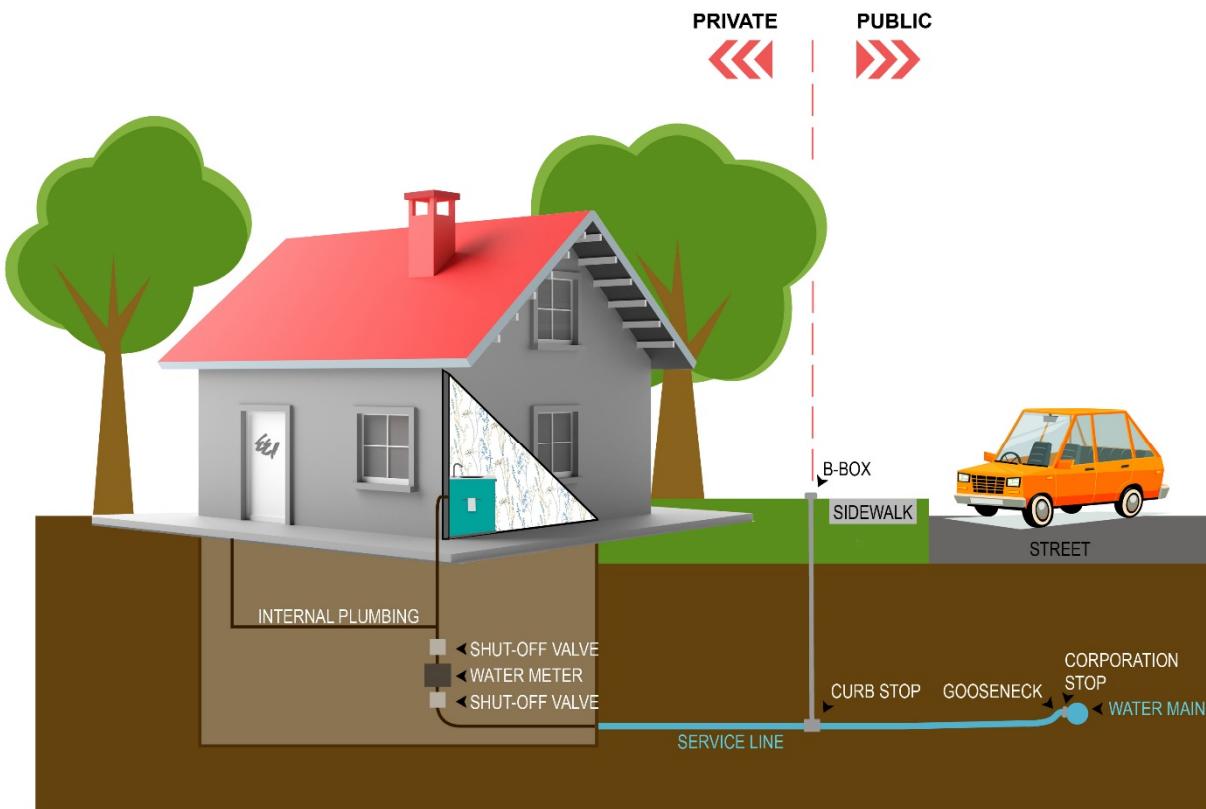
In addition, the owner or operator of a community water supply is required to:

- (1) prioritize inspections of high-risk areas identified by the community water supply and inspections of high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, and confirm service line materials in those areas and at those facilities;
- (2) review historical documentation, such as construction logs or cards, as-built drawings, purchase orders, and subdivision plans, to determine service line material construction;
- (3) when conducting distribution system maintenance, visually inspect service lines and document materials of construction;
- (4) identify any time period when the service lines being connected to its distribution system were primarily lead service lines, if such a time period is known or suspected; and
- (5) discuss service line repair and installation with its employees, contractors, plumbers, other workers who worked on service lines connected to its distribution system, or all the above.



Figure 1-1. Typical Water Service Line Diagram

Relative components of water service from the main to the internal water piping.



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1.4 Lead Service Line Replacement Plan (415 ILCS 5/17.12(p-q))

Every owner or operator of a community water supply that has known or suspected lead service lines to:

- (1) create a plan to:
 - (A) replace each lead service line connected to its distribution system; and
 - (B) replace each galvanized service line connected to its distribution system, if the galvanized service line is or was connected downstream to lead piping; and,
- (2) electronically submit, by April 15, 2024, its initial lead service line replacement plan to the Agency;
- (3) electronically submit by April 15 of each year after 2024 until April 15, 2027, an updated lead service line replacement plan to the Agency for review; the updated replacement plan shall account for changes in the number of lead service lines or unknown service lines in the material inventory;
- (4) electronically submit by April 15, 2027, a complete and final replacement plan to the Agency for approval; the complete and final replacement plan shall account for all known and suspected lead service lines documented in the final material inventory; and
- (5) post on its website a copy of the plan most recently submitted to the Agency or may request that the Agency post a copy of that plan on the Agency's website.

The lead service line replacement plan must include the following:

- (1) the name and identification number of the community water supply;
- (2) the total number of service lines connected to the distribution system of the community water supply;
- (3) the total number of suspected lead service lines connected to the distribution system of the community water supply;
- (4) the total number of known lead service lines connected to the distribution system of the community water supply;
- (5) the total number of lead service lines connected to the distribution system of the community water supply that have been replaced each year beginning in 2020;
- (6) a proposed lead service line replacement schedule that includes one-year, 5-year, 10-year, 15-year, 20-year, 25-year, and 30-year goals;



- (7) an analysis of costs and financing options for replacing the lead service lines connected to the community water supply's distribution system, which shall include, but shall not be limited to:
 - (A) a detailed accounting of costs associated with replacing lead service lines and galvanized lines that are or were connected downstream to lead piping;
 - (B) measures to address affordability and prevent service shut-offs for customers or ratepayers; and
 - (C) consideration of different scenarios for structuring payments between the utility and its customers over time; and
- (8) a plan for prioritizing high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, as well as high-risk areas identified by the community water supply;
- (9) a map of the areas where lead service lines are expected to be found and the sequence with which those areas will be inventoried and lead service lines replaced;
- (10) measures for how the community water supply will inform the public of the plan and provide opportunity for public comment; and,
- (11) measures to encourage diversity in hiring in the workforce required to implement the plan.



2 Lead Service Line Replacement Plan

2.1 Overview of Community Water System

The Village of Clarendon Hills (PWS ID No. IL0430250) provides water to approximately 3,000 residential and business customers. The source of the Village's drinking water supply is treated surface water from Lake Michigan, which is purchased from the DuPage Water Commission. Also, the Village maintains two emergency backup wells. The water system components are specifically designed and operated to provide safe, reliable, and affordable water to serve a population of approximately 8,700 based on 2020 Census Data.

The Village's water system consists of 2 water towers with a storage capacity of 0.75 million gallons and 1 ground storage tank with a storage capacity of 0.5 million gallons. The Village also maintains 30 miles of water main and has 2 emergency interconnections with the Village of Westmont and the Village of Willowbrook.

2.2 Material Inventory Summary, 415 ILCS 5/17.12(q)(1)-(5)

The Village has completed the required material inventory and submitted it to the IEPA every year. However, the 2022 inventory is not available on the IEPA website. A summary of the material inventories is presented in Table 2-1. The Village has continually reviewed historical documentation, as-built drawings, subdivision plans, and made observations in the field to determine service line material construction. As a result, the accuracy and detail of the inventory have improved over time.

The Village utilizes the Illinois EPA Lead Service Line Inventory Template as the basis for its LSL Material Inventory. The most current version of the Village's Material Inventory will be posted on the Village's website. In addition, the Village maintains a Geographic Information System (GIS) based database. Maps showing the location of the composition of water service lines in the Village have been developed and updated.



Table 2-1. Lead Service Line Inventory Summary

The information in this table reflects the Lead Service Line Inventory submitted annually to the Illinois EPA by the Village of Clarendon Hills.

| | 2024 | 2023 | 2022 | 2021** | 2020 |
|---|-------|-------|-------|--------|-------|
| Wholesale Connections | 0 | 0 | 0 | | 0 |
| Retail Connections | 2,757 | 2,761 | 2,786 | | 2,825 |
| Lead | 139 | 112 | 68 | | 70 |
| Copper/Lead Solder | 0 | 2,501 | 2,344 | | 2,365 |
| Copper/Non-Lead Solder | 2,536 | 0 | 0 | | 0 |
| Galvanized* | | 35 | 10 | | 0 |
| Galvanized Requiring Replacement | 14 | | | | |
| Galvanized Not Requiring Replacement | | | | | |
| Plastic | 0 | 0 | 0 | | 0 |
| Unknown Material | 47 | 94 | 346 | | 361 |
| Unknown Not Lead | 0 | 0 | 0 | | 0 |
| Cast/Ductile Iron or Transite | 21 | 19 | 18 | | 29 |
| Service Lead Replaced | | | | | |

* In 2023, "Galvanized" is no longer a requested field. Instead, it has been split into "Galvanized Required Replacement" and "Galvanized Not Requiring Replacement". If a galvanized service is or has ever been connected downstream to lead, it should be classified as "Galvanized Requiring Replacement".

** The Village was not required to submit the LSL inventory in 2021.

2.3 LSL Replacement Goals (q)(6)

The Village of Clarendon Hills has 2,757 service lines based on the most updated inventory. The Village is actively replacing the Village-owned portion of the water service lines when lead is encountered during water main construction, maintenance, or repair operations. The private portion of the service line was replaced with a home remodel, teardown, or homeowner initiative. The residents are notified as required by the Act and encouraged to replace the water service line if it is lead.

The Village has developed a schedule compliant with 415 ILCS 5/17.12 for replacing the known and suspected LSLs connected to the Village's distribution system as presented in Table 2-2. The table lists the number of LSLs expected to be replaced beginning in 2027 as required by the Act. The number of known (139 Lead and 14 GRR) and suspected (47 Unknown) LSLs in the Village's material inventory as of March 31, 2025, was 200. The Village replaces lead service lines on an emergency repair basis only, so for the purposes of this report it is assumed there will be 200 LSLs at the end of 2026. According to the requirements of the Act (Subsection (v)) because the Village estimates it will have less than 1,200 lead services at the end of 2026, the Village will be required to replace at least 7% of their LSLs annually beginning in 2027. This requirement equates



to the Village being required to replace approximately 14 LSLs per year (approximately 7% of 200 known and suspected LSLs) for 14 years and 3 LSLs in the 15th year. However, the Village plans to replace more than 7% annually and expects to be lead-free sooner than 15 years as shown in Table 2-2.

Table 2-2. Lead Service Line Replacement Schedule

Planned replacement of Lead Service Lines to meet the regulatory requirement to replace at least 7% of LSLs per year beginning in 2027.

| Years After Final Plan | Reporting Year | Submittal Date | Number of LSLs | | |
|------------------------|----------------|----------------|----------------|-------------|--------|
| | | | Beginning | Replaced | Ending |
| | 2020 | 4/15/2021 | | Not Tracked | 241 |
| | 2021 | 4/15/2022 | | Not Tracked | 241 |
| | 2022 | 4/15/2023 | | Not Tracked | 241 |
| | 2023 | 4/15/2024 | | Not Tracked | 241 |
| | 2024 | 4/15/2025 | | 41 | 200 |
| | 2025 | 4/15/2026 | | | |
| | 2026 | 4/15/2027 | | | |
| 1 | 2027 | 4/15/2028 | 200 | 15 | 189 |
| 2 | 2028 | 4/15/2029 | 189 | 14 | 175 |
| 3 & 4 | 2029-2030 | 4/15/2030 | 175 | 43 | 132 |
| 5 | 2031 | 4/15/2031 | 132 | 18 | 114 |
| 6 | 2032 | 4/15/2032 | 114 | 17 | 97 |
| 7 | 2033 | 4/15/2033 | 97 | 14 | 83 |
| 8 | 2034 | 4/15/2034 | 83 | 15 | 68 |
| 9 & 10 | 2035-2036 | 4/15/2035 | 68 | 30 | 34 |
| 11 & 12 | 2037-2038 | 4/15/2036 | 34 | 34 | 0 |
| 13 | 2039 | 4/15/2037 | 0 | 0 | 0 |
| 14 | 2040 | 4/15/2038 | 0 | 0 | 0 |
| 15 | 2041 | 4/15/2039 | 0 | 0 | 0 |

Key: Italicized numbers are planned



2.4 Financial Analysis (q)(7)

There are several factors that control the cost associated with replacing lead service lines including cost of materials, construction methods, availability of qualified contractors, demand, and competition. Although these factors will certainly change over the next 20 years, the Village has made a good faith effort to estimate the cost of replacing lead service lines. Recognizing the uncertainty of future costs warrants adding a contingency to the cost estimates. The uncertainty in estimating future costs is relatively high. Therefore, it is recommended that a 30% contingency be added to the best estimate of cost.

The Village has developed the following estimated costs for lead service line replacement:

- Public side (water main to shut-off valve): Up to \$5,000
- Private side (shut-off valve to water meter): Up to \$10,000

2.4.1 Affordability

The current policy of the Village regarding the replacement of lead service lines is based on the Needs-Based Payment Program. The Village Board made a policy directive that persons providing financial hardship be afforded a payment plan to be reimbursed for the cost of replacing the private portion of the water service line. The Village is not currently pursuing any low interest loans through IEPA and does not have any plans to pursue such loans. The Village will not seek water service shut-offs due to missed payments.

2.5 Prioritizing High Risk Facilities (q)(8)

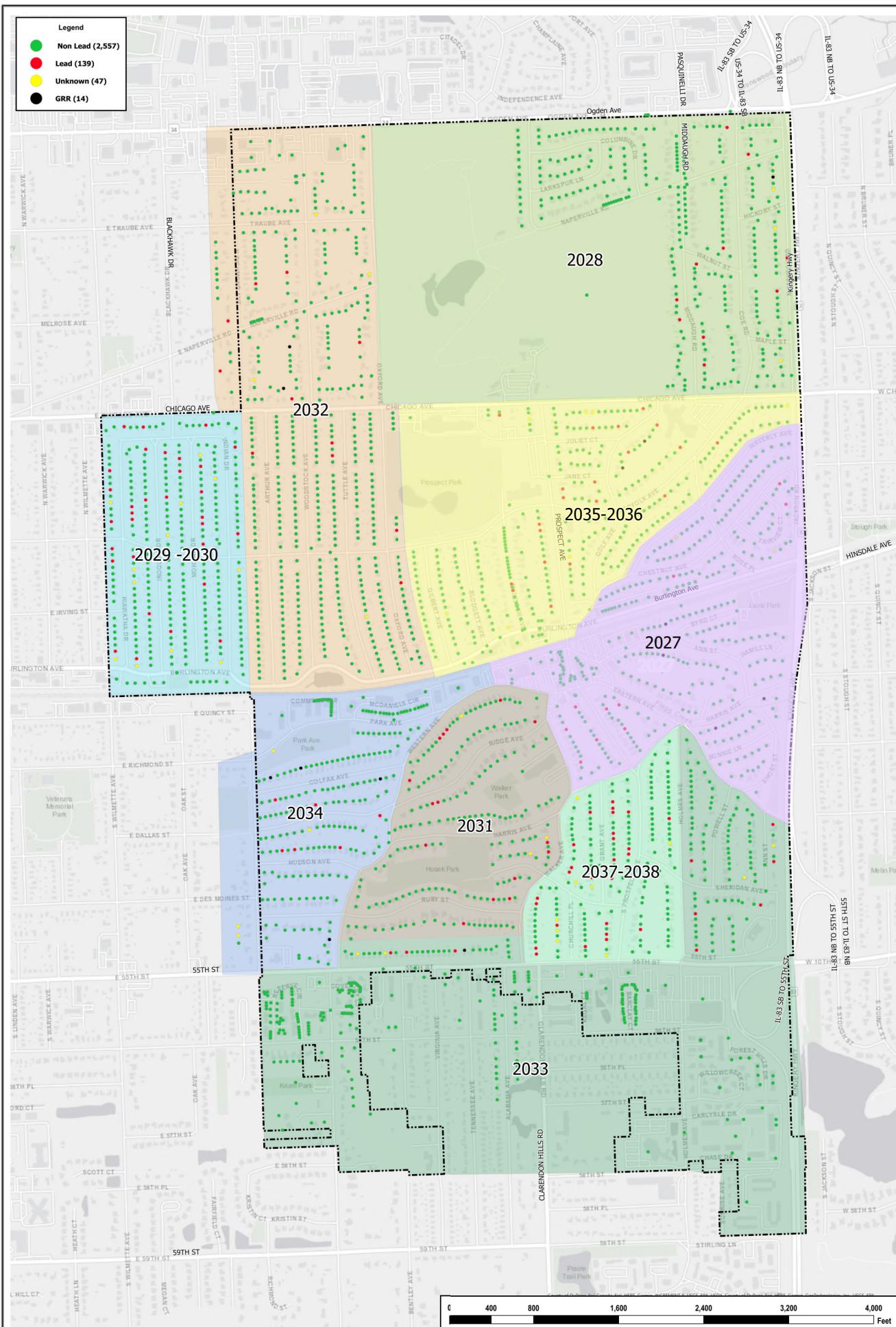
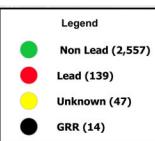
The Village recognizes that some facilities, such as preschools, daycare centers, daycare homes, group daycare homes, parks, playgrounds, and clinics, may represent an increase in lead exposure to children, who are the most susceptible to the effects of lead. According to the Centers for Disease Control and Prevention, children less than six years old are at a higher risk of lead exposure. This is because their bodies are rapidly developing and more susceptible to taking in lead if exposed.

Although the Village has sought to identify lead service lines that serve such facilities, to date the Village has not identified any such facilities as having lead service lines.

2.6 Service Line Replacement Map (q)(9)

The map presented as Exhibit 2-1 shows the approximate locations of the LSLs that will be replaced as presented in Table 2-2. The areas for replacement were determined based on upcoming street resurfacing and water main replacement work. The first LSLs project area will be replaced beginning in 2027 (Year 1). The remaining areas will be progressing until all LSLs have been replaced in 2038. There are several factors that may require modifying the areas identified in Exhibit 2-1. Therefore, the map will be updated annually based on updated information and will include at least replacing 7% of the LSLs annually.





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PCN: 0420
P/N: M/L
PATH: HGS/PUBLIC/CLARENDRHILL2021
FILE: 20210311000000000000

LSLR PROGRAM
VILLAGE OF CLARENDON HILLS, ILLINOIS

EXHIBIT 2-1
MATERIAL SERVICE LINE
INVENTORY MAP



2.7 Public Engagement (q)(10) and (p)(5)

The Village of Clarendon Hills Public Works Department will present the Lead Service Line Replacement Plan to the Village Board during a regular Committee-of-the-Whole meeting. The Plan will be included in the meeting agenda packet and residents will be given an opportunity to comment on the Plan during the meeting.

In addition, the Village will post the Plan on its website. The posting will provide instructions on how residents can submit comments regarding the Plan to the Public Works Department. Comments received will be considered during the implementation or future updates of the Plan.

2.8 Construction (q)(11)

2.8.1 Measures to Encourage Diversity in Hiring the Workforce

The Village will comply with 415 ILCS 5/17.12(n) by demonstrating a good faith effort in using contractors and vendors owned by minority persons, women, and persons with a disability for not less than 20% of the total contracts awarded through its General Conditions for Requests for Proposals. The clauses from the contract documents for Village's previous projects are provided in Appendix B as an example of diversity encouragement.

2.8.2 Procedure for Conducting Full Lead Service Line Replacement

Prior to replacement, the Village will provide door hangers to all impacted residents that state a temporary water shutoff will be occurring as a result of LSLR work. A business card from a staff member of Public Works will also be provided so any additional questions can be addressed. An example door hanger and business card are provided in Appendix C.

When conducting LSLR, the Village will utilize one of the three common methods: open cut excavation, trenchless methods, or pipe pulling/pipe splitting. The exact method of replacement will vary depending on site restraints or equipment available.

Open cut excavation is a conventional approach that requires the saw cutting and/or breaking of service materials and excavation of soil from the corporation stop at the water main along the entire length of the service line to be replaced. In this technique, precautions must be taken since other underground utilities may not have been properly located. The excavation equipment employed in the open-cut replacement method shall be appropriately scaled to accommodate the entire depth of the hole. Safety measures shall be implemented concerning both the resident's property and any nearby pedestrian and/or vehicular traffic. Upon proper exposure and identification of the service line, the existing pipe shall be disconnected from the main as well as the private side of the connection. The new service line shall properly connect to the main and private side and the new material shall meet the requirements of the Safe Drinking Water Act and other federal regulations for potable water systems. Select bedding and/or designated fill material, in conjunction with the surface treatment, shall be placed to comply with all applicable requirements. The new service line placement shall reduce or eliminate the possibility of settling beyond the allowable limit along the excavation path.

A trenchless lead service line replacement involves the use of equipment to install a new service line in a new location while abandoning the old pipe in place in the ground. Trenchless methods



require minimal excavation, and typically only two access pits are required to be excavated: one at the water main to make the new connection, and one at the property line to install the new curb stop. Additional access pits may be required, but typically excavation is kept to a minimum and no open cutting is required along the new service line. In order to accomplish this, various machines can be used including horizontal directional drills, where a machine drills the path of the new water service from the point of connection through the foundation, or a pneumatic hammer where the machine creates pulses to move underground creating the path for the new water service. With both of these machines, the new water service pipe is pulled back through the new path to set the service in place. Soil conditions may dictate which machine is viable, and open cutting may be required if bedrock is encountered. Trenchless methods are not viable options in every service line replacement instance.

Two additional methods of replacing lead service lines without cutting an open trench are pipe pulling or pipe splitting. Pipe pulling removes and extracts the existing pipe while simultaneously replacing it with a new pipe, and pipe splitting leaves the existing pipe in the ground but enables the new pipe to be installed along the original route as it splits open the original pipe. Both methods require access pits to be excavated at the curb stop and the water main and also for the service line to be disconnected at the point of replacement. A cable is fed through the existing service line and a mechanical device is attached to the cable at one end. For pipe pulling, the mechanical device serves as an anchor and the lead pipe is removed from the ground when the cable is pulled. New replacement pipe is attached to the mechanical device and pulled into the ground simultaneously. With pipe splitting, the mechanical device attaches to the replacement pipe and the cable pulls the new pipe within the old one, splitting it open and depositing the new pipe along the original route. These methods are easy to use and less invasive, but soil conditions and pipe conditions such as bends or encrustation can act as impediments to straightforward replacement.

In the event of an emergency repair where a partial service replacement is being completed (either main to b-box or b-box to meter) and lead is discovered on the other side of the service, additional measures must be taken to ensure compliance. Currently, regulations do not allow for partial replacements, so if the remainder of the lead service to be removed is on the private side, the resident will either have to allow for the replacement of the private side of the service or sign a waiver indicating they are opting out of the program. Removal of the remaining lead service line must be completed within 30 days of the initial repair or partial replacement of the lead service line. The Village will also supply the residents with drinking water filters certified to NSF/ANSI 53 and NSF/ANSI 42 standards for the reduction of lead and particulate.

After the replacement of the lead service, the line must be properly flushed, and the resident(s) notified of the replacement. Notification must also be provided to the IDPH if a full lead service line replacement could not be completed due to refusal of entry or denial by the property owner.



Appendix A

Lead Service Line Replacement and Notification Act





Public Act 102-0613

Section 1. This Act may be referred to as the Lead Service Line Replacement and Notification Act.

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-870 as follows:

(20 ILCS 605/605-870 new)

Sec. 605-870. Low-income water assistance policy and program.

Subsection (a)

The Department shall by rule establish a comprehensive low-income water assistance policy and program that incorporates financial assistance and includes, but is not limited to, water efficiency or water quality projects, such as lead service line replacement, or other measures to ensure that residents have access to affordable and clean water. The policy and program shall not jeopardize the ability of public utilities, community water supplies, or other entities to receive just compensation for providing services. The resources applied in achieving the policy and program shall be coordinated and efficiently used through the integration of public programs and through the targeting of assistance. The rule or rules shall be adopted within 180 days after receiving an appropriation for the program.

Subsection(b)

Any person who is a resident of the State and whose household income is not greater than an amount determined annually by the Department may apply for assistance under this Section in accordance with rules adopted by the Department. In setting the annual eligibility level, the Department shall consider the amount of available funding and may not set a limit higher than 150% of the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).

Subsection (c)

Applicants who qualify for assistance under subsection (b) shall, subject to appropriation from the General Assembly and availability of funds by the Department, receive assistance as provided under this Section. The Department, upon receipt of moneys authorized under this Section for assistance, shall commit funds for each qualified applicant in an amount determined by the Department. In determining the amounts of assistance to be provided to or on behalf of a qualified applicant the Department shall ensure that the highest amounts of assistance go to households with the greatest water costs in relation to household income. The Department may consider factors such as water costs, household size, household income, and region of the State when determining individual household benefits. In adopting rules for the administration of this Section, the Department shall ensure that a minimum of one-third of the funds for the program are available for benefits to eligible households with the lowest incomes and that elderly households, households with persons with disabilities, and households with children under 6 years of age are offered a priority application period.

Subsection (d)

Application materials for the program shall be made available in multiple languages.

Section 10. The State Finance Act is amended by adding Section 5.938 as follows:

(30 ILCS 105/5.938 new)

Sec. 5.938. The Lead Service Line Replacement Fund.

Section 15. The Environmental Protection Act is amended by adding Section 17.12 as follows:

(415 ILCS 5/17.12 new)

Sec. 17.12. Lead service line replacement and notification.

Subsection (a)

The purpose of this Act is to: (1) require the owners and operators of community water supplies to develop, implement, and maintain a comprehensive water service line material inventory and a comprehensive lead service line replacement plan, provide notice to occupants of potentially affected buildings before any construction or repair work on water mains or lead service lines, and request access to potentially affected buildings before replacing lead service lines; and (2) prohibit partial lead service line replacements, except as authorized within this Section.

Subsection (b)

The General Assembly finds and declares that:

- (1) There is no safe level of exposure to heavy metal lead, as found by the United States Environmental Protection Agency and the Centers for Disease Control and Prevention.
- (2) Lead service lines can convey this harmful substance to the drinking water supply.
- (3) According to the Illinois Environmental Protection Agency's 2018 Service Line Material Inventory, the State of Illinois is estimated to have over 680,000 lead-based service lines still in operation.
- (4) The true number of lead service lines is not fully known because Illinois lacks an adequate inventory of lead service lines.
- (5) For the general health, safety and welfare of its residents, all lead service lines in Illinois should be disconnected from the drinking water supply, and the State's drinking water supply.

Subsection (c)

In this Section:

"Advisory Board" means the Lead Service Line Replacement Advisory Board created under subsection (x).

"Community water supply" has the meaning ascribed to it in Section 3.145 of this Act.

"Department" means the Department of Public Health.

"Emergency repair" means any unscheduled water main, water service, or water valve repair or replacement that results from failure or accident.

"Fund" means the Lead Service Line Replacement Fund created under subsection (bb).

"Lead service line" means a service line made of lead or service line connected to a lead pigtail, lead gooseneck, or other lead fitting.

"Material inventory" means a water service line material inventory developed by a community water supply under this Act.

"Noncommunity water supply" has the meaning ascribed to it in Section 3.145 of the Environmental Protection Act.

"NSF/ANSI Standard" means a water treatment standard developed by NSF International.

"Partial lead service line replacement" means replacement of only a portion of a lead service line.

"Potentially affected building" means any building that is provided water service through a service line that is either a lead service line or a suspected lead service line.

"Public water supply" has the meaning ascribed to it in Section 3.365 of this Act.

"Service line" means the piping, tubing, and necessary appurtenances acting as a conduit from the water main or source of potable water supply to the building plumbing at the first shut-off valve or 18 inches inside the building, whichever is shorter.

"Suspected lead service line" means a service line that a community water supply finds more likely than not to be made of lead after completing the requirements under paragraphs (2) through (5) of subsection (h).

"Small system" means a community water supply that regularly serves water to 3,300 or fewer persons.

[Subsection \(d\) – Initial and complete material inventory](#)

An owner or operator of a community water supply shall:

- (1) develop an initial material inventory by April 15, 2022 and electronically submit by April 15, 2023 an updated material inventory electronically to the Agency; and
- (2) deliver a complete material inventory to the Agency no later than April 15, 2024, or such time as required by federal law, whichever is sooner. The complete inventory shall report the composition of all service lines in the community water supply's distribution system.

[Subsection \(e\) – Agency review of final inventory](#)

The Agency shall review and approve the final material inventory to it under subsection (d).

[Subsection \(f\) – Inventory extension](#)

If a community water supply does not submit a complete inventory to the Agency by April 15, 2024 under paragraph (2) of subsection (d), the community water supply may apply for an extension to the Agency no less than 3 months prior to the due date. The Agency shall develop criteria for granting material inventory extensions. When considering requests for extension, the Agency shall, at a minimum, consider:

- (1) The number of service connections in a water supply; and
- (2) The number of service lines of an unknown material composition.

Subsection (g) – Material inventory requirements

A material inventory prepared for a CWS under subsection (d) shall identify:

- (1) the total number of service lines connected to the community water supply's distribution system;
- (2) the materials of construction of each service line connected to the community water supply's distribution system;
- (3) the number of suspected lead service lines that were newly identified in the material inventory for the community water supply after the community water supply last submitted a service line inventory to the Agency; and
- (4) the number of suspected or known lead service lines that were replaced after the community water supply last submitted a service line inventory to the Agency, and the material of the service line that replaced each lead service line.

When identifying the materials of construction under paragraph (2) of this subsection, the owner or operator of the community water supply shall to the best of the owner's or operator's ability identify the type of construction material used on the customer's side of the curb box, meter, or other line of demarcation and the community water supply's side of the curb box, meter, or other line of demarcation.

Subsection (h) – Completing the material inventory

In completing a material inventory under subsection (d), the owner or operator of a community water supply shall:

- (1) prioritize inspections of high-risk areas identified by the community water supply and inspections of high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, and confirm service line materials in those areas and at those facilities;
- (2) review historical documentation, such as construction logs or cards, as-built drawings, purchase orders, and subdivision plans, to determine service line material construction;
- (3) when conducting distribution system maintenance, visually inspect service lines and document materials of construction;
- (4) identify any time period when the service lines being connected to its distribution system were primarily lead service lines, if such a time period is known or suspected; and
- (5) discuss service line repair and installation with its employees, contractors, plumbers, other workers who worked on service lines connected to its distribution system, or all of the above.

Subsection (i) – Homeowner refusal to identify service line

The owner or operator of each community water supply shall maintain records of persons who refuse to grant access to the interior of a building for purposes of identifying the materials of construction of a service line. If a community water supply has been denied access on the property or to the interior of a building for that reason, then the community water supply shall attempt to identify the service line as a suspected lead service line, unless documentation is provided showing otherwise.

Subsection (j) – LSL identification notification

If a community water supply identifies a lead service line connected to a building, the owner or operator of the community water supply shall attempt to notify the owner of the building and all occupants of the building of the existence of the lead service line within 15 days after identifying the lead service line, or

as soon as is reasonably possible thereafter. Individual written notice shall be given according to the provisions of subsection (jj).

[Subsection \(k\) – Service lines disconnected from distribution system](#)

An owner or operator of a community water supply has no duty to include in the material inventory required under subsection (d) information about service lines that are physically disconnected from a water main in its distribution system.

[Subsection \(l\) – Posting the material inventory](#)

The owner or operator of each community water supply shall post on its website a copy of the most recently submitted material inventory or alternatively may request that the Agency post a copy of that material inventory on the Agency's website.

[Subsection \(m\) – No requirement to unearth while inventorying](#)

Nothing in this Section shall be construed to require service lines to be unearthed for the sole purpose of inventorying.

[Subsection \(n\) – DBE efforts](#)

When an owner or operator of a community water supply awards a contract under this Section, the owner or operator shall make a good faith effort to use contractors and vendors owned by minority persons, women, and persons with a disability, as those terms are defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, for not less than 20% of the total contracts, provided that:

- (1) contracts representing at least 11% of the total projects shall be awarded to minority-owned businesses, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act;
- (2) contracts representing at least 7% of the total projects shall be awarded to women-owned businesses, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act; and
- (3) contracts representing at least 2% of the total projects shall be awarded to businesses owned by persons with a disability.

Owners or operators of a community water supply are encouraged to divide projects, whenever economically feasible, into contracts of smaller size that ensure small business contractors or vendors shall have the ability to qualify in the applicable bidding process, when determining the ability to deliver on a given contract based on scope and size, as a responsible and responsive bidder.

When a contractor or vendor submits a bid or letter of intent in response to a request for proposal or other bid submission, the contractor or vendor shall include with its responsive documents a utilization plan that shall address how compliance with applicable good faith requirements set forth in this subsection shall be addressed.

Under this subsection, "good faith effort" means a community water supply has taken all necessary steps to comply with the goals of this subsection by complying with the following:

- (1) Soliciting through reasonable and available means the interest of a business, as defined in Section 2 of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act,

that have the capability to perform the work of the contract. The community water supply must solicit this interest within sufficient time to allow certified businesses to respond.

- (2) Providing interested certified businesses with adequate information about the plans, specifications, and requirements of the contract, including addenda, in a timely manner to assist them in responding to the solicitation.
- (3) Meeting in good faith with interested certified businesses that have submitted bids.
- (4) Effectively using the services of the State, minority or women community organizations, minority or women contractor groups, local, State, and federal minority or women business assistance offices, and other organizations to provide assistance in the recruitment and placement of certified businesses.
- (5) Making efforts to use appropriate forums for purposes of advertising subcontracting opportunities suitable for certified businesses.

The diversity goals defined in this subsection can be met through direct award to diverse contractors and through the use of diverse subcontractors and diverse vendors to contracts.

Subsection (o)

An owner or operator of a community water supply shall collect data necessary to ensure compliance with subsection (n) no less than semi-annually and shall include progress toward compliance of subsection (n) in the owner or operator's report required under subsection (t-5). The report must include data on vendor and employee diversity, including data on the owner's or operator's implementation of subsection (n).

Subsection (p) - Plan

Every owner or operator of a community water supply that has known or suspected lead service lines shall:

- (1) Create a plan to:
 - (A) replace each lead service line connected to its distribution system; and
 - (B) replace each galvanized service line connected to its distribution system, if the galvanized service line is or was connected downstream to lead piping; and
- (2) electronically submit, by April 15, 2024 its initial lead service line replacement plan to the Agency;
- (3) electronically submit by April 15 of each year after 2024 until April 15, 2027 an updated lead service line replacement plan to the Agency for review; the updated replacement plan shall account for changes in the number of lead service lines or unknown service lines in the material inventory described in subsection (d);
- (4) electronically submit by April 15, 2027 a complete and final replacement plan to the Agency for approval; the complete and final replacement plan shall account for all known and suspected lead service lines documented in the final material inventory described under paragraph (3) of subsection (d); and
- (5) post on its website a copy of the plan most recently submitted to the Agency or may request that the Agency post a copy of that plan on the Agency's website.

Subsection (q)

Each plan required under paragraph (1) of subsection (p) shall include the following:

- (1) the name and identification number of the community water supply;
- (2) the total number of service lines connected to the distribution system of the community water supply;
- (3) the total number of suspected lead service lines connected to the distribution system of the community water supply;
- (4) the total number of known lead service lines connected to the distribution system of the community water supply;
- (5) the total number of lead service lines connected to the distribution system of the community water supply that have been replaced each year beginning in 2020;
- (6) a proposed lead service line replacement schedule that includes one-year, 5-year, 10-year, 15-year, 20-year, 25-year, and 30-year goals;
- (7) an analysis of costs and financing options for replacing the lead service lines connected to the community water supply's distribution system, which shall include, but shall not be limited to:
 - (A) a detailed accounting of costs associated with replacing lead service lines and galvanized lines that are or were connected downstream to lead piping;
 - (B) measures to address affordability and prevent service shut-offs for customers or ratepayers; and
 - (C) consideration of different scenarios for structuring payments between the utility and its customers over time; and
- (8) a plan for prioritizing high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, as well as high-risk areas identified by the community water supply;
- (9) a map of the areas where lead service lines are expected to be found and the sequence with which those areas will be inventoried and lead service lines replaced;
- (10) measures for how the community water supply will inform the public of the plan and provide opportunity for public comment; and
- (11) measures to encourage diversity in hiring in the workforce required to implement the plan as identified under subsection (n).

Subsection (r)

The Agency shall review final plans submitted to it under subsection (p). The Agency shall approve a final plan if the final plan includes all of the elements set forth under subsection (q) and the Agency determines that:

- (1) the proposed lead service line replacement schedule set forth in the plan aligns with the timeline requirements set forth under subsection (v);
- (2) the plan prioritizes the replacement of lead service lines that provide water service to high-risk facilities, such as preschools, day care centers, day care homes, group day care homes, parks, playgrounds, hospitals, and clinics, and high-risk areas identified by the community water supply;
- (3) the plan includes analysis of cost and financing options; and
- (4) the plan provides documentation of public review.

Subsection (s)

An owner or operator of a community water supply has no duty to include in the plans required under subsection (p) information about service lines that are physically disconnected from a water main in its distribution system.

Subsection (t)

If a community water supply does not deliver a complete plan to the Agency by April 15, 2027, the community water supply may apply to the Agency for an extension no less than 3 months prior to the due date. The Agency shall develop criteria for granting plan extensions. When considering requests for extension, the Agency shall, at a minimum, consider:

- (1) the number of service connections in a water supply; and
- (2) the number of service lines of an unknown material composition.

(t-5)

After the Agency has approved the final replacement plan described in subsection (p), the owner or operator of a community water supply shall submit a report detailing progress toward plan goals to the Agency for its review. The report shall be submitted annually for the first 10 years, and every 3 years thereafter until all lead service lines have been replaced. Reports under this subsection shall be published in the same manner described in subsection (l). The report shall include at least the following information as it pertains to the preceding reporting period:

- (1) The number of lead service lines replaced and the average cost of lead service line replacement.
- (2) Progress toward meeting hiring requirements as described in subsection (n) and subsection (o).
- (3) The percent of customers electing a waiver offered, as described in subsections (ii) and (jj), among those customers receiving a request or notification to perform a lead service line replacement.
- (4) The method or methods used by the community water supply to finance lead service line replacement.

Subsection (u)

Notwithstanding any other provision of law, in order to provide for costs associated with lead service line remediation and replacement, the corporate authorities of a municipality may, by ordinance or resolution by the corporate authorities, exercise authority provided in Section 27-5 of the Property Tax Code and Sections 8-3-1, 8-11-1, 8-11-5, 8-11-6, 9-1-1 et seq., 9-3-1 et seq., 9-4-1 et seq., 11-131-1, and 11-150-1 of the Illinois Municipal Code. Taxes levied for this purpose shall be in addition to taxes for general purposes authorized under Section 8-3-1 of the Illinois Municipal Code and shall be included in the taxing district's aggregate extension for the purposes of Division 5 of Article 18 of the Property Tax Code.

Subsection (v)

Every owner or operator of a community water supply shall replace all known lead service lines, subject to the requirements of subsection (ff), according to the following replacement rates and timelines to be calculated from the date of submission of the final replacement plan to the Agency:

- (1) A community water supply reporting 1,200 or fewer lead service lines in its final inventory and replacement plan shall replace all lead service lines, at an annual rate of no less than 7% of the amount described in the final inventory, with a timeline of up to 15 years for completion.
- (2) A community water supply reporting more than 1,200 but fewer than 5,000 lead service lines in its final inventory and replacement plan shall replace all lead service lines, at an annual rate of no less than 6% of the amount described in the final inventory, with a timeline of up to 17 years for completion.
- (3) A community water supply reporting more than 4,999 but fewer than 10,000 lead service lines in its final inventory and replacement plan shall replace all lead service lines, at an annual rate of no less than 5% of the amount described in the final inventory, with a timeline of up to 20 years for completion.
- (4) A community water supply reporting more than 9,999 but fewer than 99,999 lead service lines in its final inventory and replacement plan shall replace all lead service lines, at an annual rate of no less than 3% of the amount described in the final inventory, with a timeline of up to 34 years for completion.
- (5) A community water supply reporting more than 99,999 lead service lines in its final inventory and replacement plan shall replace all lead service lines, at an annual rate of no less than 2% of the amount described in the final inventory, with a timeline of up to 50 years for completion.

Subsection (w)

A community water supply may apply to the Agency for an extension to the replacement timelines described in paragraphs (1) through (5) of subsection (v). The Agency shall develop criteria for granting replacement timeline extensions. When considering requests for timeline extensions, the Agency shall, at a minimum, consider:

- (1) the number of service connections in a water supply; and
- (2) unusual circumstances creating hardship for a community.

The Agency may grant one extension of additional time equal to not more than 20% of the original replacement timeline, except in situations of extreme hardship in which the Agency may consider a second additional extension equal to not more than 10% of the original replacement timeline.

Replacement rates and timelines shall be calculated from the date of submission of the final plan to the Agency.

Subsection (x)

The Lead Service Line Replacement Advisory Board is created within the Agency. The Advisory Board shall convene within 120 days after the effective date of this amendatory Act of the 102nd General Assembly.

The Advisory Board shall consist of at least 28 voting members, as follows:

- (1) the Director of the Agency, or his or her designee, who shall serve as chairperson;
- (2) the Director of Revenue, or his or her designee;
- (3) the Director of Public Health, or his or her designee;
- (4) fifteen members appointed by the Agency as follows:

- (A) one member representing a statewide organization of municipalities as authorized by Section 1-8-1 of the Illinois Municipal Code;
- (B) two members who are mayors representing municipalities located in any county south of the southernmost county represented by one of the 10 largest municipalities in Illinois by population, or their respective designees;
- (C) two members who are representatives from public health advocacy groups;
- (D) two members who are representatives from publicly-owned water utilities;
- (E) one member who is a representative from a public utility as defined under Section 3-105 of the Public Utilities Act that provides water service in the State of Illinois;
- (F) one member who is a research professional employed at an Illinois academic institution and specializing in water infrastructure research;
- (G) two members who are representatives from nonprofit civic organizations;
- (H) one member who is a representative from a statewide organization representing environmental organizations;
- (I) two members who are representatives from organized labor; and
- (J) one member representing an environmental justice organization; and

(5) ten members who are the mayors of the 10 largest municipalities in Illinois by population, or their respective designees.

No less than 10 of the 28 voting members shall be persons of color, and no less than 3 shall represent communities defined or self-identified as environmental justice communities.

Advisory Board members shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their duties from funds appropriated for that purpose. The Agency shall provide administrative support to the Advisory Board.

The Advisory Board shall meet no less than once every 6 months.

Subsection (y)

The Advisory Board shall have, at a minimum, the following duties:

- (1) advising the Agency on best practices in lead service line replacement;
- (2) reviewing the progress of community water supplies toward lead service line replacement goals;
- (3) advising the Agency on other matters related to the administration of the provisions of this Section;
- (4) advising the Agency on the integration of existing lead service line replacement plans with any statewide plan; and
- (5) providing technical support and practical expertise in general.

Subsection (z)

Within 18 months after the effective date of this amendatory Act of the 102nd General Assembly, the Advisory Board shall deliver a report of its recommendations to the Governor and the General Assembly concerning opportunities for dedicated, long-term revenue options for funding lead service line replacement. In submitting recommendations, the Advisory Board shall consider, at a minimum, the following:

- (1) the sufficiency of various revenue sources to adequately fund replacement of all lead service lines in Illinois;
- (2) the financial burden, if any, on households falling below 150% of the federal poverty limit;
- (3) revenue options that guarantee low-income households are protected from rate increases;
- (4) an assessment of the ability of community water supplies to assess and collect revenue;
- (5) variations in financial resources among individual households within a service area; and
- (6) the protection of low-income households from rate increases.

Subsection (aa)

Within 10 years after the effective date of this amendatory Act of the 102nd General Assembly, the Advisory Board shall prepare and deliver a report to the Governor and General Assembly concerning the status of all lead service line replacement within the State.

Subsection (bb)

The Lead Service Line Replacement Fund is created as a special fund in the State treasury to be used by the Agency for the purposes provided under this Section. The Fund shall be used exclusively to finance and administer programs and activities specified under this Section and listed under this subsection.

The objective of the Fund is to finance activities associated with identifying and replacing lead service lines, build Agency capacity to oversee the provisions of this Section, and provide related assistance for the activities listed under this subsection.

The Agency shall be responsible for the administration of the Fund and shall allocate moneys on the basis of priorities established by the Agency through administrative rule. On July 1, 2022 and on July 1 of each year thereafter, the Agency shall determine the available amount of resources in the Fund that can be allocated to the activities identified under this Section and shall allocate the moneys accordingly.

Notwithstanding any other law to the contrary, the Lead Service Line Replacement Fund is not subject to sweeps, administrative charge-backs, or any other fiscal maneuver that would in any way transfer any amounts from the Lead Service Line Replacement Fund into any other fund of the State.

Subsection (cc)

Within one year after the effective date of this amendatory Act of the 102 General Assembly, the Agency shall design rules for a program for the purpose of administering lead service line replacement funds. The rules must, at minimum, contain:

- (1) the process by which community water supplies may apply for funding; and
- (2) the criteria for determining unit of local government eligibility and prioritization for funding, including the prevalence of low-income households, as measured by median household income, the prevalence of lead service lines, and the prevalence of water samples that demonstrate elevated levels of lead.

Subsection (dd)

Funding under subsection (cc) shall be available for costs directly attributable to the planning, design, or construction directly related to the replacement of lead service lines and restoration of property.

Funding shall not be used for the general operating expenses of a municipality or community water supply.

Subsection (ee)

An owner or operator of any community water supply receiving grant funding under subsection (cc) shall bear the entire expense of full lead service line replacement for all lead service lines in the scope of the grant.

Subsection (ff)

When replacing a lead service line, the owner or operator of the community water supply shall replace the service line in its entirety, including, but not limited to, any portion of the service line (i) running on private property and (ii) within the building's plumbing at the first shut-off valve. Partial lead service line replacements are expressly prohibited. Exceptions shall be made under the following circumstances:

- (1) In the event of an emergency repair that affects a lead service line or a suspected lead service line, a community water supply must contact the building owner to begin the process of replacing the entire service line. If the building owner is not able to be contacted or the building owner or occupant refuses to grant access and permission to replace the entire service line at the time of the emergency repair, then the community water supply may perform a partial lead service line replacement. Where an emergency repair on a service line constructed of lead or galvanized steel pipe results in a partial service line replacement, the water supply responsible for commencing the repair shall perform the following:
 - (A) Notify the building's owner or operator and the resident or residents served by the lead service line in writing that a repair has been completed. The notification shall include, at a minimum:
 - (i) a warning that the work may result in sediment, possibly containing lead, in the buildings water supply system;
 - (ii) information concerning practices for preventing the consumption of any lead in drinking water, including a recommendation to flush water distribution pipe during and after the completion of the repair or replacement work and to clean faucet aerator screens; and
 - (iii) information regarding the dangers of lead to young children and pregnant women.
 - (B) Provide filters for at least one fixture supplying potable water for consumption. The filter must be certified by an accredited third-party certification body to NSF/ANSI 53 and NSF/ANSI 42 for the reduction of lead and particulate. The filter must be provided until such time that the remaining portions of the service line have been replaced with a material approved by the Department or a waiver has been issued under subsection (ii).
 - (C) Replace the remaining portion of the lead service line within 30 days of the repair, or 120 days in the event of weather or other circumstances beyond reasonable control that prohibits construction. If a complete lead service line replacement cannot be made within the required period, the community water supply responsible for commencing the repair shall notify the Department in writing, at a minimum, of the following within 24 hours of the repair:
 - (i) an explanation of why it is not feasible to replace the remaining portion of the lead service line within the allotted time; and
 - (ii) a timeline for when the remaining portion of the lead service line will be replaced.

- (D) If complete repair of a lead service line cannot be completed due to denial by the property owner, the community water supply commencing the repair shall request the affected property owner to sign a waiver developed by the Department. If a property owner of a nonresidential building or residence operating as rental properties denies a complete lead service line replacement, the property owner shall be responsible for installing and maintaining point-of-use filters certified by an accredited third-party certification body to NSF/ANSI 53 and NSF/ANSI 42 for the reduction of lead and particulate at all fixtures intended to supply water for the purposes of drinking, food preparation, or making baby formula. The filters shall continue to be supplied by the property owner until such time that the property owner has affected the remaining portions of the lead service line to be replaced.
- (E) Document any remaining lead service line, including a portion on the private side of the property, in the community water supply's distribution system materials inventory required under subsection (d).

For the purposes of this paragraph (1), written notice shall be provided in the method and according to the provisions of subsection (jj).

- (2) Lead service lines that are physically disconnected from the distribution system are exempt from this subsection.

Subsection (gg)

Except as provided in subsection (hh), on and after January 1, 2022, when the owner or operator of a community water supply replaces a water main, the community water supply shall identify all lead service lines connected to the water main and shall replace the lead service lines by:

- (1) identifying the material or materials of each lead service line connected to the water main, including, but not limited to, any portion of the service line (i) running on private property and (ii) within the building plumbing at the first shut-off valve or 18 inches inside the building, whichever is shorter;
- (2) in conjunction with replacement of the water main, replacing any and all portions of each lead service line connected to the water main that are composed of lead; and
- (3) if a property owner or customer refuses to grant access to the property, following prescribed notice provisions as outlined in subsection (ff).

If an owner of a potentially affected building intends to replace a portion of a lead service line or a galvanized service line and the galvanized service line is or was connected downstream to lead piping, then the owner of the potentially affected building shall provide the owner or operator of the community water supply with notice at least 45 days before commencing the work. In the case of an emergency repair, the owner of the potentially affected building must provide filters for each kitchen area that are certified by an accredited third-party certification body to NSF/ANSI 53 and NSF/ANSI 42 for the reduction of lead and particulate. If the owner of the potentially affected building notifies the owner or operator of the community water supply that replacement of a portion of the lead service line after the emergency repair is completed, then the owner or operator of the community water supply shall replace the remainder of the lead service line within 30 days after completion of the emergency repair. A community water supply may take up to 120 days if necessary due to weather conditions. If a

replacement takes longer than 30 days, filters provided by the owner of the potentially affected building must be replaced in accordance with the manufacturer's recommendations. Partial lead service line replacements by the owners of potentially affected buildings are otherwise prohibited.

Subsection (hh)

For municipalities with a population in excess of 1,000,000 inhabitants, the requirements of subsection (gg) shall commence on January 1, 2023.

Subsection (ii)

At least 45 days before conducting planned lead service line replacement, the owner or operator of a community water supply shall, by mail, attempt to contact the owner of the potentially affected building serviced by the lead service line to request access to the building and permission to replace the lead service line in accordance with the lead service line replacement plan. If the owner of the potentially affected building does not respond to the request within 15 days after the request is sent, the owner or operator of the community water supply shall attempt to post the request on the entrance of the potentially affected building.

If the owner or operator of a community water supply is unable to obtain approval to access and replace a lead service line, the owner or operator of the community water supply shall request that the owner of the potentially affected building sign a waiver. The waiver shall be developed by the Department and should be made available in the owner's language. If the owner of the potentially affected building refuses to sign the waiver or fails to respond to the community water supply after the community water supply has complied with this subsection, then the community water supply shall notify the Department in writing within 15 working days.

Subsection (jj)

When replacing a lead service line or repairing or replacing water mains with lead service lines or partial lead service lines attached to them, the owner or operator of a community water supply shall provide the owner of each potentially affected building that is serviced by the affected lead service lines or partial lead service lines, as well as the occupants of those buildings, with an individual written notice. The notice shall be delivered by mail or posted at the primary entranceway of the building. The notice may, in addition, be electronically mailed. Written notice shall include, at a minimum, the following:

- (1) a warning that the work may result in sediment, possibly containing lead from the service line, in the building's water;
- (2) information concerning the best practices for preventing exposure to or risk of consumption of lead in drinking water, including a recommendation to flush water lines during and after the completion of the repair or replacement work and to clean faucet aerator screens; and
- (3) information regarding the dangers of lead exposure to young children and pregnant women.

When the individual written notice described in the first paragraph of this subsection is required as a result of planned work other than the repair or replacement of a water meter, the owner or operator of the community water supply shall provide the notice not less than 14 days before work begins. When the individual written notice described in the first paragraph of this subsection is required as a result of emergency repairs other than the repair or replacement of a water meter, the owner or operator of the community water supply shall provide the notice at the time the work is initiated. When the individual

written notice described in the first paragraph of this subsection is required as a result of the repair or replacement of a water meter, the owner or operator of the community water supply shall provide the notice at the time the work is initiated.

The notifications required under this subsection must contain the following statement in the Spanish, Polish, Chinese, Tagalog, Arabic, Korean, German, Urdu, and Gujarati: "This notice contains important information about your water service and may affect your rights. We encourage you to have this notice translated in full into a language you understand and before you make any decisions that may be required under this notice."

An owner or operator of a community water supply that is required under this subsection to provide an individual written notice to the owner and occupant of a potentially affected building that is a multi-dwelling building may satisfy that requirement and the requirements of this subsection regarding notification to non-English speaking customers by posting the required notice on the primary entranceway of the building and at the location where the occupant's mail is delivered as reasonably as possible.

When this subsection would require the owner or operator of a community water supply to provide an individual written notice to the entire community served by the community water supply or would require the owner or operator of a community water supply to provide individual written notices as a result of emergency repairs or when the community water supply that is required to comply with this subsection is a small system, the owner or operator of the community water supply may provide the required notice through local media outlets, social media, or other similar means in lieu of providing the individual written notices otherwise required under this subsection.

No notifications are required under this subsection for work performed on water mains that are used to transmit treated water between community water supplies and properties that have no service connections.

Subsection (kk)

No community water supply that sells water to any wholesale or retail consecutive community water supply may pass on any costs associated with compliance with this Section to consecutive systems.

Subsection (ll)

To the extent allowed by law, when a community water supply replaces or installs a lead service line in a public right-of-way or enters into an agreement with a private contractor for replacement or installation of a lead service line, the community water supply shall be held harmless for all damage to property when replacing or installing the lead service line. If dangers are encountered that prevent the replacement of the lead service line, the community water supply shall notify the Department within 15 working days of why the replacement of the lead service line could not be accomplished.

Subsection (mm)

The Agency may propose to the Board, and the Board may adopt, any rules necessary to implement and administer this Section. The Department may adopt rules necessary to address lead service lines attached to noncommunity water supplies.

Subsection (nn)

Notwithstanding any other provision in this Section, no requirement in this Section shall be construed as being less stringent than existing applicable federal requirements.

Subsection (oo)

All lead service line replacements financed in whole or in part with funds obtained under this Section shall be considered public works for purposes of the Prevailing Wage Act.

Appendix B

Disadvantaged Business Enterprise Participation

From Contract Documents



DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION (BDE)

Effective: September 1, 2000

Revised: March 2, 2019

FEDERAL OBLIGATION. The Department of Transportation, as a recipient of federal financial assistance, is required to take all necessary and reasonable steps to ensure nondiscrimination in the award and administration of contracts. Consequently, the federal regulatory provisions of 49 CFR Part 26 apply to this contract concerning the utilization of disadvantaged business enterprises. For the purposes of this Special Provision, a disadvantaged business enterprise (DBE) means a business certified by the Department in accordance with the requirements of 49 CFR Part 26 and listed in the Illinois Unified Certification Program (IL UCP) DBE Directory.

STATE OBLIGATION. This Special Provision will also be used by the Department to satisfy the requirements of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act, 30 ILCS 575. When this Special Provision is used to satisfy state law requirements on 100 percent state-funded contracts, the federal government has no involvement in such contracts (not a federal-aid contract) and no responsibility to oversee the implementation of this Special Provision by the Department on those contracts. DBE participation on 100 percent state-funded contracts will not be credited toward fulfilling the Department's annual overall DBE goal required by the US Department of Transportation to comply with the federal DBE program requirements.

CONTRACTOR ASSURANCE. The Contractor makes the following assurance and agrees to include the assurance in each subcontract the Contractor signs with a subcontractor.

The Contractor, subrecipient, or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of contracts funded in whole or in part with federal or state funds. Failure by the Contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (a) Withholding progress payments;
- (b) Assessing sanctions;
- (c) Liquidated damages; and/or
- (d) Disqualifying the Contractor from future bidding as non-responsible.

OVERALL GOAL SET FOR THE DEPARTMENT. As a requirement of compliance with 49 CFR Part 26, the Department has set an overall goal for DBE participation in its federally assisted contracts. That goal applies to all federal-aid funds the Department will expend in its federally assisted contracts for the subject reporting fiscal year. The Department is required to make a

good faith effort to achieve the overall goal. The dollar amount paid to all approved DBE companies performing work called for in this contract is eligible to be credited toward fulfillment of the Department's overall goal.

CONTRACT GOAL TO BE ACHIEVED BY THE CONTRACTOR. This contract includes a specific DBE utilization goal established by the Department. The goal has been included because the Department has determined the work of this contract has subcontracting opportunities that may be suitable for performance by DBE companies. The determination is based on an assessment of the type of work, the location of the work, and the availability of DBE companies to do a part of the work. The assessment indicates, in the absence of unlawful discrimination and in an arena of fair and open competition, DBE companies can be expected to perform % of the work. This percentage is set as the DBE participation goal for this contract. Consequently, in addition to the other award criteria established for this contract, the Department will only award this contract to a bidder who makes a good faith effort to meet this goal of DBE participation in the performance of the work. A bidder makes a good faith effort for award consideration if either of the following is done in accordance with the procedures set for in this Special Provision:

- | (a) The bidder documents enough DBE participation has been obtained to meet the goal or,
- | (b) The bidder documents a good faith effort has been made to meet the goal, even though the effort did not succeed in obtaining enough DBE participation to meet the goal.

DBE LOCATOR REFERENCES. Bidders shall consult the IL UCP DBE Directory as a reference source for DBE-certified companies. In addition, the Department maintains a letting and item specific DBE locator information system whereby DBE companies can register their interest in providing quotes on particular bid items advertised for letting. Information concerning DBE companies willing to quote work for particular contracts may be obtained by contacting the Department's Bureau of Small Business Enterprises at telephone number (217) 785-4611, or by visiting the Department's website at:

<http://www.idot.illinois.gov/doing-business/certifications/disadvantaged-business-enterprise-certification/il-ucp-directory/index>

BIDDING PROCEDURES. Compliance with this Special Provision is a material bidding requirement and failure of the bidder to comply will render the bid not responsive.

The bidder shall submit a DBE Utilization Plan (form SBE 2026), and a DBE Participation Statement (form SBE 2025) for each DBE company proposed for the performance of work to achieve the contract goal, with the bid. If the Utilization Plan indicates the contract goal will not be met, documentation of good faith efforts shall also be submitted. The documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor is selected over a DBE for work on the contract. The required forms and documentation must be submitted as a single .pdf file using the "Integrated Contractor Exchange (iCX)" application within the Department's "EBids System".

The Department will not accept a Utilization Plan if it does not meet the bidding procedures set forth herein and the bid will be declared not responsive. In the event the bid is declared not responsive, the Department may elect to cause the forfeiture of the penal sum of the bidder's proposal guaranty and may deny authorization to bid the project if re-advertised for bids.

GOOD FAITH EFFORT PROCEDURES. The contract will not be awarded until the Utilization Plan is approved. All information submitted by the bidder must be complete, accurate and adequately document enough DBE participation has been obtained or document the good faith efforts of the bidder, in the event enough DBE participation has not been obtained, before the Department will commit to the performance of the contract by the bidder. The Utilization Plan will be approved by the Department if the Utilization Plan documents sufficient commercially useful DBE work to meet the contract goal or the bidder submits sufficient documentation of a good faith effort to meet the contract goal pursuant to 49 CFR Part 26, Appendix A. This means the bidder must show that all necessary and reasonable steps were taken to achieve the contract goal. Necessary and reasonable steps are those which, by their scope, intensity and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not successful. The Department will consider the quality, quantity, and intensity of the kinds of efforts the bidder has made. Mere *pro forma* efforts, in other words efforts done as a matter of form, are not good faith efforts; rather, the bidder is expected to have taken genuine efforts that would be reasonably expected of a bidder actively and aggressively trying to obtain DBE participation sufficient to meet the contract goal.

- (a) The following is a list of types of action that the Department will consider as part of the evaluation of the bidder's good faith efforts to obtain participation. These listed factors are not intended to be a mandatory checklist and are not intended to be exhaustive. Other factors or efforts brought to the attention of the Department may be relevant in appropriate cases and will be considered by the Department.
 - (1) Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBE companies that have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBE companies to respond to the solicitation. The bidder must determine with certainty if the DBE companies are interested by taking appropriate steps to follow up initial solicitations.
 - (2) Selecting portions of the work to be performed by DBE companies in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the Contractor might otherwise prefer to perform these work items with its own forces.
 - (3) Providing interested DBE companies with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.

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(4) a. Negotiating in good faith with interested DBE companies. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBE companies that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBE companies to perform the work.

b. A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBE companies is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Also the ability or desire of a bidder to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Bidders are not, however, required to accept higher quotes from DBE companies if the price difference is excessive or unreasonable. In accordance with the above Bidding Procedures, the documentation of good faith efforts must include copies of each DBE and non-DBE subcontractor quote submitted to the bidder when a non-DBE subcontractor was selected over a DBE for work on the contract.

(5) Not rejecting DBE companies as being unqualified without sound reasons based on a thorough investigation of their capabilities. The bidder's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the bidder's efforts to meet the project goal.

(6) Making efforts to assist interested DBE companies in obtaining bonding, lines of credit, or insurance as required by the recipient or Contractor.

(7) Making efforts to assist interested DBE companies in obtaining necessary equipment, supplies, materials, or related assistance or services.

(8) Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBE companies.

(b) If the Department determines the bidder has made a good faith effort to secure the work commitment of DBE companies to meet the contract goal, the Department will award the contract provided it is otherwise eligible for award. If the Department determines the

bidder has failed to meet the requirements of this Special Provision or that a good faith effort has not been made, the Department will notify the responsible company official designated in the Utilization Plan that the bid is not responsive. The notification will also include a statement of reasons for the adverse determination. If the Utilization Plan is not approved because it is deficient as a technical matter, unless waived by the Department, the bidder will be notified and will be allowed no more than a five calendar day period to cure the deficiency.

- (c) The bidder may request administrative reconsideration of an adverse determination by emailing the Department at "DOT.DBE.UP@illinois.gov" within the five calendar days after the receipt of the notification of the determination. The determination shall become final if a request is not made on or before the fifth calendar day. A request may provide additional written documentation or argument concerning the issues raised in the determination statement of reasons, provided the documentation and arguments address efforts made prior to submitting the bid. The request will be reviewed by the Department's Reconsideration Officer. The Reconsideration Officer will extend an opportunity to the bidder to meet in person to consider all issues of documentation and whether the bidder made a good faith effort to meet the goal. After the review by the Reconsideration Officer, the bidder will be sent a written decision within ten working days after receipt of the request for reconsideration, explaining the basis for finding that the bidder did or did not meet the goal or make adequate good faith efforts to do so. A final decision by the Reconsideration Officer that a good faith effort was made shall approve the Utilization Plan submitted by the bidder and shall clear the contract for award. A final decision that a good faith effort was not made shall render the bid not responsive.

CALCULATING DBE PARTICIPATION. The Utilization Plan values represent work anticipated to be performed and paid for upon satisfactory completion. The Department is only able to count toward the achievement of the overall goal and the contract goal the value of payments made for the work actually performed by DBE companies. In addition, a DBE must perform a commercially useful function on the contract to be counted. A commercially useful function is generally performed when the DBE is responsible for the work and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. The Department and Contractor are governed by the provisions of 49 CFR Part 26.55(c) on questions of commercially useful functions as it affects the work. Specific counting guidelines are provided in 49 CFR Part 26.55, the provisions of which govern over the summary contained herein.

- (a) DBE as the Contractor: 100 percent goal credit for that portion of the work performed by the DBE's own forces, including the cost of materials and supplies. Work that a DBE subcontracts to a non-DBE does not count toward the DBE goals.
- (b) DBE as a joint venture Contractor: 100 percent goal credit for that portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work performed by the DBE's own forces.

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 - (c) DBE as a subcontractor: 100 percent goal credit for the work of the subcontract performed by the DBE's own forces, including the cost of materials and supplies, excluding the purchase of materials and supplies or the lease of equipment by the DBE subcontractor from the Contractor or its affiliates. Work that a DBE subcontractor in turn subcontracts to a non-DBE does not count toward the DBE goal.
 - (d) DBE as a trucker: 100 percent goal credit for trucking participation provided the DBE is responsible for the management and supervision of the entire trucking operation for which it is responsible. At least one truck owned, operated, licensed, and insured by the DBE must be used on the contract. Credit will be given for the following:
 - (1) The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract.
 - (2) The DBE may also lease trucks from a non-DBE firm, including from an owner-operator. The DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement.
 - (e) DBE as a material supplier:
 - (1) 60 percent goal credit for the cost of the materials or supplies purchased from a DBE regular dealer.
 - (2) 100 percent goal credit for the cost of materials or supplies obtained from a DBE manufacturer.
 - (3) 100 percent credit for the value of reasonable fees and commissions for the procurement of materials and supplies if not a DBE regular dealer or DBE manufacturer.

CONTRACT COMPLIANCE. Compliance with this Special Provision is an essential part of the contract. The Department is prohibited by federal regulations from crediting the participation of a DBE included in the Utilization Plan toward either the contract goal or the Department's overall goal until the amount to be applied toward the goals has been paid to the DBE. The following administrative procedures and remedies govern the compliance by the Contractor with the contractual obligations established by the Utilization Plan. After approval of the Utilization Plan and award of the contract, the Utilization Plan and individual DBE Participation Statements become part of the contract. If the Contractor did not succeed in obtaining enough DBE participation to achieve the advertised contract goal, and the Utilization Plan was approved and contract awarded based upon a determination of good faith, the total dollar value of DBE work calculated in the approved Utilization Plan as a percentage of the awarded contract value shall become the amended contract goal. All work indicated for performance by an approved DBE shall be performed, managed, and supervised by the DBE executing the DBE Participation Commitment Statement.

- (a) **NO AMENDMENT**. No amendment to the Utilization Plan may be made without prior written approval from the Department's Bureau of Small Business Enterprises. All requests for amendment to the Utilization Plan shall be emailed to the Department at DOT.DBEP.UP@illinois.gov.
- (b) **CHANGES TO WORK**. Any deviation from the DBE condition-of-award or contract plans, specifications, or special provisions must be approved, in writing, by the Department as provided elsewhere in the Contract. The Contractor shall notify affected DBEs in writing of any changes in the scope of work which result in a reduction in the dollar amount condition-of-award to the contract. Where the revision includes work committed to a new DBE subcontractor, not previously involved in the project, then a Request for Approval of Subcontractor, Department form BC 260A or AER 260A, must be signed and submitted. If the commitment of work is in the form of additional tasks assigned to an existing subcontract, a new Request for Approval of Subcontractor will not be required. However, the Contractor must document efforts to assure the existing DBE subcontractor is capable of performing the additional work and has agreed in writing to the change.
- (c) **SUBCONTRACT**. The Contractor must provide copies of DBE subcontracts to the Department upon request. Subcontractors shall ensure that all lower tier subcontracts or agreements with DBEs to supply labor or materials be performed in accordance with this Special Provision.
- (d) **ALTERNATIVE WORK METHODS**. In addition to the above requirements for reductions in the condition of award, additional requirements apply to the two cases of Contractor-initiated work substitution proposals. Where the contract allows alternate work methods which serve to delete or create underruns in condition of award DBE work, and the Contractor selects that alternate method or, where the Contractor proposes a substitute work method or material that serves to diminish or delete work committed to a DBE and replace it with other work, then the Contractor must demonstrate one of the following:
 - (1) The replacement work will be performed by the same DBE (as long as the DBE is certified in the respective item of work) in a modification of the condition of award; or
 - (2) The DBE is aware its work will be deleted or will experience underruns and has agreed in writing to the change. If this occurs, the Contractor shall substitute other work of equivalent value to a certified DBE or provide documentation of good faith efforts to do so; or
 - (3) The DBE is not capable of performing the replacement work or has declined to perform the work at a reasonable competitive price. If this occurs, the Contractor shall substitute other work of equivalent value to a certified DBE or provide documentation of good faith efforts to do so.

(e) TERMINATION AND REPLACEMENT PROCEDURES. The Contractor shall not terminate or replace a DBE listed on the approved Utilization Plan, or perform with other forces work designated for a listed DBE except as provided in this Special Provision. The Contractor shall utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the Contractor obtains the Department's written consent as provided in subsection (a) of this part. Unless Department consent is provided for termination of a DBE subcontractor, the Contractor shall not be entitled to any payment for work or material unless it is performed or supplied by the DBE in the Utilization Plan.

As stated above, the Contractor shall not terminate or replace a DBE subcontractor listed in the approved Utilization Plan without prior written consent. This includes, but is not limited to, instances in which the Contractor seeks to perform work originally designated for a DBE subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm. Written consent will be granted only if the Bureau of Small Business Enterprises agrees, for reasons stated in its concurrence document, that the Contractor has good cause to terminate or replace the DBE firm. Before transmitting to the Bureau of Small Business Enterprises any request to terminate and/or substitute a DBE subcontractor, the Contractor shall give notice in writing to the DBE subcontractor, with a copy to the Bureau, of its intent to request to terminate and/or substitute, and the reason for the request. The Contractor shall give the DBE five days to respond to the Contractor's notice. The DBE so notified shall advise the Bureau and the Contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why the Bureau should not approve the Contractor's action. If required in a particular case as a matter of public necessity, the Bureau may provide a response period shorter than five days.

For purposes of this paragraph, good cause includes the following circumstances:

- (1) The listed DBE subcontractor fails or refuses to execute a written contract;
- (2) The listed DBE subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the DBE subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the Contractor;
- (3) The listed DBE subcontractor fails or refuses to meet the Contractor's reasonable, nondiscriminatory bond requirements;
- (4) The listed DBE subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;
- (5) The listed DBE subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant 2 CFR Parts 180, 215 and 1200 or applicable state law.

- | (6) The Contractor has determined the listed DBE subcontractor is not a responsible contractor;
- | (7) The listed DBE subcontractor voluntarily withdraws from the projects and provides written notice to the Contractor of its withdrawal;
- | (8) The listed DBE is ineligible to receive DBE credit for the type of work required;
- | (9) A DBE owner dies or becomes disabled with the result that the listed DBE subcontractor is unable to complete its work on the contract;
- | (10) Other documented good cause that compels the termination of the DBE subcontractor. Provided, that good cause does not exist if the Contractor seeks to terminate a DBE it relied upon to obtain the contract so that the Contractor can self-perform the work for which the DBE contractor was engaged or so that the Contractor can substitute another DBE or non-DBE contractor after contract award.

When a DBE is terminated or fails to complete its work on the Contract for any reason, the Contractor shall make a good faith effort to find another DBE to substitute for the original DBE to perform at least the same amount of work under the contract as the terminated DBE to the extent needed to meet the established Contract goal. The good faith efforts shall be documented by the Contractor. If the Department requests documentation under this provision, the Contractor shall submit the documentation within seven days, which may be extended for an additional seven days if necessary at the request of the Contractor. The Department will provide a written determination to the Contractor stating whether or not good faith efforts have been demonstrated.

- | (f) **FINAL PAYMENT**. After the performance of the final item of work or delivery of material by a DBE and final payment therefore to the DBE by the Contractor, but not later than 30 calendar days after payment has been made by the Department to the Contractor for such work or material, the Contractor shall submit a DBE Payment Agreement on Department form SBE 2115 to the Resident Engineer. If full and final payment has not been made to the DBE, the DBE Payment Agreement shall indicate whether a disagreement as to the payment required exists between the Contractor and the DBE or if the Contractor believes the work has not been satisfactorily completed. If the Contractor does not have the full amount of work indicated in the Utilization Plan performed by the DBE companies indicated in the Utilization Plan and after good faith efforts are reviewed, the Department may deduct from contract payments to the Contractor the amount of the goal not achieved as liquidated and ascertained damages. The Contractor may request an administrative reconsideration of any amount deducted as damages pursuant to subsection (h) of this part.
- | (g) **ENFORCEMENT**. The Department reserves the right to withhold payment to the Contractor to enforce the provisions of this Special Provision. Final payment shall not be

made on the contract until such time as the Contractor submits sufficient documentation demonstrating achievement of the goal in accordance with this Special Provision or after liquidated damages have been determined and collected.

| (h) RECONSIDERATION. Notwithstanding any other provision of the contract, including but not limited to Article 109.09 of the Standard Specifications, the Contractor may request administrative reconsideration of a decision to deduct the amount of the goal not achieved as liquidated damages. A request to reconsider shall be delivered to the Contract Compliance Section and shall be handled and considered in the same manner as set forth in paragraph (c) of "Good Faith Effort Procedures" of this Special Provision, except a final decision that a good faith effort was not made during contract performance to achieve the goal agreed to in the Utilization Plan shall be the final administrative decision of the Department. The result of the reconsideration process is not administratively appealable to the U.S. Department of Transportation.

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Appendix C

Door Hanger and Business Card Examples



The Village of Clarendon Hills is making improvements to the potable water system near your home. In order to safely make these repairs, it is necessary for the Village to turn the water system off in your area. The Village apologizes for this inconvenience and will do its best to make the repairs as quickly as possible.

The shutdown on your block is scheduled for:

Date: 3/6/24

Time: 9:00 a.m.- 1:00p.m.???

Type of Repair: Valve

Location: Coventry ct. and Western ave

Addresses impacted: 326-388 Coventry .

- Emergency
- Non-emergency

Please note that the installation time may be longer than stated above if unexpected issues arise. The Village's Public Works staff will try to keep you informed if the work is expected to take longer than stated.

Following completion of the repairs, water in your home *may* have a rust color. This coloration should clear after running cold water for a few minutes. Please avoid doing laundry until the color has dissipated. There is no danger to the quality of your water.

If you have any questions, please call the Village's Public Works office at 630-286-4750.

Thank you for your cooperation in this matter.

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Lead Information Notice and Drinking Water

Dear Water Customer:

3/5/24

The Village of Clarendon Hills will soon begin a water line construction project that may affect the lead content of your potable water supply. Lead, a metal found in natural deposits, is harmful to human health, especially young children. The most common exposor to lead is swallowing or breathing in lead paint chips and dust. However, lead in drinking water can also be a source of lead exposure. In the past, lead was used in some service lines and household plumbing materials. Lead in water usually occurs through corrosion of plumbing products containing lead; however disruption (construction and maintenance) of lead service lines may also temporarily increase lead levels in the water supply. This disruption may be sometimes caused by water main maintenance/replacement. As of June 19, 1986, new or replaced water service lines and new household plumbing materials could not contain more than 8% lead. Lead content was further reduced on January 4, 2014, when plumbing materials must now be certified as "lead-free" to be used (weighted average of wetted surface cannot be more than 0.25% lead).

The purpose of this notice is for informational purposes only. While it's not known for certain whether or not this particular construction project will adversely affect the lead (if present) plumbing in and outside your home, below describes some information about the project and some preventative measures you can take to help reduce the amount of lead in drinking water.

Project start date: 3/6/24

What can you do to reduce lead exposure in drinking water during the construction project?

- Run your water to flush out lead. Inspect your own plumbing to determine whether or not you have a lead service line.
- If you do *not* have a lead service line, run the cold water for 1-2 minutes at the kitchen tap, this should clear the lead up to that tap. Then fill a container of water and store it in the refrigerator for drinking, cooking and preparing baby formula throughout the day.
- If you do *have* a lead service line, flushing times can vary based on the length of your service line and the plumbing configuration in your home. Flush for at least 3-5 minutes before consuming the cold water.
- Use cold water for drinking, cooking and preparing baby formula. Lead dissolves more easily in hot water.
- Look for alternative sources or treatment of water. You may want to consider purchasing bottled or filtered water.
- Clean and remove debris from aerators and faucets on a regular basis. Purchase lead free components.
- Boiling water will not reduce lead
- Replace your entire lead service line.
- While we do not do lead testing for individual residents, you can have your water tested. Contact Public Works and we will give you some information on laboratories that test for lead. Results above 15 ug/l should not be used by pregnant women, breast feeding woman, young children and formula-fed infants.