STATE OF ILLINOIS
OFFICE OF COMPTROLLER
EXECUTIVE ORDER OF THE COMPTROLLER 19-01

WHEREAS, the Illinois General Assembly passed, and Governor Pritzker signed a robust $45 billion legislative package providing funding and appropriations for the Rebuild Illinois program for public works projects throughout the State of Illinois; and

WHEREAS, the State Comptroller Act (15 ILCS 405) provides that the Illinois State Comptroller shall serve as the chief fiscal control officer of the State of Illinois and further provides that the Comptroller is authorized to review vouchers and other supporting documentation in support of compliance with state laws; and

WHEREAS, state agencies filing contracts and grants with the Illinois Office of Comptroller are required to include a certification from the contractor that it will comply with the Prevailing Wage Act (820 ILCS 130) in performing the contract; and

WHEREAS, the Prevailing Wage Act, as updated by Public Act 100-1177, effective June 1, 2019, now provides for local labor stakeholders to share a larger role in establishing the prevailing rate of wages and that the Department of Labor shall develop and maintain an electronic database to accept and retain certified payrolls related to payment for public works projects under the Prevailing Wage Act; and

WHEREAS, as the State of Illinois embarks on a major public works program for the first time in a decade, and in consideration of the recent statutory changes to the Prevailing Wage Act, this Executive Order reaffirms the Illinois Office of Comptroller's commitment to and role in ensuring compliance with the Prevailing Wage Act on behalf of the workers of Illinois;

THEREFORE, pursuant to the power vested in me as Illinois State Comptroller by the Constitution and laws of the State of Illinois, it is hereby ordered that:

I. Grants and Contracts. The Illinois Office of Comptroller shall not accept the submission of any grant, contract, or any other award by the State of Illinois of any type to finance, in whole or in part, public works projects under the Rebuild Illinois program or other public works projects, unless the grant, contract, or other award includes a certification that the contractor of the public works project is in compliance with the Prevailing Wage Act (820 ILCS 130).

II. Duty to Pre-audit. The Illinois Office of Comptroller shall have the duty to pre-audit or cause to be pre-audited each grant, contract, or other award under the Rebuild Illinois program and other public works projects.

III. Publication. The Illinois Office of Comptroller's official website shall provide information on grants, contracts, and other public works project awards and shall provide a Prevailing Wage Inquiry Form that allows localities, contractors, labor organizations, and other interested parties to submit inquires to the Office.

IV. Receipt of Inquiries. The Illinois State Comptroller's Prevailing Wage Enforcement Officer is designated to receive inquiries from labor organizations or other interested parties regarding the status of a public works contract or grant on file with the Illinois Office of Comptroller and compliance with the Prevailing Wage Act.

V. Review. The Illinois Office of Comptroller, through the Prevailing Wage Enforcement Officer, shall work in collaboration with the Department of Labor and other public works agencies to address inquires that require further review for potential violations of the Prevailing Wage Act.

VI. Other Necessary Action. The Illinois Office of Comptroller shall undertake the appropriate action to inform all state agencies of the requirements promulgated hereunder and shall undertake all necessary action to implement and effectuate this Executive Order.

VII. Applicability. Nothing in this Executive Order shall be interpreted to limit, revoke, rescind, overrule, or supersede the provisions of the Executive Order of the Illinois State Comptroller dated August 29, 2002.

SUSANA A. MENDOZA
Illinois State Comptroller

Dated: August 13, 2019