



STATE OF ILLINOIS
OFFICE OF THE
AUDITOR GENERAL

Frank J. Mautino, Auditor General

SUMMARY REPORT DIGEST

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

State Compliance Examination
For the Two Years Ended December 31, 2024

Release Date: August 26, 2025

FINDINGS THIS AUDIT: 4				AGING SCHEDULE OF REPEATED FINDINGS			
	New	Repeat	Total	Repeated Since	Category 1	Category 2	Category 3
Category 1:	0	0	0	2022		24-3	
Category 2:	3	1	4				
Category 3:	0	0	0				
TOTAL	3	1	4				
FINDINGS LAST AUDIT: 4							

INTRODUCTION

This digest covers the Illinois State Toll Highway Authority's (Tollway) Compliance Examination for the two years ended December 31, 2024. A separate digest covering the Tollway's financial audit for the year ended December 31, 2024 was previously released on July 24, 2025. In total, this report contains 4 findings, none of which were reported in the Financial Audit.

SYNOPSIS

- (24-1) The Tollway failed to comply with the Illinois Procurement Code and the Open Meetings Act.
- (24-2) The Tollway failed to comply with the Public Construction Bonds Act.

Category 1: Findings that are **material weaknesses** in internal control and/or a **qualification** on compliance with State laws and regulations (material noncompliance).

Category 2: Findings that are **significant deficiencies** in internal control and **noncompliance** with State laws and regulations.

Category 3: Findings that have **no internal control issues but are in noncompliance** with State laws and regulations.

FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

FAILURE TO COMPLY WITH THE ILLINOIS PROCUREMENT CODE AND OPEN MEETINGS ACT

The Tollway did not comply with the Illinois Procurement Code and the Open Meetings Act

The Illinois State Toll Highway Authority (the Tollway) failed to comply with the Illinois Procurement Code (Code) and the Open Meetings Act (Act).

Tollway paid \$9,985,437 in damages to settle the lawsuit

The Tollway awarded a contract for \$323,875,273 in relation to a construction project but failed to apply the 4% bid preference provision for Illinois businesses set forth in and required by the Code. Upon recognizing its inadvertent error, the Tollway terminated the contract. Subsequently, pursuant to regular Tollway procedures, the Tollway awarded the contract to another vendor, specifically, the vendor to which the contract should have been awarded in the first instance. As a result of the termination, the vendor to which the contract initially was awarded filed a lawsuit as well as an administrative protest. The Tollway and that vendor settled and resolved said matters for \$32,135,437 of which approximately \$22,150,000 was paid for construction costs already incurred and \$9,985,437 was paid as damages.

The Tollway Board of Directors (Board) approved the settlement of the lawsuit and administrative protest on August 29, 2024. More specifically, after ending the closed session of its August 29, 2024, board meeting, the Board voted to approve the settlement during the live streamed, open session of the meeting. However, before taking that vote, the Board failed to notify members of the public who were attending the meeting in person that it had resumed open session. This failure precluded members of the public who attended the meeting in person from observing the reconvened portion of the board meeting. (Finding 1, pages 8-9)

We recommended the Tollway review all legislative changes affecting the Tollway in a timely manner to mitigate potential instances of noncompliance with state legislation in the future. We also recommended that during board meetings, the Tollway notify members of the public when the board has ended closed session and will be resuming open session.

Tollway agreed with the auditors

Tollway management concurred with the recommendations.

FAILURE TO COMPLY WITH THE PUBLIC CONSTRUCTION BONDS ACT

Need to comply with the Public Construction Bonds Act

The Illinois State Toll Highway Authority (Tollway) failed to comply with the Public Construction Bonds Act.

During our testing of the Public Construction Bonds Act (Act), we noted the Tollway did not publicly display the identities of the sureties providing contract bonds, payment, and performance bonds, or both for its public works contracts. (Finding 2, page 10)

We recommended the Tollway review its procedures to ensure all required information is publicly available in compliance with the Act.

Tollway agreed with the auditors

Tollway management concurred with the recommendation.

OTHER FINDINGS

The remaining findings are reportedly being given attention by the Authority. We will review the Authority's progress towards the implementation of our recommendations in our next compliance examination.

AUDITOR'S OPINION

The auditors stated the financial statements of the Authority as of and for the year ended December 31, 2024, are fairly stated in all material respects.

ACCOUNTANT'S OPINION

The accountants conducted a compliance examination of the Authority for the two years ended December 31, 2024, as required by the Illinois State Auditing Act. The accountants stated the Authority complied, in all material respects, with the specified requirements.

This compliance examination was conducted by CliftonLarsonAllen LLP.

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COURTNEY DZIERWA
Division Director

This report is transmitted in accordance with Section 3-14 of the Illinois State Auditing Act.

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FRANK J. MAUTINO
Auditor General

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