



# CHIEF PROCUREMENT OFFICE

## Art Moore, Capital Development Board

Reference #: 022-010-014

### EMERGENCY PURCHASE STATEMENT / NOTICE OF AWARD

Agency: Capital Development Board Point of Contact: Allison Maxwell-White

Location of Emergency: Appellate Court House - Elgin

Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

### Emergency Purchase Details

Emergency Category (select the appropriate option(s) from the checklist below):

- Involving threat to public health or public safety
- Immediate expenditure is necessary for repairs to State property to protect against further loss or damage
- To prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues
- To insure integrity of State records

Describe the scope of the emergency. Show justification for the need of an emergency contract, the selection of the vendor, and explain why the need for work cannot be met through a competitive process:

The 2nd District Appellate Court Building has a ballasted membrane roof that is leaking in several areas after each rain and snow. Repairs have been attempted but leaks are still occurring and are damaging interior surfaces and furnishings. The Appellate Courthouse, including the Appellate Judges living quarters, dining room, kitchen and stairwells, have experienced significant damage. The damage includes visible mold growing in the Appellate Court Judges living quarters and non-visible areas under the surface of the dining and kitchen floors. This is creating a safety and health hazard for Judicial and Non-Judicial Personnel, as well as the public who utilize the Courthouse to conduct business with the State of Illinois Appellate Court. The roof needs replaced as soon as possible in order to protect the interior surfaces and furnishings of the building as well as certain structural elements as there are visible cracks in various windows, as a result of rusting structural components, that are to be replaced in a subsequent CDB project. This project began through the emergency selection of an Architect/Engineer ("A/E"); this exempts the selection from a 14-day solicitation required through Qualifications-Based Selection ("QBS"). Considering the time frames needed for the selection, negotiation and execution of an A/E contract followed by bidding and award procedures, repairs at the Appellate Court building in Elgin under the existing processes would likely not begin for several months. For this reason, an emergency purchase is necessary to protect against the threat to public health and safety and to protect against further damage to the building. Batir Architecture Ltd. was chosen because of their proximity to the site and willingness to provide immediate professional services to expedite the completion of the project.

Describe the scope of work or services provided to include special limitations, conditions and incorporated documents:

The scope of work provides for design, preparation of construction documents and observation for the replacement of approximately 10,400 square feet of roofing system including insulation, flashings and membrane. Incorporated documents include the March 2009 Standard Documents for Construction & Supplement and the March 2009 Design and Construction Manual & Supplement. Services provided under this procurement should not exceed \$30,000.00, which is a place-holder prior to the negotiation of a Professional Services Agreement, without prior authorization from the Capital Development Board in consultation with the Chief Procurement Office.

Was authorization to proceed verbally given?  Yes  No, receipt of this signed Notice authorizes the vendor to begin work

If Yes is checked above, explain who authorized the work, when, under what conditions or limitations and for what scope.



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Location of Emergency: Appellate Court House - Elgin

Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

Expected Start Date: May 17, 2018 Estimated End Date: Aug 14, 2018

Amount of this expenditure is: \$30,000.00 Actual or Estimated: Estimated

#### Signatures

I am making this statement and providing it to the CPO Office, the Auditor General, and the Procurement Policy Board in compliance with the Illinois Procurement Code and within 10 days after award of the contract.

I have authorized the emergency procurement in accordance with the requirements of the Illinois Procurement Code (30 ILCS 500) and the applicable administrative rule. I know and understand the contents of this statement and all statements herein are true and correct to the best of my knowledge.

Agency Signature: Chris Miles Digitally signed by Chris Miles Date: 2018.05.17 10:36:56 -05'00' Title: Executive II

SPO/CPO Signature: GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM DN: c=US, o=State of Illinois, ou=CMS, ou=People, ou=BM-B2, serialNumber=70355529, cn=GERALD STEVEN BURLINGHAM Date: 2018.05.17 10:47:16 -05'00' Date: May 17, 2018



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Reference #: 022-010-014

### EMERGENCY PURCHASE EXTENSION

Agency: Capital Development Board Point of Contact: Allison Maxwell-White

Location of Emergency: Appellate Court House - Elgin

Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

### Extension Justification

Original Emergency Term Start Date: May 17, 2018 Original Emergency Term End Date: Nov 30, 2018

Amount of original: \$30,300.00 (Contract Amount) Actual or Estimated: Estimated

Extension Hearing Date: Sep 27, 2018 Requested Extension End Date: Jan 31, 2019

Amount of extension expenditure: N/A - Time Only Actual or Estimated: \_\_\_\_\_

Describe the scope of the original emergency (supply, service, etc.):

The 2nd District Appellate Court Building has a ballasted membrane roof that is leaking in several areas after each rain and snow. Repairs have been attempted but leaks are still occurring and are damaging interior surfaces and furnishings. The Appellate Courthouse, including the Appellate Judges living quarters, dining room, kitchen and stairwells, have experienced significant damage. The damage includes visible mold growing in the Appellate Court Judges living quarters and non-visible areas under the surface of the dining and kitchen floors. This is creating a safety and health hazard for Judicial and Non-Judicial Personnel, as well as the public who utilize the Courthouse to conduct business with the State of Illinois Appellate Court. The roof needs replaced as soon as possible in order to protect the interior surfaces and furnishings of the building as well as certain structural elements as there are visible cracks in various windows, as a result of rusting structural components, that are to be replaced in a subsequent CDB project. The scope of work provides for design, preparation of construction documents and observation for the replacement of approximately 10,400 square feet of roofing system including insulation, flashings and membrane.

Describe the scope of the extension (supply, service, etc.). Show justification for extending the original emergency contract, and explain why the extension need cannot be met through a competitive process:

The scope of the extension remains the same and provides for design, preparation of construction documents and observation for the replacement of approximately 10,400 square feet of roofing system including insulation, flashings and membrane. The roofing replacement work was competitively bid on August 9, 2018; however, no bids were received as contractors stated they were too busy with other projects. Batir Architecture reached out to the bidders and found that most would be interested in bidding this project if we rebid in September, 2018. We are in the midst of rebidding this project and the Bid Opening is scheduled for 9/20/18 at 11:00 AM. Additional time is necessary to allow for the administrative process of bidding through ATP, and the physical work through final acceptance. Once the bidding process is complete and an authorization to proceed is given, the physical roofing work is estimated to take approximately 30 days. CDB anticipates issuing an ATP by October 20 (or less), subject to any complications with the bidding process. Substantial completion is estimated to take place on December 1, 2018 and final acceptance is estimated to take place by January 1, 2019. Therefore, CDB requests that the contract be extended to January 31, 2019. CDB requires Batir's continued participation to ensure proper documentation, supervision/observation of the contractor during construction and assistance with Final Acceptance/Close-out of the project.

Term of emergency procurement shall not exceed 90 days. Contract may be extended beyond 90 days if CPO determines additional time is necessary; however, prior to execution of extension, CPO must hold a public hearing and provide written description



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## Art Moore, Capital Development Board

Reference #: 022-010-014

### EMERGENCY PURCHASE EXTENSION

Agency: Capital Development Board Point of Contact: Allison Maxwell-White

Location of Emergency: Appellate Court House - Elgin

Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

#### Signatures

I am requesting an extension of the requested emergency contract. I know and understand the contents of this statement and all statements herein are true and correct to the best of my knowledge.

Agency Signature: Chris Miles Digitally signed by Chris Miles  
Date: 2018.09.11 14:02:35  
-05'00' Title: Executive II

#### Hearing Disposition

Hearing Date: Sep 27, 2018 Hearing Location: 401 S. Spring St., Wm. Stratton Bldg, Conf. Rm. A., Springfield, Il.

The State posted to the Illinois Procurement Bulletin a description of the State's need, the justification for emergency extension, and information regarding opportunity to submit comments and testify at a public hearing.

Notice of the hearing was posted to the Illinois Procurement Bulletin at least (14) days in advance of hearing and was also posted outside the hearing room no less than two business days prior to the hearing. The hearing was held to hear testimony and receive comments on extending the procurement.

Hearing Narrative:

This will be the second extension of Batir Architecture, Ltd's., contract. The first hearing disposition extended the contract until November 30,2018 to allow for construction services in response to the Invitation for Bids on August 9, 2018. Subsequently, no bids were received. CDB Project Manager Allison White provided a current status of this project. The project was rebid and the Bid Opening was conducted on 9/20/18. One bid was received and it is currently being reviewed for responsiveness. Additional time is necessary to allow for the administrative process of bidding through ATP, and the physical work through final acceptance. Once an authorization to proceed (ATP) is given, the physical roofing work is estimated to take approximately 30 days. CDB anticipates issuing an ATP by October 20, 2018 (or less), subject to any complications with the bidding process. Substantial completion is estimated to be achieved on December 1, 2018 (or less) and final acceptance is estimated to be achieved by January 1, 2019 (or less). The courthouse building will be occupied with hearings being conducted during the construction time frame, and on some days the contractors will not be able to perform work. CDB requested the contract be extended to January 31, 2019 to allow for delays and potential adverse weather conditions. CDB requires Batir's continued participation to ensure proper documentation, supervision/observation of the contractor during construction and assistance with Final Acceptance/Close-out of the project. SPO Burlingham discussed the potential for delays due to performing work on an occupied building, interruptions due to the upcoming holidays in November and December, and the potential for inclement weather (rain/snow) as the work will be performed during the fall and onset of the winter season. Taking those potential delays into considerations, he recommends extending Batir Architecture Ltd.'s contract until February 28,2019 to allow an additional 30 days if needed. PM White stated every effort will be made to attain Final Acceptance by January 1, 2019.



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Reference #: 022-010-014

### EMERGENCY PURCHASE EXTENSION

Agency: Capital Development Board Point of Contact: Allison Maxwell-White

Location of Emergency: Appellate Court House - Elgin

Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

#### Signatures

Hearing Officer recommends approval of the extension request.

Hearing Officer Signature: GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM  
DN: c=US, o=State of Illinois, ou=CMS, ou=People, ou=BM-BZ, serialNumber=70355529, cn=GERALD STEVEN BURLINGHAM  
Date: 2018.09.27 11:04:20 -05'00' Date: Sep 27, 2018

After a complete review of the circumstances relating to the need for extending the existing emergency contract, CPO approval is given to extend for a period not to exceed  calendar days.

CPO Signature: Arthur L Moore Digitally signed by Arthur L Moore  
DN: c=US, o=State of Illinois, ou=CMS, ou=People, ou=MM-MZ, serialNumber=70143150, cn=Arthur L Moore  
Date: 2018.09.27 14:29:17 -05'00' Date: Sep 27, 2018



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## Art Moore, Capital Development Board

Reference #: 022-010-014

### EMERGENCY PURCHASE EXTENSION

Agency: Capital Development Board Point of Contact: Allison Maxwell-White

Location of Emergency: Appellate Court House - Elgin

Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

### Extension Justification

Original Emergency Term Start Date: May 17, 2018 Original Emergency Term End Date: February 28, 2019 (2nd Ext.)

Amount of original: \$30,300.00 Actual or Estimated: Estimated

Extension Hearing Date: Feb 6, 2019 Requested Extension End Date: May 31, 2019

Amount of extension expenditure: N/A - Time Only Actual or Estimated: \_\_\_\_\_

Describe the scope of the original emergency (supply, service, etc.):

The 2nd District Appellate Court Building has a ballasted membrane roof that is leaking in several areas after each rain and snow. Repairs have been attempted but leaks are still occurring and are damaging interior surfaces and furnishings. The Appellate Courthouse, including the Appellate Judges living quarters, dining room, kitchen and stairwells, have experienced significant damage. The damage includes visible mold growing in the Appellate Court Judges living quarters and non-visible areas under the surface of the dining and kitchen floors. This is creating a safety and health hazard for Judicial and Non-Judicial Personnel, as well as the public who utilize the Courthouse to conduct business with the State of Illinois Appellate Court. The roof needs replaced as soon as possible in order to protect the interior surfaces and furnishings of the building as well as certain structural elements as there are visible cracks in various windows, as a result of rusting structural components, that are to be replaced in a subsequent CDB project. The scope of work provides for design, preparation of construction documents and observation for the replacement of approximately 10,400 square feet of roofing system including insulation, flashings and membrane.

Describe the scope of the extension (supply, service, etc.). Show justification for extending the original emergency contract, and explain why the extension need cannot be met through a competitive process:

The scope of the extension remains the same and provides for design, preparation of construction documents and observation for the replacement of approximately 10,400 square feet of roofing system including insulation, flashings and membrane. The roofing replacement work was competitively bid on August 9, 2018; however, no bids were received as contractors stated they were too busy with other projects. The project was competitively re-bid on 9/20/18. A Notice of Award was issued on October 23, 2018 and a pre-construction meeting was held on October 31, 2018. The physical roofing work was estimated to take approximately 30 days with an estimated Substantial completion date of December 1, 2018 with Final Acceptance occurring on or before January 1, 2019. Currently, all that remain is the completion of a walkway, punch-list items, final inspection and close-out. However, due to weather conditions, additional time is necessary to complete the remaining physical work, inspection and close-out of the project. Therefore, CDB requests that the contract be extended through May 31, 2019. CDB requires Batir's continued participation to ensure proper documentation, supervision/observation of the contractor during construction and assistance with Final Acceptance/Close-out of the project.

Term of emergency procurement shall not exceed 90 days. Contract may be extended beyond 90 days if CPO determines additional time is necessary; however, prior to execution of extension, CPO must hold a public hearing and provide written description

State of Illinois Chief Procurement Office for the Capital Development Board

NOTICE OF HEARING

  X   Emergency Extension

The Office of the Chief Procurement Officer will hold a public hearing to hear testimony and receive comments on the proposed contract(s) as described below.

Details of the proposed contract, justification for the Agency to contract in this way and the hearing procedure can be found at [www.purchase.state.il.us/](http://www.purchase.state.il.us/). Click "Illinois Bid" and enter Procurement Bulletin Reference # in the search box.

HEARING DETAILS

DATE: Wednesday, February 6, 2019  
TIME: 10:30 a.m.  
LOCATIONS: 401 S. Spring St.  
3<sup>rd</sup> Floor, Conference Room Conference Room A, Stratton Building  
Springfield, IL 62706

For those who wish to attend this hearing via teleconference, please call in to the number below:  
1-888-494-4032  
Access Code: 1079279306

HEARING CONTACT PERSON

NAME: Gerald Burlingham  
TITLE: State Purchasing Officer, Illinois Capital Development Board  
ADDRESS: 401 S. Spring St., Springfield, IL 62706  
PHONE: 217-836-0185  
FAX: 217-558-1399  
E-MAIL: gerald.burlingham@Illinois.gov

TESTIMONY

Anyone wishing to testify—please notify the HEARING CONTACT PERSON of desire to testify in advance if possible.

PROPOSED CONTRACT(S) SUBJECT OF THIS HEARING

Agency: Illinois Capital Development Board

Vendor: Batir Architecture Ltd.

Brief Descriptions: The Office of the Chief Procurement Officer for the Capital Development Board will hold a public hearing to hear testimony and receive comments on the proposed contract extension for design services from Batir Architecture Ltd. This is related to an emergency procurement at the Second District Appellate Courthouse in Elgin, IL. CDB Project # 022-010-014

Procurement Bulletin Reference: 22042543



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## Art Moore, Capital Development Board

Reference #: 022-010-014

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Agency: Capital Development Board Point of Contact: Allison Maxwell-White

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Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

#### Signatures

I am requesting an extension of the requested emergency contract. I know and understand the contents of this statement and all statements herein are true and correct to the best of my knowledge.

Agency Signature: Chris Miles Digitally signed by Chris Miles  
Date: 2019.01.22 10:51:38 -06'00' Title: Executive II

#### Hearing Disposition

Hearing Date: Feb 6, 2019 Hearing Location: 401 S. Spring St., Wm. Stratton Bldg, Conf. Rm. A., Springfield, Il.

The State posted to the Illinois Procurement Bulletin a description of the State's need, the justification for emergency extension, and information regarding opportunity to submit comments and testify at a public hearing.

Notice of the hearing was posted to the Illinois Procurement Bulletin at least (14) days in advance of hearing and was also posted outside the hearing room no less than two business days prior to the hearing. The hearing was held to hear testimony and receive comments on extending the procurement.

Hearing Narrative:

This will be the third extension of Batir Architecture, Ltd.'s contract. The last extension was provided to allow Batir's continued participation to ensure proper documentation, supervision/observation of the contractor during construction and assistance with Final Acceptance/Close-out of the project. The extension contemplated potential delays due to inclement weather conditions; however, severity of the inclement weather experienced (snow/severe cold) since that extension was granted has caused delays in performing the work beyond what was initially considered. CDB Project Manager Allison While provided a current status of the project. Substantial Completion is expected on 2/14/2019, followed by Final Acceptance approximately 30 days afterwards. This extension of time is not associated with any additional scope of work or expenditure beyond the current contract obligations.

#### Signatures

Hearing Officer recommends approval of the extension request.

Hearing Officer Signature: KENNETH TODD MORRIS Digitally signed by KENNETH TODD MORRIS  
DN: c=US, o=State of Illinois, ou=CMS, ou=People, ou=MM-MZ, serialNumber=70355524, cn=KENNETH TODD MORRIS  
Date: 2019.02.07 08:31:31 -06'00' Date: Feb 7, 2019

After a complete review of the circumstances relating to the need for extending the existing emergency contract, CPO approval is given to extend for a period not to exceed 92 calendar days.

CPO Signature: Arthur L Moore Digitally signed by Arthur L Moore  
DN: c=US, o=State of Illinois, ou=CMS, ou=People, ou=MM-MZ, serialNumber=70143150, cn=Arthur L Moore  
Date: 2019.02.08 09:53:35 -06'00' Date: Feb 8, 2019





# CHIEF PROCUREMENT OFFICE

Art Moore, Capital Development Board

Reference #: 022-010-014

## EMERGENCY PURCHASE FINAL COST AND TERM

Agency: Capital Development Board Point of Contact: Allison Maxwell-White

Location of Emergency: Appellate Court House - Elgin

Vendor: Batir Architecture Ltd. (30897)

Address: 1121 E. Main St. #220 City: St. Charles State: IL Zip: 60174

### Final Costs and Term

Final total cost of supplies and services: \$28,189.20 Final total term of contract: 301 days

I am reporting the final costs and term for the referenced emergency contract to the CPO and the Auditor General.

Agency Signature: Chris Miles Digitally signed by Chris Miles Date: 2019.05.28 08:05:04 -05'00' Title: Executive II

Printed Name: Chris R. Miles Date: May 28, 2019