



CHIEF PROCUREMENT OFFICE

Art Moore, Capital Development Board

Reference #: 040-020-064

EMERGENCY PURCHASE STATEMENT / NOTICE OF AWARD

Agency: Capital Development Board Point of Contact: Leonard McGee

Location of Emergency: Manteno Veterans' Home

Vendor: Nest Builders, Inc. d/b/a dbHMS (29590)

Address: 303 W. Erie Street, #510 City: Chicago State: IL Zip: 60654

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:

On January 8, 2019, a sole case of Legionellosis was detected in a resident who lived at the Manteno Veterans' Home. The Department of Veterans' Affairs requests that the Capital Development Board procure vendors under emergency purchases to provide various upgrades to the facility's water distribution system to alleviate further cases of Legionellosis. This project began through the Qualifications-Based Selection ("QBS") process which requires a 14-day solicitation. However, considering the recent case of Legionellosis, the time frames needed for negotiation and execution of an A/E contract followed by bidding and award procedures, upgrades to the water distribution system at the Manteno Veterans' Home under the existing processes would likely not begin for several months. For this reason, emergency purchases are necessary to protect against the threat to public health and safety and to prevent or minimize serious disruption in critical State services. Nest Builders, Inc. d/b/a/ dbHMS was selected because they have experience with MEP consulting, they are relatively in close proximity to the project site and they can respond immediately to this request for emergency services.

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

REVISED SCOPE (10/21/19):
 The scope of work provides for various water distribution upgrades to Residential Buildings R1, R2, R3, R4, R5, Chapel, Prince Home, Support Buildings S1 and S2, Lake and Command Building CI as described in dbHMS's memorandum dated March 26, 2019. The scope of work is to include shower mixing valves, point of use lavatory/sink mixing valves, master circulating digital mixing valves at the water heaters, to assign site flushing hydrants for the campus, evaluate and replace boiler systems as required for buildings R1 through R4, S1 & S2, point-of-entry filters, point-of-use filters, goose-neck faucets, hot water heater systems, flushing hydrants at known dead-legs, bollus injection ports, increase distribution temperatures, upgrade hot water return system balancing loop, design building/site piping plans, design Civil/Architectural scopes to support eliminating seldom used fixtures and dead legs, and any other work described under Tier 1 Intervention requirements. The current design includes limited automatic data collection and no automatic line flushing as part of Tier 1.

On 8/29/2019, there was a new possible case of legionella in building R2 and the Illinois Department of Public Health (IDPH) was called to the site to evaluate the situation. In order to better monitor and received data in a timely manner a Building Automation and Control system (BAS hereafter) automatic line flushing system has been requested by the Using Agency for inclusion in the Tier 1 scope of work. Currently, the staff at Manteno spend numerous hours each week performing chlorine testing, thermal shocking and fixture flushing which has created stress on available manpower. The BAS consists of a remote accessible front-end computer, building level controllers, digital sensing controllers and controlled devices to support Point of Entry Filtration, Hot Water Heaters (domestic boilers), Thermostatic Mixing Valve stations and Digital Line Flushers. Additionally, the implementation of BAS system would improve the Using Agency's ability to implement a successful water management program by allowing greater automation/control/monitoring as opposed to



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manual measurement, record keeping and reporting as currently implemented. Adding the BAS system would also reduce the risk to the Manteno residents and staff by providing real time information and notification of water quality issues and will alleviate staff time and resources by eliminating the need to manually monitor and flush the system on a daily and weekly basis. Incorporated documents include the March 2009 Standard Documents for Construction & Supplement and the March 2009 Design and Construction Manual & Supplement. dbHMS is authorized to proceed with the scope of work outlined in this Emergency Purchase Statement. The cost for Professional Services provided under this procurement is estimated to exceed \$100K. However, the State understands contract changes for additional compensation are anticipated in the future once final costs are accurately defined. The current contract amount is not to be exceeded 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.

Expected Start Date: Feb 4, 2019 Estimated End Date: Apr 30, 2020

Amount of this expenditure is: \$670,959.00 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: 2019.10.21 13:47:05 -05'00' Title: Executive II

SPO/CPO Signature: GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM Date: 2019.10.21 14:04:33 -05'00' Date: Oct 21, 2019



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EMERGENCY PURCHASE EXTENSION

Agency: Capital Development Board Point of Contact: Leonard McGee

Location of Emergency: Manteno Veterans' Home

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Extension Justification

Original Emergency Term Start Date: Feb 4, 2019 Original Emergency Term End Date: Apr 30, 2020

Amount of original: \$670,959.00 (Contract Amount) Actual or Estimated: Estimated

Extension Hearing Date: Apr 24, 2020 Requested Extension End Date: Jan 31, 2021

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

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

The scope of work remains the same and provides for various water distribution upgrades to Residential Buildings R1, R2, R3, R4, R5, Chapel, Prince Home, Support Buildings S1 and S2, Lake and Command Building CI as described in dbHMS's memorandum dated March 26, 2019. The scope of work is to include shower mixing valves, point of use lavatory/sink mixing valves, master circulating digital mixing valves at the water heaters, to assign site flushing hydrants for the campus, evaluate and replace boiler systems as required for buildings R1 through R4, S1 & S2, point-of-entry filters, point-of-use filters, goose-neck faucets, hot water heater systems, flushing hydrants at known dead-legs, bollus injection ports, increase distribution temperatures, upgrade hot water return system balancing loop, design building/site piping plans, design Civil/Architectural scopes to support eliminating seldom used fixtures and dead legs, and any other work described under Tier 1 Intervention requirements or added by modification. Additionally, in order to better monitor and received data in a timely manner, a Building Automation and Control system (BAS hereafter) automatic line flushing system has been added in the Tier 1 scope of work. The BAS consists of a remote accessible front-end computer, building level controllers, digital sensing controllers and controlled devices to support Point of Entry Filtration, Hot Water Heaters (domestic boilers), Thermostatic Mixing Valve stations and Digital Line Flushers.

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 project scope remains the same. All initial Tier 1 work is approximately 90% complete. This project was stopped on March 10, 2020 as a result of the COVID-19 pandemic. The added Building Automation System, use of Prince for the filtration system and initial Tier 1 work will require additional time for completion. Limited design work continues as there is no access to the site. This project will require at least an additional 9 months for completion of the BAS system, as a portion of the BAS system requires design and bidding. Additionally, an extension is necessary for the completion of work at Prince, remaining Tier 1 work, and closeout of the project once restrictions are lifted as a result of the COVID-19 pandemic. CDB is requesting an emergency purchase extension through January 31, 2021 to allow for completion of the emergency work and close-out of the contract. CDB requires dbHMS's continued participation for continued design services, observation during construction and assistance with Final Acceptance/Closeout of this 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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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: 2020.04.10 11:15:17
-05'00' Title: Executive II

Hearing Disposition

Hearing Date: Apr 24, 2020 Hearing Location: Remote locations via WebEx.

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:

The following individuals participated in this hearing: Leonard McGee (PM); Andrea Bauer (RM); Chris Miles (Emerg Coor); Ben Rubach (AE); Cliff Bruckner (Contractor); Becky Smith (CE). The PM provided a current status report. All initial Tier 1 work is approximately 90% complete. This project was stopped on March 10, 2020 as a result of the COVID-19 pandemic. The added Building Automation System, use of Prince for the filtration system and initial Tier 1 work will require additional time for completion. The AE stated limited design work continues. Design review comments from CDB Professional Services have been received. A final submission for bid document review will be submitted in the near future. They are also awaiting comments from IDPH and HPA regarding any license requirements that DVA may need to attain. These are needed prior to releasing the bid documents so additional delays can be avoided. Normally this is a quick process, but COVID-19 has created additional delays for everyone at the State. The contractor stated all long lead-time items have been procured and all items for 'dead-legs' have been completed. A total of 8 branches and 5 cross connections of water mains have been eliminated. There are now two independent water main systems flowing through the campus. The PM and AE stated that once restarted, this project will require at least an additional 9 months for the bid award process and the BAS system installation and project closeout to be complete. The BAS Contractor access to the site will require scheduling and coordination so as not to disturb the residents and building operations. So that work will be slower than under normal circumstances. It was also acknowledged that another time extension will most likely be needed, but a revised schedule cannot be estimated until the current COVID-19 issues are resolved and work is allowed to continue. To reduce an administrative burden, an increase to the water testing reimbursable line item will be included in the AE's Mod extending their contract. Recommend approving the AE's contract until January 31, 2121 until a more precise timetable for this project can be developed.



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Signatures

Hearing Officer recommends approval of the extension request.

Hearing Officer Signature: GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM Date: 2020.04.24 15:33:52 -05'00' Date: Apr 24, 2020

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 Date: 2020.04.27 12:49:30 -05'00' Date: Apr 27, 2020