

REVISED EMERGENCY PURCHASE AFFIDAVIT

Reference # 120-175-135

Chief Procurement Officer (CPO) making a procurement under Illinois Procurement Code (30 ILCS 500/20-30) shall file affidavit with Procurement Policy Board and Auditor General within 10 days.

Agency: Capital Development Board Division:

Address: 401 South Spring Street

City: Springfield State: IL Zip: 62706

Vendor #1: Horner & Shifrin, Inc. (27810)

Address: 640 Pierce Blvd. #200

City: O'Fallon State: IL Zip: 62269

Vendor #2: Red Dot Construction & Equipment Rentals, Inc.

Address: 501 Hillview Drive; P.O. Box 308

City: Chester State: IL Zip: 62233

State of Illinois ) : SS

County of Sangamon

I, Gus Behnke being duly sworn, solemnly swear and affirm that I am Chief Fiscal Officer.

I have authorized the emergency procurement in accordance with standards as established by law and rule in fulfillment of the emergency purchase affidavit provisions of Illinois Procurement Code [30 ILCS 500/20-30] as follows.

- ☑ Involving threat to public health or public safety.
☑ Immediate expenditure is necessary for repairs to State property to protect against further loss of 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
☐ Quick purchase as provided by Section 20-30 (d) of the Illinois Procurement Code

The conditions and circumstances requiring this emergency purchase, including reason for selection of the particular contractor are:

The Menard Correctional Center has experienced a sanitary sewer bar screen failure. The bar screen separates foreign debris from sewage before the sewage enters the treatment system. Recent rain and flooding have caused some debris to be scattered across the site and there are concerns that this contaminated debris could become a serious EPA issue for both the facility and the City of Chester. Furthermore, the IDOC has utilized their procurement procedures to bring in an outside contractor to come in and remove trash from the sewer manholes at an hourly rate of \$165 plus an additional \$300 disposal fee. Emergency purchases are necessary in order to minimize serious disruption in critical State services that affect the health of the building occupants and to prevent further damage to the facility.

Vendor #1 has been selected to evaluate the existing conditions of the sanitary sewer bar screen, make recommendations for a replacement sanitary bar screen or grinding system capable of supporting the institution's needs, and specifying the recommended replacement system. The work also includes recommendations for any temporary measures that would assist IDOC in operating the system until it can be permanently repaired. Vendor #1 was chosen because of their experience with waste management systems, proximity to the site location, positive performance on prior CDB projects and ability to immediately provide services.

Vendor #2 provided the lowest responsive and responsible quote and will provide labor and material for the replacement bar screen/grinding system work as specified by Vendor #1. Several firms were invited to provide quotes, based on their availability, expertise, experience and location.

Considering the time frames needed for the negotiation and execution of an A/E contract, design and standard bidding procedures, repairs at Menard Correctional Center under the existing processes would likely not begin for several months. For this reason, emergency purchases are necessary to ensure the sanitary bar scree/grinding system is replaced as soon as possible.

Vendor #1 Expected Start Date: May 10, 2017 Expected End Date: August 7, 2017

Vendor #2 Expected Start Date: July 24, 2017 Expected End Date: October 21, 2017

Extension of previous emergency purchase: ☐ Yes or ☑ No

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.

Vendor #1 Amount of this expenditure is: \$ \_\_\_\_\_  Actual or \$ 78,100.00  \*Estimated

Vendor #2 Amount of this expenditure is: \$ \_\_\_\_\_  Actual or \$ 348,000.00  \*Estimated

\*When only an estimate of cost is available, the actual cost shall be reported immediately after it is determined.

I am duly authorized to make this affidavit. I know and understand the contents of this affidavit and all statements herein are true and correct. This affidavit is made pursuant to and in fulfillment of the requirements of Illinois Procurement Code [30 ILCS 500/20-30].

*[Handwritten Signature]*

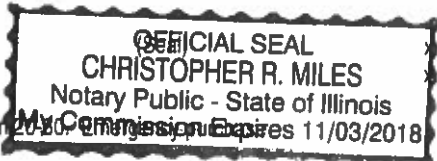
Signature of Affiant

Subscribed and sworn before me this 24<sup>th</sup> day of July 2017.

*[Handwritten Signature]*

Notary Public

My Commission expires: 11/3/18



Section 20-10

(a) Conditions for use. In accordance with standards set by rule, a purchasing agency may make emergency procurements without competitive sealed bidding or prior notice when there exists a threat to public health or public safety, or when immediate expenditure is necessary for repairs to State property in order to protect against further loss of or damage to State property, to prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues, or to ensure the integrity of State records; provided, however, that the term of the term of the emergency purchase shall be limited to the time reasonably needed for a competitive procurement, not to exceed 90 days. A contract may be extended beyond 90 days if the chief procurement officer determines additional time is necessary and that the contract scope and duration are limited to the emergency. Prior to the execution of the extension, the chief procurement officer must hold a public hearing and provide written justification for all emergency contracts. Members of the public may present testimony. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written description of the basis for the emergency and reasons for the selection of the particular contractor shall be included in the contract file.

(b) Notice. Notice of all emergency procurements shall be provided to the Procurement Policy Board and published in the online electronic Bulletin no later than 3 business days after the contract is awarded. Notice of intent to extend an emergency contract shall be provided to the Procurement Policy Board and published in the online electronic Bulletin at least 14 days before the public hearing. Notice shall include at least a description of the need for the emergency purchase, the contractor, and if applicable, the date, time and location of the public hearing. A copy of this notice and all documents provided at the hearing shall be included in the subsequent Procurement Bulletin. Before the next appropriate volume of the Illinois Procurement Bulletin, the purchasing agency shall publish in the Illinois Procurement Bulletin a copy of each written description and reasons and the total cost of each emergency procurement made during the previous month. When only an estimate of the total cost is known at the time of publication, the estimate shall be identified as an estimate and published. When the actual total cost is determined, it shall also be published in like manner before the 10th day of the next succeeding month.

(c) Affidavits. A chief procurement officer making a procurement under this Section shall file affidavits with the Procurement Policy Board and the Auditor General within 10 days after the procurement setting forth the amount expended, the name of the contractor involved, and the conditions and circumstances requiring the emergency procurement. When only an estimate of the cost is available within 10 days after the procurement, the actual cost shall be reported immediately after it is determined. At the end of each fiscal quarter, the Auditor General shall file with the Legislative Audit Commission and the Governor a complete listing of all emergency procurements reported during that fiscal quarter. The Legislative Audit Commission shall review the emergency procurements so reported and, in its annual reports, advise the General Assembly of procurements that appear to constitute an abuse of this Section.

(d) Quick purchases. The chief procurement officer may promulgate rules extending the circumstances by which a purchasing agency may make purchases under this Section, including but not limited to the procurement of items available at a discount for a limited period of time. (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

For continuation if necessary:

Reference # 120-175-135

This Affidavit revises the Affidavit dated May 15, 2017 by adding Vendor #2 name and quote amount and an updated estimate/contract amount for Vendor #1.

NOTICE OF AWARD  
OF EMERGENCY CONTRACT

PROJECT NO.: 120-175-135 BULLETIN NO.: \_\_\_\_\_

PROJECT LOCATION: Menard Correctional Center

VENDOR: Horner & Shifrin, Inc. (27810)

NATURE OF EMERGENCY:

The Menard Correctional Center has experienced a sanitary sewer bar screen failure. The bar screen separates foreign debris from sewage before the sewage enters the treatment system. Recent rain and flooding have caused some debris to be scattered across the site and there are concerns that this contaminated debris could become a serious EPA issue for both the facility and the City of Chester. Furthermore, IDOC has utilized their procurement procedures to bring in an outside contractor to come in and remove trash from the sewer manholes at an hourly rate of \$165 plus an additional \$300 disposal fee. Emergency purchases are necessary in order to minimize serious disruption in critical State services that affect the health of the building occupants and to prevent further damage to the facility.

AUTHORIZED START DATE: May 10, 2017

AUTHORIZATION ENDS: August 7, 2017

SCOPE OF EMERGENCY SERVICES:

The scope of work provides for evaluating the existing conditions of the sanitary sewer bar screen, making recommendations for a replacement sanitary bar screen or grinding system capable of supporting the institution's needs, and specifying the recommended replacement system. The work also includes recommendations for any temporary measures that would assist IDOC in operating the system until it can be permanently repaired.

SPECIAL CONDITIONS OR LIMITATIONS:

Services provided under this procurement should not exceed \$25,000.00, which is 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.

INCORPORATED DOCUMENTS:

March 2009 Design and Construction Manual & Supplement

March 2009 Standard Documents for Construction & Supplement

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WAS AUTHORIZATION TO PROCEED VERBALLY GIVEN?

NO \_\_\_ Receipt of this signed Notice authorizes the Vendor to begin work.

YES x Who authorized the work, when, under what conditions or limitations, and for what scope:

Upon approval from the Chief Procurement Officer that an emergency declaration was warranted, QBS Administrator Brent Lance authorized Horner & Shifrin, Inc. to proceed with the work on May 10, 2017 as described in the above scope statement.

Christopher B. Mills

Capital Development Board

Date: 5/15/17

Ms. Byje

CPO/SPO- CDB

Date: 15 May 17

NOTICE OF AWARD  
OF EMERGENCY CONTRACT

PROJECT NO.: 120-175-135 BULLETIN NO.: \_\_\_\_\_

PROJECT LOCATION: Menard Correctional Center

VENDOR: Red Dot Construction & Equipment Rentals, Inc.

NATURE OF EMERGENCY:

The Menard Correctional Center has experienced a sanitary sewer bar screen failure. The bar screen separates foreign debris from sewage before the sewage enters the treatment system. Recent rain and flooding have caused some debris to be scattered across the site and there are concerns that this contaminated debris could become a serious EPA issue for both the facility and the City of Chester. Furthermore, IDOC has utilized their procurement procedures to bring in an outside contractor to come in and remove trash from the sewer manholes at an hourly rate of \$165 plus an additional \$300 disposal fee. Emergency purchases are necessary in order to minimize serious disruption in critical State services that affect the health of the building occupants and to prevent further damage to the facility.

AUTHORIZED START DATE: July 24, 2017

AUTHORIZATION ENDS: October 21, 2017

SCOPE OF EMERGENCY SERVICES:

The scope of work provides for all labor and material to replace the bar screen/grinding system as specified by the architect/engineer of record and approved by CDB.

SPECIAL CONDITIONS OR LIMITATIONS:

Services provided under this procurement should not exceed \$348,000.00 without prior authorization from the Capital Development Board in consultation with the Chief Procurement Office.

INCORPORATED DOCUMENTS:

March 2009 Standard Documents for Construction & Supplement

Design/Specifications provided by the A/E of record and approved by CDB

Red Dot Construction & Equipment Rentals, Inc.'s quote submitted on July 20, 2017

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WAS AUTHORIZATION TO PROCEED VERBALLY GIVEN?

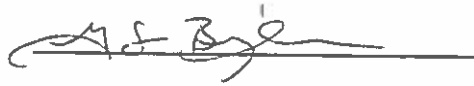
NO  Receipt of this signed Notice authorizes the Vendor to begin work.

YES  Who authorized the work, when, under what conditions or limitations, and for what scope:



Capital Development Board

Date: 7/24/17



CPO/SPO- CDB

Date: 24 July 17

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: July 27, 2017  
TIME: 10:00 A.M.  
LOCATIONS: 401 S. Spring St.  
Third Floor, Conference Room A, Stratton Building  
Springfield, IL 62706

For those wishing to attend this hearing via teleconference:  
Call in: 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: Horner & Shifrin, Inc.

Brief Descriptions: Sewer Bar Screen Replacement, Menard Correctional Center. CDB Project # 120-175-135

Request is to extend the contract from August 8, 2017 to April 1, 2018 due to extended lead times for materials.

Procurement Bulletin Reference: 22040830

State of Illinois Chief Procurement Office for the Capital Development Board

(To be posted with Notice Addendum after Hearing)  
HEARING DISPOSITION

Requesting Agency/University: CDB

Project Title: Emergency Sewer Bar  
Replacement PN# 120-175-135

Department/Bureau/Section: Menard, CC

IPB Reference #: 22040830

Hearing Date/Time: July 27, 2017/10:00

PBC Reference #: N/A

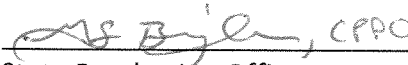
Hearing Location: Stratton Building, Third Floor,  
Conference Room A.

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 48 hours prior to the hearing. A Public Hearing was held on July 27, 2017, to hear testimony and receive comments on extending the procurement for Horner & Shifrin, Inc. which are providing emergency design services. A recording of the hearing is available and will be published on the IPB.


Bob Bauer, CDB Project Manager, provided a brief history and current status of the project. Status: Red Dot Construction was selected as the firm to provide construction services on July 20, 2017. Materials have been ordered, however there is a 16-20 week lead time for their arrival. They are requesting and extension to allow ample time to receive the materials, installation, and project close-out requirements. An extension to Red Dot's contract will be required as well. No other persons wished to provide testimony or comments on this project.

Hearing Officer, Gerald Burlingham recommends extending Horner & Shifrin, Inc.'s contract from August 8, 2017 to April 1, 2018 to allow ample time to receive the required materials, for final commissioning, final billing documents, and drawings to be submitted on this emergency project.

  
\_\_\_\_\_  
State Purchasing Officer, Hearing Officer

27 July 17  
\_\_\_\_\_  
Date

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 234 calendar days.

  
\_\_\_\_\_  
Art Moore, Chief Procurement Officer

7/27/17  
\_\_\_\_\_  
Date

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: August 23, 2017  
TIME: 10:00 A.M.  
LOCATIONS: 401 S. Spring St.  
Third Floor, Conference Room A, Stratton Building  
Springfield, IL 62706

For those wishing to attend this hearing via teleconference:  
Call in: 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: Red Dot Construction & Equipment Rentals, Inc..

Brief Descriptions: Sewer Bar Screen Replacement, Menard Correctional Center. CDB Project # 120-175-135

Request is to extend the contract from October 21, 2017 to April 1, 2018 due to extended lead times for materials.

Procurement Bulletin Reference: 22040830

State of Illinois Chief Procurement Office for the Capital Development Board

(To be posted with Notice Addendum after Hearing)  
HEARING DISPOSITION

Requesting Agency/University: CDB

Project Title:

Emergency Sewer Bar

Replacement PN# 120-175-135

Department/Bureau/Section: Menard, CC

IPB Reference #: 22040830

Hearing Date/Time: August 23, 2017/10:00

PBC Reference #: N/A

Hearing Location: Stratton Building, Third Floor,  
Conference Room A.

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 48 hours prior to the hearing. A Public Hearing was held on August 23, 2017, to hear testimony and receive comments on extending the procurement for Red Dot Construction and Equipment Rentals, Inc. who are providing emergency construction services. A recording of the hearing is available and will be published on the IPB.

Bob Bauer, CDB Project Manager, provided a current status of the project.

Status: Red Dot Construction was selected as the firm to provide construction services on July 20, 2017. Materials have been ordered, however there is a 16-20 week lead time for their arrival. Anticipated material arrival is the first week of February 2018. They are requesting and extension to allow ample time to receive the materials, installation, and project close-out requirements. Anticipated substantial completion is expected to be in mid-March 2018.

Hearing Officer, Gerald Burlingham recommends extending Red Dot Construction's contract from October 21, 2017 to April 1, 2018 to allow ample time to receive the required materials, for final commissioning, final billing documents, and drawings to be submitted on this emergency project.

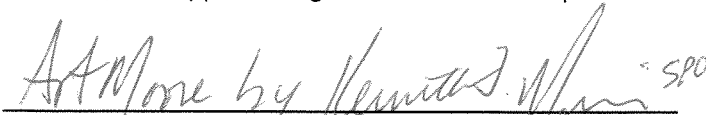


Gerald S. Burlingham, CPPO  
State Purchasing Officer, Hearing Officer

8-23-17

Date

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 161 calendar days.



Art Moore, Chief Procurement Officer  
Chief Procurement Office for the Capital Development Board

8-23-2017

Date



# 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: March 1, 2018  
TIME: 10:30 A.M.  
LOCATIONS: 401 S. Spring St.  
Third Floor, Conference Room A, Stratton Building  
Springfield, IL 62706

For those wishing to attend this hearing via teleconference:  
Call in: 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: Red Dot Construction & Equipment Rentals, Inc..  
Horner & Shifrin, Inc.

Brief Descriptions: Sewer Bar Screen Replacement, Menard Correctional Center. CDB Project # 120-175-135

Requests are to extend the contract from April 1, 2018 to May 31, 2018 due to extended lead times for materials.

Procurement Bulletin Reference: 22040830

State of Illinois Chief Procurement Office for the Capital Development Board

(To be posted with Notice Addendum after Hearing)  
HEARING DISPOSITION

Requesting Agency/University: CDB

Project Title:

Emergency Sewer Bar

Replacement PN# 120-175-135

Department/Bureau/Section: Menard, CC

IPB Reference #: 22040830

Hearing Date/Time: March 1, 2018/10:30

PBC Reference #: N/A

Hearing Location: Stratton Building, Third Floor,  
Conference Room A.

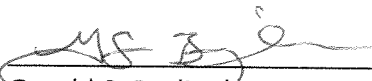
A Public Hearing was held on March 1, 2018, to hear testimony and receive comments on extending the emergency procurements for Red Dot Construction and Equipment Rentals, Inc. until May 31, 2018 who are providing emergency construction services. A recording of the hearing is available and will be published on the IPB. 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 48 hours prior to the hearing.

Bob Bauer, CDB Project Manager, provided a current status of the project.

Red Dot Construction has completed all necessary work and is awaiting the Bar Screen to be delivered. As of February 28<sup>th</sup>, 2018 the Bar Screen is en route and is anticipated to arrive on-site either the first or second week of March 2018. Anticipated substantial completion is mid- April 2018 pending any unforeseen delays.

During the discussion, it was noted we are entering the rainy season, and as the Correctional Center is susceptible to flooding during heavy rains, a potential for delays does exist; however minor.

Acknowledging that potential, Hearing Officer Gerald Burlingham recommended building in a 30-day allowance for Red Dot Construction and Horner & Shiffrin contracts to allow for any weather delays, ample time to receive and install the materials, final commissioning, and for final billing documents and drawings to be submitted on this emergency project. It is thereby recommended both contracts be extended until June 30, 2018.



Gerald S. Burlingham, CPPO  
State Purchasing Officer, Hearing Officer

3-1-18

Date

After a complete review of the circumstances relating to the need for extending the existing emergency contract, CPO approval is given to extend both contracts for a period not to exceed 90 calendar days.



Art Moore, Chief Procurement Officer  
Chief Procurement Office for the Capital Development Board

3/1/18

Date



# CHIEF PROCUREMENT OFFICE

Art Moore, Capital Development Board

Reference #: 120-175-135

## EMERGENCY PURCHASE FINAL COST AND TERM

Agency: Capital Development Board Point of Contact: Mark Hendricks

Location of Emergency: Menard Correctional Center

Vendor: Horner & Shifrin, Inc. (27810)

Address: 640 Pierce Blvd. #200 City: O'Fallon State: IL Zip: 62269

### Final Costs and Term

Final total cost of supplies and services: \$70,600.00 Final total term of contract: 330 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: 2018.06.21 08:37:13 -05'00' Title: Executive II

Printed Name: Chris Miles Date: June 21, 2018



# CHIEF PROCUREMENT OFFICE

Art Moore, Capital Development Board

Reference #: 120-175-135

## EMERGENCY PURCHASE FINAL COST AND TERM

Agency: Capital Development Board Point of Contact: Mark Hendricks

Location of Emergency: Menard Correctional Center

Vendor: Red Dot Construction & Equipment Rentals, Inc. (16631)

Address: 501 Hillview Drive City: Chester State: IL Zip: 62233

### Final Costs and Term

Final total cost of supplies and services: \$360,716.66 Final total term of contract: 255 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: 2018.06.21 08:38:03 -05'00' Title: Executive II

Printed Name: Chris Miles Date: June 21, 2018