



# CHIEF PROCUREMENT OFFICE

## Art Moore, Capital Development Board

Reference #: 120-178-011

### EMERGENCY PURCHASE STATEMENT / NOTICE OF AWARD

Agency: Capital Development Board Point of Contact: Marci Boudet

Location of Emergency: Big Muddy Correctional Center, Jefferson County, IL.

Vendor: F.W. Electric, Inc.

Address: P.O. Box 1297 City: Benton State: IL Zip: 62812

### 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:

This notice is to provide an update on the Emergency Procurement undertaken by the Capital Development Board for electrical system repairs at the Big Muddy Correctional Center.

On February 6, 2019 the Illinois Department of Corrections requested the Capital Development Board's assistance in seeking an emergency procurement for the expedited repair of the electrical system in the Residential Housing Unit #2 (R2) at the Big Muddy Correctional Center. The electrical system in R2 had become noticeably faulty, which put the Department's operations in jeopardy.

There are 4 Residential Housing Units at this Correctional Center and each Unit consists of 4 WINGS (A thru D), and a Control Center Pod.

The time-line included the following:  
 In May 2018 the Department moved out approximately 50 offenders and eliminated the corresponding bed space from the C wing.  
 In January 2019 the facility's maintenance staff noticed that the electrical current running to R2 was more than double the appropriate current. This led to the complete decommission of the unit's offender laundry capabilities.

This facility is home to approximately 1600 offenders and the workplace of nearly 350 staff. Furthermore, the facility is home to a specialized unit consisting of the Department's sexually dangerous persons. This is a highly specialized population that cannot be moved to another institution without a major risk to public safety. This specific population consists of approximately 170 offenders and the Department is mandated to provide a certain level of treatment by licensed staff and to be separated from the general population accordingly.

The Department of Corrections asked that CDB declare an emergency to repair the electrical system throughout the facility as soon as possible to prevent the threat to public health and safety, to minimize serious disruption in critical state services and to protect against further loss or damage to the facility.

F. W. Electric, Inc. was selected for construction services because they have experience with correctional facility projects, the expertise to complete the scope, they are in close proximity to the project site and could respond immediately to this request for emergency services. The scope of work was to provide construction services for replacing all of the underground wiring for lights, receptacles and other miscellaneous loads using new conduits above grade in residential unit R2 and assist the A/E of record as needed while they are completing their assessment of the other residential units.



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If the assessments determined that this work was also necessary in residential units R1, R3 and R4, and it is determined by CDB and the CPO that one or more of the additional residential housing units required an emergency declaration, they may be incorporated into this project.

On April 9, 2019 a hearing was conducted to extend FW Electric's contract until April 30, 2020. It was agreed that MHCE's assessment of R1 supported incorporating that unit into the project. This would provide DOC personnel flexibility when relocating inmates, if and when repairs to the electrical systems in R3 and R4 begin. At that time it was anticipated that construction time to repair the electrical system in R1 would closely mirror the 6 months construction time experienced in renovating R2. As August 4, 2019 is the earliest date inmates can completely reoccupy R2, SPO Burlingham recommended extending the F.W. Electric, Inc's contract for 6 additional months beyond the requested end-date to allow the renovation of R1 to be completed, thereby establishing a new contract end date of April 30, 2020.

On May 17, 2019, the D wing of R3 experienced an electrical short on the lighting branch circuit conductor for the half of the second floor cells. Losing this branch circuit has caused DOC to relocate inmates in the affected area (15 cells) in order to meet safety and security guidelines for staff and inmates.

While investigating, facility electricians were able to find that the branch circuit wire had failed somewhere in the underground portion of the pathway since they had continuity on either side of where the underground raceway comes back up out of the ground. The wire feeding the lights had burned up under ground and the offenders in these cells had to be moved. This is a similar condition that forced DOC to empty R2-C wing and R1-D wing and led CDB to authorize the emergency repairs.

With this recent development, it is recommended to incorporate Residential Unit 3 (R3) into this emergency procurement to safeguard the welfare of DOC staff and the inmates.

Currently, F.W. Electric's current Not to Exceed contract totals \$772,500.00 and is being paid on a Time and Material basis. A Change Order for additional compensation related to renovating the electrical system in R3 is not needed at this time.

UPDATE (08/19/19): On August 9th, 2019, Warden Sullivan expressed concerns regarding more frequent electrical issues in Residential Unit 4 (R4) and the effects a complete failure of the electrical system would have on the population of R4. R4 houses 347 Sexually Dangerous Persons (SDP), some of which require participation in various state mandated programs and therapy including but not limited to a Drug Treatment Program. Should a complete electrical failure occur, there are currently no available options for the transfer this population. Since February of 2015, there has been a minimum of 21 events where branch circuits have failed, requiring IDOC to take action in the form of work orders. Currently, breakers are being tripped daily and exhaust fans in the A wing over cells 61 & 62 cannot be reset due to a dead short. Additionally, the conduit in pipe chases are visibly rusted to the extent that wiring is exposed. Given the failures in R1, R2 and R3, and the similar signs of failure in R4, it is in the best interest of the State to now incorporate R4 into this emergency procurement to protect against the threat to safety for the inmates and staff, and to prevent or minimize serious disruption in critical State services. Additionally, given the current vendors knowledge and expertise and the fact that they are already mobilized in the other Residential units, it is fiscally prudent to move forward with electrical repairs to R4.

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

REVISED (08/19/19): The scope of work is to provide construction services for replacing all of the underground wiring for lights,



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receptacles and other miscellaneous loads using new conduits above grade in residential units R1, R2, R3 and R4, and to assist the A/E of record as needed while they are completing any assessment of the residential units. Incorporated documents include the March 2009 Standard Documents for Construction & Supplement and the design and specifications provided by the A/E of record and approved by CDB. Services provided under this procurement should not exceed \$772,500.00, which is a Not to Exceed Construction Contract, 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 5, 2019 Estimated End Date: Apr 30, 2020

Amount of this expenditure is: \$772,500.00 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: 2019.08.19 13:49:42 -05'00' Title: Executive II

SPO/CPO Signature: GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM Date: 2019.08.19 15:02:17 -05'00' Date: Aug 19, 2019



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### EMERGENCY PURCHASE EXTENSION

Agency: Capital Development Board Point of Contact: Marci Boudet

Location of Emergency: Big Muddy Correctional Center, Jefferson County, IL.

Vendor: F.W. Electric, Inc.

Address: P.O. Box 1297 City: Benton State: IL Zip: 62812

### Extension Justification

Original Emergency Term Start Date: Feb 6, 2019 Original Emergency Term End Date: Apr 30, 2020

Amount of original: \$2,737,500.00 Actual or Estimated: Estimated

Extension Hearing Date: Mar 24, 2020 Requested Extension End Date: Oct 31, 2020

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 is to provide construction services for replacing all of the underground wiring for lights, receptacles and other miscellaneous loads using new conduits above grade in residential units R1, R2, R3 and R4, and to assist the A/E of record as needed while they are completing any assessment of the residential units.

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 work remains the same. Since the previous Extension Hearing held on April 9, 2019, the emergency declaration has expanded to include emergency electrical work in residential units R3 and R4. Currently, all work in R1 and R2 have been completed. The project team continues to work in R4 having completed Wings A, B and D. Remaining work includes R4 Wing C and POD and all of R3 and POD. CDB is requesting an emergency purchase extension through October 31, 2020 to allow for completion of the emergency work and close-out of the contract. CDB requires FW Electric, Inc.'s continued participation because of their familiarity with the site and recommendations provided by the A/E to date, and scope.

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

### 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: 2020.03.02 14:34:31 -06'00' Title: Executive II

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: Tuesday, March 24, 2020  
TIME: 10:00 a.m.  
LOCATIONS: 401 S. Spring St.  
3<sup>rd</sup> Floor, Conference Room A,  
Wm. Stratton Building  
Springfield, IL 62706

For those who wish to attend this hearing via teleconference, please call in to the number below:  
1-312-535-8110  
Access Code: 801-782-334

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: F.W. Electric, Inc.  
McCoy and Howard Consulting Engineers, Inc.

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 extensions for design services from McCoy and Howard Consulting Engineers, Inc., and construction services from F.W. Electric Inc. This is related to an emergency procurement at the Big Muddy Correctional Center, Benton, IL. CDB Project # 120-178-011



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### Hearing Disposition

Hearing Date: Mar 24, 2020 Hearing Location: Remote Locations (at home) 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:

An extension hearing was held remotely today via WebEx . Attendees were the PM, Marci Boudet; AE, Chip Fox with McCoy & Howard; CE, Todd DeJaynes; CDB Emergency Coordinator, Chris Miles; SPO Jerry Burlingham.

The PM gave a current status update. On Friday, March 20, 2020, the Department of Corrections in response to the National COVID-19 pandemic, directed the contractor to all stop work, store unused materials on site, and demobilize from the facility. All corrective work in buildings R1 and R2 (Residential housing units) has been completed. Prior to this shut down, FW Electric was working in building R4. Specifically in the 'C'-wing, the POD, and the Penthouse areas ,and the anticipated date of completion was to be in April 2020.

Additionally, in May 2019, repairs to Building R3 electrical system was incorporated into this emergency project, however work has yet to begin. The estimated completion time for building R3, once work restarts, remains at approximately 6 months. FW Electrics current contract end date is April 30,2020, and they are requesting to extend their contract an additional 6 months. At this time t is unknown how long the current suspension of work will last. Therefore, SPO Burlingham recommends FW Electrics' requested contract end date of October 31,2020 be extended until December 31,2020. The additional 60 days will hopefully provide relief of suspended work and provide additional time for re-mobilization and for work in buildings R3 and R4 to be completed. A re-start Change Order is anticipated in the future as additional costs to the contractor will be incurred. The estimated cost cannot be determined at this time.

### Signatures

Hearing Officer recommends approval of the extension request.

Hearing Officer Signature: GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM Date: 2020.03.24 11:17:00 -05'00' Date: Mar 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 245 calendar days.

CPO Signature: Arthur L Moore Digitally signed by Arthur L Moore Date: 2020.03.25 15:39:16 -05'00' Date: Mar 25, 2020