

REVISED EMERGENCY PURCHASE AFFIDAVIT

Reference # 120-240-060

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: GRP Mechanical Co.

Address: 1 Mechanical Drive

City: Bethalto State: IL Zip: 62010

Vendor #2: The Upchurch Group, Inc. (28276)

Address: 123 N. 15th Street

City: Mattoon State: IL Zip: 61938

Vendor #3: Lakeside Roofing Company (23277)

Address: 2205 Vandalia

City: Collinsville State: IL Zip: 62234

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:

On August 23, 2017 the Office of State Fire Marshal (OSFM) issued four citations concerning boiler operations at Vandalia Correctional Center. The citations issued were the direct result of an inspection conducted by the OSFM that found the boilers to be in an unsatisfactory condition. The code violations specifically cite signs of leakage on the Greenhouse boiler and signs of severe corrosion and pitting on the three outer pressure shells of the facility's main boilers caused by roof leaks in the Boiler House. Currently, the boilers, which provide heat and hot water to the entire facility, are operable but need addressed immediately before a failure occurs. To rectify these issues, the OSFM is requiring the boiler in the Greenhouse be hydro-tested in order to replace any components found to be leaking (up to ASME certification standards). Additionally, the OSFM requires the removal of the outer skin casings of the three main boilers in the Boiler House for a licensed vendor to evaluate the scope of the repairs needed, followed by an internal inspection prior to the boiler certificate being issued. Furthermore, the main Boiler House has a leaking roof system allowing outside moisture to saturate the fiberglass insulation causing some of the aforementioned issues to the main boilers.

Vendor #1 will provide an analysis of the 4 boiler systems, including a detailed description of any necessary repairs and/or replacement of the boiler system, a hydro-test to the Greenhouse boiler and cost estimates. Depending upon the scope of work and severity of the repairs needed, Vendor #1 may be directed to provide repairs described in the analysis as warranted and approved by CDB and the Chief Procurement Office. Vendor #1 was selected because they are licensed by the Illinois Division of Boiler and Pressure Vessel Safety, are in close proximity to the site and can provide services immediately.

Vendor #2 will provide abbreviated specifications and construction oversight for replacing the roof system on the Boiler House. Vendor #2 may be asked to provide design services for repairs and/or replacement of the boiler systems, depending upon the complexity of the analysis provided by Vendor #1. Design services related to the boiler system may include temporary equipment to keep the facility in operation as well as other potential repairs or replacement of other ancillary items to the system including but not limited to heat exchangers and pipe insulation. Additionally, should the system require new boilers or large equipment, Vendor #2 is to include in their design a replacement door to allow for the equipment to be moved in and out of the facility as the existing door no longer works. Vendor #2 was selected because they are familiar with and in close proximity to the site and can provide services immediately.

Vendor #3 provided the lowest responsive and responsible quote and will provide labor and material to replace the roofing system on the Boiler House as specified by Vendor #2. 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 the Vandalia Correctional Center under the existing processes would likely not begin for several months. For this reason, emergency purchases are necessary to ensure the repair and/or replacement of the boiler system and roof replacement work is conducted in an expedited manner.

Vendor #1 Expected Start Date: September 13, 2017 Expected End Date: December 11, 2017
Vendor #2 Expected Start Date: September 14, 2017 Expected End Date: December 12, 2017
Vendor #3 Expected Start Date: October 20, 2017 Expected End Date: December 12, 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 \$20,000.00 *Estimated
Vendor #2 Amount of this expenditure is: \$ _____ Actual or \$25,000.00 *Estimated
Vendor #3 Amount of this expenditure is: \$ _____ Actual or \$58,827.00 *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)

Kathryn Martin
Signature of Affiant

Kathryn Martin
DIS of Operations

Subscribed and sworn before me this 23rd day of October 20 17.

Christopher A. Miles
Notary Public



My Commission expires: 11/3/18

Section 20-30. Emergency Purchase

(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: This Affidavit revises the Affidavit dated September 14, 2017 to include Vendor #3 for roof replacement work.

Reference # 120-240-060

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/. Click "Illinois Bid" and enter Procurement Bulletin Reference # in the search box.

HEARING DETAILS

DATE: November 15, 2017
TIME: 10:30 A.M.
LOCATIONS: 401 S. Spring St.
3rd Floor, 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: The Upchurch Group, Inc.; GRP Mechanical Co.;
Lakeside Roofing Co., 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 extensions of the emergency procurements for design and construction services from The Upchurch Group and construction services from GRP Mechanical Co., and Lakeside Roofing Co. Inc., respectively, which are providing the emergency repairs and replacement of boilers and roof replacements at the Vandalia Correctional Center. They are requesting their contracts be extended to March 13, 2018. CDB Project #: 120-240-060.
Illinois Procurement Bulletin Reference #: 22041369

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 Boiler and
Roof Repairs # 120-240-060
IPB Reference #: 22041369

Department/Bureau/Section: Construction

Hearing Date/Time: November 15, 2017, 10:30 a.m.

Hearing Location: Stratton Building, 3rd Floor, Conf. Rm 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 November 15, 2017 to hear testimony and receive comments on extending the emergency contracts for The Upchurch Group, GRP Mechanical, and Lakeside Roofing who are providing emergency design, Boiler replacement, and Roofing repairs at the Vandalia Correctional Center. A recording of the hearing is available and will be published online.

Bob Bauer, CDB Project Manager, provided a brief history and current status of the project. Status: Roofing work is 50% complete. Boilers 1&3 have been insulated and lagged. Upon completion of successful testing they will be brought on-line. Boiler 2 will then be taken off-line, inspected, and repaired. The Greenhouse boiler is on order and is to be received and installed the first week in December.

There are no foreseeable risks to completing the project per the revised scheduled. Therefore extending the contract end dates for all vendors involved in this emergency procurement is warranted.

Hearing Officer Jerry Burlingham recommends extending the contracts for The Upchurch Group, GRP Mechanical, and Lakeside Roofing until March 13, 2018 to allow ample time for final billing documents and drawings to be submitted on this project.




State Purchasing Officer, Hearing Officer

11-16-17

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 92 days.



Art Moore, Chief Procurement Officer

11/16/17

Date

Chief Procurement Office for the Capital Development Board

REVISED EMERGENCY PURCHASE AFFIDAVIT (FINAL COST)

Reference # 120-240-060

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:

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Vendor #1: GRP Mechanical Company, Inc. (25833)

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Vendor #2: The Upchurch Group, Inc. (28276)

Address: 123 N. 15th Street

City: Mattoon State: IL Zip: 61938

Vendor #3: Lakeside Roofing Company (23277)

Address: 2205 Vandalia

City: Collinsville State: IL Zip: 62234

State of Illinois)
: SS
County of Sangamon

I, Paula Sorensen 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.

- checkboxes for emergency purchase reasons: 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:

On August 23, 2017 the Office of State Fire Marshal (OSFM) issued four citations concerning boiler operations at Vandalia Correctional Center. The citations issued were the direct result of an inspection conducted by the OSFM that found the boilers to be in an unsatisfactory condition. The code violations specifically cite signs of leakage on the Greenhouse boiler and signs of severe corrosion and pitting on the three outer pressure shells of the facility's main boilers caused by roof leaks in the Boiler House. Currently, the boilers, which provide heat and hot water to the entire facility, are operable but need addressed immediately before a failure occurs. To rectify these issues, the OSFM is requiring the boiler in the Greenhouse be hydro-tested in order to replace any components found to be leaking (up to ASME certification standards). Additionally, the OSFM requires the removal of the outer skin casings of the three main boilers in the Boiler House for a licensed vendor to evaluate the scope of the repairs needed, followed by an internal inspection prior to the boiler certificate being issued. Furthermore, the main Boiler House has a leaking roof system allowing outside moisture to saturate the fiberglass insulation causing some of the aforementioned issues to the main boilers.

Vendor #1 will provide an analysis of the 4 boiler systems, including a detailed description of any necessary repairs and/or replacement of the boiler system, a hydro-test to the Greenhouse boiler and cost estimates. Depending upon the scope of work and severity of the repairs needed, Vendor #1 may be directed to provide repairs described in the analysis as warranted and approved by CDB and the Chief Procurement Office. Vendor #1 was selected because they are licensed by the Illinois Division of Boiler and Pressure Vessel Safety, are in close proximity to the site and can provide services immediately.

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Vendor #3 provided the lowest responsive and responsible quote and will provide labor and material to replace the roofing system on the Boiler House as specified by Vendor #2. 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 the Vandalia Correctional Center under the existing processes would likely not begin for several months. For this reason, emergency purchases are necessary to ensure the repair and/or replacement of the boiler system and roof replacement work is conducted in an expedited manner.

Vendor #1 Expected Start Date: September 13, 2017 Expected End Date: December 6, 2017

Vendor #2 Expected Start Date: September 14, 2017 Expected End Date: January 12, 2018

Vendor #3 Expected Start Date: October 20, 2017 Expected End Date: January 12, 2018

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: \$ 107,985.73 Actual or \$ *Estimated

Vendor #2 Amount of this expenditure is: \$ 13,804.46 Actual or \$ *Estimated

Vendor #3 Amount of this expenditure is: \$ 58,827.00 Actual or \$ *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].

Paula Soranzo
Signature of Affiant

Subscribed and sworn before me this 21st day of February 20 18.

Christopher Miles
Notary Public



My Commission expires: 11/3/18

(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.

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(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.)

This Affidavit revises the Affidavit dated October 23, 2017 to include final costs and actual completion dates for each respective vendor.

Reference # 120-240-060