

EMERGENCY PURCHASE AFFIDAVIT

Reference # 321-010-098

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: David A. Loyet & Associates, Inc. (1765)

Address: 902 Walnut Street

City: Highland State: IL Zip: 62249

Vendor #2: Joiner Sheet Metal & Roofing, Inc. (30846)

Address: 817 E. Harris Avenue

City: Greenville State: IL Zip: 62246

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.

- checkbox Involving threat to public health or public safety.
checkbox X Immediate expenditure is necessary for repairs to State property to protect against further loss of or damage
checkbox To prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues.
checkbox X To insure integrity of State records
checkbox 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 Alton Mental Health Center has experienced major leaks in the Pine Cottage and Mechanical Building as a result of failed roofing systems. Several attempts at short term repairs have been made, including patching and the use of a tarp to keep rain water from entering the building, but recent rains have cause the roof to further deteriorate to the point where short term repairs are no longer an option. The Pine Cottage houses patient records from multiple mental health centers and the Mechanical Building houses the fire alarm system, security equipment and other controls for the entire facility. Emergency Purchases are necessary to allow roof replacement work to begin as soon as possible in order to protect against further loss or damage to the buildings, including the equipment/system controls within, and to insure the integrity of State records.

Vendor #1 has been selected to provide A/E services to design, observe and provide direction for the replacement of approximately 65,000 square foot of roofing and all attendant accessories on the Mechanical Building (BD024) and Pine Cottage (BD009) including any structural repairs to roof substructures and masonry as needed. Vendor #1 was chosen because of their experience, proximity to the site location and positive performance on prior CDB projects.

Vendor #2 will provide all labor and material for the roof replacement work as specified and/or directed by Vendor #1. Vendor #2 was chosen because they have extensive CDB project experience with positive results and can respond immediately to this request for emergency services.

Considering the time frames needed for the negotiation and execution of an A/E contract, design and standard bidding procedures, repairs at the Alton Mental Health Center under the existing processes would likely not begin for several months. For this reason, emergency purchases are necessary to ensure the roofing systems are repaired as soon as possible.

Vendor #1 Expected Start Date: May 5, 2017 Expected End Date: August 2, 2017

Vendor #2 Expected Start Date: May 9, 2017 Expected End Date: August 2, 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 \$ 100,000.00  \*Estimated

Vendor #2 Amount of this expenditure is: \$ \_\_\_\_\_  Actual or \$ 785,000.00  \*Estimated

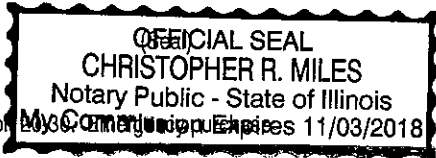
\*When only an estimate of cost is available, the actual cost shall be reported immediately after it is determined.

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].

Greg Behrke  
Signature of Affiant

Subscribed and sworn before me this 9<sup>th</sup> day of May 2017.

Christopher R 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.

(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 # 321-010-098

## Emergency Memorandum

To: Chris Miles, Capital Programs  
Capital Development Board

From: William Strahle, Agency Procurement Officer, DHS

Date: May 2, 2017

Subject: Alton Roofs

The Department of Human Services is requesting that the Capital Development Board take action to procure, on an emergency basis, one or more contracts to address an emergency need of the State.

This situation meets the following condition(s) for use as set forth in 30 ILCS 500/20-30:

- There exists a threat to public health or public safety.
- Immediate expenditure is necessary for repairs to State property in order to protect against further loss or damage.
- It is necessary to prevent or minimize serious disruption in critical State services that affect health, safety, or the collection of substantial state revenues.
- It is necessary to insure the integrity of State records.

**Specific justification for the emergency conditions listed above are as follows:**

The Alton Mental Health Center has two buildings where the roofs have rapidly deteriorated in the past two months. The Pine building houses all the paper patient records for the Center. The records are constantly being moved so they are under the "best" sections of the roof that is not leaking. The Engineering building houses the fire alarm system for the entire facility. New leaks are threatening the systems controls.

**Please describe the emergency. Attach additional sheets as needed.**

Large areas of shingles of the Pine building have begun to break off of the 9/12 pitch roof. Water has begun to leak into the building and onto the records. The Engineering building has been tarped to prevent water from getting into the building where the fire alarm system is located. Only half the roof of the Engineering building would be replaced. Please see attached pictures.

I am William Strahle, Agency Procurement Officer for the Illinois Department of Human Services.

(Please give official title and office.)

***We understand that CDB will coordinate with its CPO who will make all appropriate postings to the Procurement Bulletin and will file all necessary affidavits and updates with the Auditor General.***

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(s): Loyet and Associates, Inc.  
Joiner Sheet Metal & Roofing

Brief Descriptions: Emergency Roof Repairs, Alton Mental Health Center. CDB Project # 321-010-098

Request is to extend the contracts of Joiner Sheet Metal & Roofing and Loyet and Associates, Inc. from August 2, 2017 to October 31, 2017.

Procurement Bulletin Reference: 22040792

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 Roof Replacement PN# 321-010-098  
Department/Bureau/Section: Alton Mental Health Ctr IPB Reference #: 22040792  
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 procurements for Loyet and Associates, Inc., and Joiner Sheet Metal and Roofing whom are providing emergency design and construction services respectively. A recording of the hearing is available and will be published on the IPB.

Mark Hendricks, CDB Project Manager, provided a brief history and current status of the project. Status: Substantial Completion was submitted on June 26, 2017 and Final Acceptance was July 10, 2017. Contractor is currently waiting on close-out documents and for DHS to remit their \$200,000.00 payment to them. A PCOI for Mason Masonry, was submitted to the CPO today, to be completed. No other persons wished to provide testimony or comments on this project.

Hearing Officer, Gerald Burlingham recommends extending Joiner Sheet Metal and Roofing and Loyet & Associates Inc.'s contract until October 31, 2017 to allow ample time for 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 91 calendar days.

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

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

Chief Procurement Office for the Capital Development Board

REVISED EMERGENCY PURCHASE AFFIDAVIT (FINAL COST)

Reference # 321-010-098

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Address: 817 E. Harris Avenue

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State of Illinois )
: SS
County of Sangamon

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Vendor #1 Expected Start Date: May 5, 2017 Expected End Date: June 28, 2017

Vendor #2 Expected Start Date: May 9, 2017 Expected End Date: June 28, 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: \$66,239.26  Actual or \$ \_\_\_\_\_  \*Estimated

Vendor #2 Amount of this expenditure is: \$2,111,294.00  Actual or \$ \_\_\_\_\_  \*Estimated

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

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*GWO Behrke*

Signature of Affiant

Subscribed and sworn before me this 2nd day of August 2017.

x

*Christopher R Miles*

Notary Public

My Commission expires: 11/3/18



Section 20-2

(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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(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 # 321-010-098

This affidavit revises the affidavit dated May 9, 2017 to include final costs for Vendor #1 and Vendor #2 as well as updated completion dates.