

EMERGENCY PURCHASES

Emergency Purchase Number **AFF11-03**

Office/Division: IDOT Division of Highways, Region 1/District 1
Address: 201 W. Center Court
Schaumburg, IL 60196

Responsible Chief Procurement Officer: Bill Grunloh

Vendor: Brandenburg Industrial Services Company
Address: 2625 Loomis Avenue
Chicago, IL 60606

Estimated Cost: \$80,000.00

This expenditure is justified as:

- An emergency involving public health.
- An emergency involving public safety.
- Necessary to protect State property from further loss or damage.
- Necessary to prevent or minimize serious disruption in State services.
- Necessary 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 expenditure are:

The building located at 401 Washington St., Algonquin, IL 60121 known as "Toastmaster" was purchased by the State of Illinois to make way for the Algonquin Bypass. Said building suffered a major fire on the morning of October 18, 2010, causing severe structural damage. The City of Algonquin, the Illinois State Police, and the Illinois State Fire Marshal all directed the Department of Transportation, as owners of the building, to make immediate arrangements to demolish the portions of the building in danger of collapse, as well as assisting in the investigation of criminal activity. Due to the potentially hazardous materials, removal of the debris shall be expedited to minimize the potential impacts to air and water quality for the surrounding community. Some of the impacts, such as asbestos containing materials becoming more friable and plastic (wiring) converting to dioxins, may become greater hazards as a result of incomplete burning of these materials.

The demolition of buildings on this site was included as part of Contract 60K03 which was advertised on the July 2010 Statewide letting, although at this time the contract has not been awarded. In order to identify a qualified demolition contractor we contacted the four companies who submitted bids to the Department on 60K03: Copenhaver Construction (847/428-6696) was not able to commit to an immediate response; Geotrack Construction (847/234-0185) was not able to commit to an immediate response; Huckstorf Inc. (847/669-1918) left message, no response; Super Construction Inc.(815/578-9200) phone number was disconnected; finally Brandenburg Construction (312/326-5800) was also contacted due to their large amount of similar experience demolishing damage buildings for the City of Chicago. They were able to commit to respond immediately and had supervisory staff on site within hours.

EMERGENCY PURCHASE AFFIDAVIT

Reference # AFF-11-03

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: Illinois Department of Transportation Division: Highways / Region One / District One

Address: 201 W Center Court

City: Schaumburg State: Illinois Zip: 60196

Vendor: Brandenburg Industrial Services Company

Address: 2625 South Loomis Ave

City: Chicago State: Illinois Zip: 60608

State of Illinois)
 : SS

County of Cook

I, Diane M. O'Keefe being duly sworn, solemnly swear and affirm that I am Deputy Director of Highways, Region One, District One.

I have authorized the expenditure of funds for an emergency in accordance with standards set by rule and 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 building located at 401 Washington St, Algonquin IL 60102 known as "Toastermaster", was purchased by the State of Illinois to make way for the Algonquin Bypass. Said building suffered a major fire on the morning of October 18, 2010, causing severe structural damage to the building. The City of Algonquin, the Illinois State Police, and the Illinois State Fire Marshal all directed the Illinois Department of Transportation, as owners of the building to make immediate arrangements to demolish the portions of the building in danger of collapse, as well as assisting in the investigation of criminal activity
(Over) _____

(Continue on next page if necessary)

Expected Start Date: October 18, 2010 Expected End Date: December 15, 2010

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.

Amount of this expenditure is: \$ _____ Actual or \$80,000.00 *Estimated

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

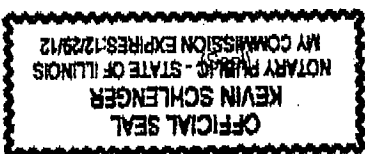
I am duly authorized to make this affidavit. I know and understand the contents of this affidavit and all statements herein are true and correct. This affidavit is made pursuant to and in fulfillment of the requirements of Illinois Procurement Code [30 ILCS 500/20-30].

Diane O'Keefe
Signature of Affiant

Subscribed and sworn before me this 20th day of October 2010.

[Signature]
Notary Public

My Commission expires: 12/25/10



X
X

Gina Bush - C.P.O.
10/22/10

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 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 # AFF-11-03

Due to the presence of potentially hazardous materials, removal of the debris shall be expedited to minimize the potential impacts to air and water quality for the surrounding community. Some of these impacts, such as asbestos containing materials becoming more friable and plastic (wiring) converting to dioxins, may become greater hazards as a result of incomplete burning of these materials.

The demolition of buildings on this site was included as part of Contract 60K03 which was advertised on the July 2010 Statewide Letting, although at this time the contract has not been awarded. In order to identify a qualified demolition contractor we contacted the four companies who submitted bids to the Department on 60K03 - Copenhagen Construction (847-426-6696) was not able to commit to an immediate response; Geotrack Construction (847-234-0185) was not able to commit to an immediate response; Huckstorf Inc (847-669-1918) left message - no response; Super Construction Inc. (815-578-9200) phone number was disconnected; finally Brandenburg Construction (312-326-5800) was also contacted due to their large amount of similar experience demolishing damaged buildings for the City of Chicago - they were able to commit to respond immediately and had supervisory staff on site within hours.

Appropriate Code: 011-49442-7900-000
emergencyaffidavit.doc

B.G. 10/22/10