



Emergency Purchase Number: Aff-11-07

Office/Division: Highways

Address: 819 Depot Avenue
Dixon, IL 61021

Chief Procurement Officer: Bill Grunloh

Vendor: Civil Constructors Inc of Illinois

Address: P. O. Box 750
Freeport, IL 61032

Estimated Cost: \$60,000.00

Final Cost: _____

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:

We currently have a void, approximately 4' x 3' x 6', beneath the pavement of Atkinson Road (SBI Route 82) caused by the collapse of a 15" clay drain tile that runs diagonally under the roadway. As a result, we have closed the road to traffic until repairs can be made. It has been impossible to see if the tile has been compromised further under the pavement as signs of previous attempts to correct problems with this tile are evident by the presence of concrete around the tile. Due to the uncertainty of the conditions beyond this junction and the condition of the visible tile, it is recommended the entire section of tile be replaced from the point the drain tile enters our Right of Way (ROW) on the East side of the roadway to the drop box approximately 300' from where the tile crosses under the pavement on the West side of the roadway. Our investigation has determined this tile is in connection with the local Drainage District. This fact reinforces the need to make permanent repair from ROW to ROW to avoid future eroding situations on either side of our pavement especially when considering the amount of water this system is expected to carry as well as the expanse of the region it is intended to help drain. We have selected Civil Constructor of IL to perform these emergency repairs. Civil Constructors has the personnel and expertise to handle all types of roadway repairs. They have proven themselves to provide the necessary manpower and equipment to expedite emergency repairs and minimize the disruption to the traveling public. They have also committed to begin repairs as quickly as possible upon approval of the emergency affidavit.

EMERGENCY PURCHASE AFFIDAVIT

Reference # AFF-11-07

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: Highway

Address: 819 Depot Avenue

City: Dixon State: IL Zip: 61021

Vendor: Civil Constructors Inc of Illinois

Address: P O Box 750

City: Freeport State: IL Zip: 61032

State of Illinois) : SS

County of Lee

I, Eric S. Therkildsen being duly sworn, solemnly swear and affirm that I am Acting Regional Engineer.

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 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:

We currently have a void, approximately 4' x 3' x 6', beneath the pavement of Atkinson Road (SBI Route 82) caused by the collapse of a 15" clay drain tile that runs diagonally under the roadway. As a result, we have closed the road to traffic until repairs can be made. It has been impossible to see if the tile has been compromised further under the pavement as signs of previous attempts to correct problems with this tile are evident by the presence of concrete around the tile. Due to the uncertainty of the conditions beyond this junction and the condition of the visible tile, it is recommended the entire section of tile be replaced from the point the drain tile enters our Right of Way (ROW) on the East side of the roadway to the drop box approximately 300'

(Continue on next page if necessary)

Expected Start Date: May 18, 2011 Expected End Date: May 31, 2011

Extension of previous emergency purchase: [] Yes or [X] 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.

Expected End Date: \$ [] Actual or \$60,000.00 [X] *Estimated.

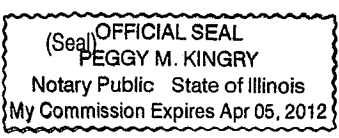
*When only an estimate of cost is available, the actual cost shall be reported immediately after it is determined.

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].

Signature of Affiant (Handwritten signature)

Subscribed and sworn before me this 16th day of May 20 11

Notary Public (Handwritten signature: Peggy M. Kingry)



My Commission expires: April 5, 2012

Approved: (Handwritten signature) Chief Procurement Officer/State Purchasing Officer Date: 5/18/11

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)

Reference # **AFF -11-07**

from where the tile crosses under the pavement on the West side of the roadway. Our investigation has determined this tile is in connection with the local Drainage District. This fact reinforces the need to make permanent repair from ROW to ROW to avoid future eroding situations on either side of our pavement especially when considering the amount of water this system is expected to carry as well as the expanse of the region it is intended to help drain. We have selected Civil Constructor of IL to perform these emergency repairs. Civil Constructors has the personnel and expertise to handle all types of roadway repairs. They have proven themselves to provide the necessary manpower and equipment to expedite emergency repairs and minimize the disruption to the traveling public. They have also committed to begin repairs as quickly as possible upon approval of the emergency affidavit.

From: _____
To: _____
Subject: RE: Emergency Affidavit: AFF-11-07
Date: Wednesday, May 18, 2011 7:59:45 AM

From: Johnson, David B
Sent: Tuesday, May 17, 2011 10:31 AM
To: Grunloh, Bill J.; Caton, Colleen L.
Cc: Weatherholt, Aaron A; Korty, Thomas E; Frey, William R
Subject: RE: Emergency Affidavit: AFF-11-07

Bill, in addition to Civil being able to start the work immediately and being qualified for this type of work, the road is currently closed which is impacting farmers during the spring planting season as well as school bus routes. Thanks.

From: Grunloh, Bill J.
Sent: Tuesday, May 17, 2011 9:40 AM
To: Johnson, David B; Caton, Colleen L.
Cc: Weatherholt, Aaron A; Korty, Thomas E; Frey, William R
Subject: RE: Emergency Affidavit: AFF-11-07

Dave,

As per our conversation this morning, please provide my office with some additional emergency justification information for the attached affidavit.

Thanks

Bill Grunloh
Chief Procurement Officer - IDOT
Illinois Executive Ethics Commission
(217)-558-5434
(217)-782-6828 (fax)

Enhancing transparency and accountability in the procurement process

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From: Johnson, David B
Sent: Monday, May 16, 2011 3:10 PM
To: Caton, Colleen L.
Cc: Grunloh, Bill J.; Weatherholt, Aaron A; Korty, Thomas E
Subject: FW: Emergency Affidavit: AFF-11-07

Attached is the signed Affidavit for the D2 project.

From: Becker, Mark F
Sent: Monday, May 16, 2011 2:40 PM
To: Johnson, David B

Cc: Marchek, Kevin F; Windsor, Mark R; Layer, Charles L
Subject: Emergency Affidavit: AFF-11-07

Dave,

Attached is the signed emergency affidavit and transmittal correspondence. The original is in today's outgoing mail, so you should receive tomorrow or Wednesday.

If you have any questions, please feel free to contact me.

Mark

Mark F. Becker
Financial Services Manager
Illinois Department of Transportation
District Two
(815) 284-5318