



## Notice of Award for Emergency Purchases

**Emergency Purchase Number:** AFF12-02

**Office/Division:** Highways / Region 2 / District 2

**Address:** 819 Depot Avenue  
Dixon, IL 61021

Chief Procurement Officer: Bill Grunloh

**Vendor:** Brandt Construction

**Address:** 700 West 4<sup>th</sup> Street  
Milan, IL 61264

Estimated Cost: \$150,000

**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:

The JoDaviess County area received an estimated 15 inches of rain over a 12 hour period from the evening of July 27 through the morning of July 28, 2011 resulting in flash flooding. The net result is three emergency affidavits are being prepared to help restore safe and efficient movement of the motoring public. District Two contacted three contractors to determine availability and interest in assisting with the emergency repairs. Fischer Excavating expressed a willingness and preference to assist with the cleanup efforts on IL 78 & US 20. Their bituminous plant was too far to efficiently and economically assist with the other projects, but with local resources and equipment associated with excavating and hauling they would be effective. They have also recently completed an aggregate shouldering contract for the Department and have equipment in the vicinity. The District selected Fischer Excavating based on their proximity, available equipment, past performance and ability to begin immediately. In general, the emergency repairs will consist of ditch and drainage structure cleaning, debris removal and aggregate shoulder replacement. The other two contractors contacted regarding this emergency work were Civil Constructors of Illinois and Brandt Construction. Civil Constructors has been asked to assist with the emergency repairs on IL 35 and Brandt has been selected to perform emergency repairs on IL 78 near the Plum River.

EMERGENCY PURCHASE AFFIDAVIT

Reference # AFF-12-02

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 2 / District 2

Address: 819 Depot Avenue

City: Dixon State: IL Zip: 61021

Vendor: Brandt Construction

Address: 700 West 4th Street

City: Milan State: IL Zip: 61264

State of Illinois ) : SS

County of Lee )

I, Eric S. Therkindsen, being duly sworn, solemnly swear and affirm that I am Acting Deputy Director

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.

- Involved 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 JoDaviess County area received an estimated 15 inches of rain over a 12 hour period from the evening of July 27 through the morning of July 28, 2011 resulting in flash flooding. The net result is three emergency affidavits are being prepared to help restore safe and efficient movement of the motoring public. District Two contacted three contractors to determine availability and interest in assisting with the emergency repairs. Brandt Construction expressed a willingness and preference to assist with the repairs on IL 78 near the Plum River as they have recently been awarded the contract to replace several deck beams on this structure. This allows them to keep their man power and equipment in a consolidated area allowing for the greatest efficiency. This is also beneficial to the Department as it eliminates confusion between multiple contractors working in the same vicinity and ....

(Continue on next page if necessary)

Expected Start Date: August 8, 2011 Expected End Date: November 1, 2011

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.

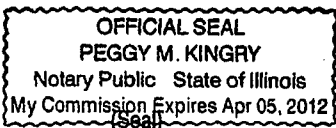
Contract Amount: \$ Actual or \$150,000.00 \*Estimated.

\*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].

Signature of Affiant

Subscribed and sworn before me this 9th day of August 20 11



Peggy M. Kingry Notary Public

My Commission expires: April 5, 2012

Approved: Callen Caton 8/10/11 Chief Procurement Officer/State Purchasing Officer Date

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-12-02**

... aids in the coordination of work activities. In general, the emergency repairs will consist of bituminous milling and paving, shoulder reconstruction, guardrail replacement, debris removal and pier stabilization. This contract will also be responsible for bituminous milling, pavement and should reconstruction approximately 10 miles south of the Plum River location. In addition to the apparent benefits of having a single contractor working in a confined vicinity we have selected Brandt Construction to perform these repair services as they have proven themselves more than capable in this type of work. The other two contractors contacted regarding this emergency work were Civil Constructors of Illinois and Fischer Excavating. Civil Constructors has been asked to assist with the emergency repairs on IL 35. Fischer's bituminous plant was too great of a distance to be considered a viable option, but is willing to assist with the removal of dirt and debris deposited throughout the ditches along IL 78 & US 20 as well as the re-establishment of shoulders and replacement of aggregate shoulders at various locations.