

Emergency Extension Justification/Disposition Form (Part II)
(To be posted with Notice Addendum after Hearing)

HEARING DISPOSITION

Requesting Agency/University: Capital Development Board
Project Title: Menard Medium Security Unit Slope Failure
Department/Bureau/Section: Il. Department of Corrections
IPB Reference #: 22022158
PBC Reference #: N/A
Hearing Date/Time: January 4, 2012 / 10:00 AM
Hearing Location: 511 Stratton Building, Springfield IL.

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.

The public hearing (details above) was conducted for the purpose of hearing testimony and comments regarding the emergency.

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 173 days.


Fred Hahn, Chief Procurement Officer

9 January 2012
(Date)

see CPO memo attached

Chief Procurement Office for the Capital Development Board

STATE OF ILLINOIS
CHIEF PROCUREMENT OFFICE



TO: Contract File – Emergency Extension

FROM: Fred Hahn

A handwritten signature in black ink, appearing to read "Fred Hahn", written over the printed name.

DATE: January 9, 2011

RE: Menard Correctional Center – Slope Stabilization

A hearing to extend the 90-day period for this emergency procurement was held on January 4, 2012. The hearing was published on the IPB at least two weeks prior to the hearing. The hearing is summarized in a January 5, 2012 memo from the SPO to the CPO. It is recommended that the procurement be extended for a period not to exceed 173 days.

I am troubled by the need to extend this procurement, especially for as long as 173 days. As disclosed at the hearing, the work remaining is estimated to take approximately 14 working days. However, all of the work is dependent on dry conditions, and to a large extent on warmer weather that isn't likely to occur until Spring. The remaining work includes seeding much of the site and asphaltting a roadway. Those activities could be bid competitively prior to when they will occur, which goes along with the Code provision limiting emergency work to the period needed to procure a competitive bid.

There are reasons for not bidding this work. They include that the seeding is estimated to cost \$7,000 and the asphaltting is estimated to cost \$40,000. Each is under the small purchase threshold, and could be directly procured from separate vendors. Additionally, the work is being performed under abbreviated specifications since it was procured under emergency protocols. In order to competitively bid the work, CDB would have to issue a modification to the A/E's contract in order for the A/E to prepare more detailed bidding documents, suitable for a competitive bid. That would cost between \$2,500 and \$3,500 based on CDB's fee rates. It would also slow down the work – the time to execute a modification, complete bidding documents, and issue a contract following a competitive bid is estimated to be between 100 and 195 days, based on CDB's standard processes (from draft to executed modification takes approximately 30 days, bidding document preparation 30 to 60 days, contract award 30 to 60 days, and contract execution 30 to 45 days). In addition, the prices for this work will not change – it's believed that the asphaltting cost would increase due to Likely increases in material costs. Lastly, the existing vendor, Illinois Excavating, has completed approximately 90% of the work and the remaining work is tied to the completed work. For warranty and liability reasons, it's prudent to have the same vendor complete the work.

cc: William Strahle, Nicki Patterson