

EMERGENCY PURCHASE AFFIDAVIT

Reference # 120-075-056

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: Sterling Commercial Roofing, Inc.

Address: 2711 Locust Street

City: Sterling State: IL Zip: 61081

Vendor #2: Loescher Heating & Air Conditioning

Address: 1860 South Walnut Road

City: Freeport State: IL Zip: 61032

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.

- 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:

On June 29, 2012, a severe storm caused significant physical damage to the Dixon Correctional Center. As a result, at least 10 buildings sustained roof damage and require repair and/or replacement. Roof top HVAC units on a housing unit were damaged and/or blown from the roof of the building and need to be repaired and/or replaced.

Vendor #1, Sterling Commercial Roofing, Inc. is repairing and replacing the damaged roofs.

Vendor #2, Loescher Heating & Air Conditioning, is evaluating and repairing/replacing the housing unit roof to HVAC units.

(Continue on next page if necessary)

Vendor # 1 - Expected Start Date: 06/30/12 Expected End Date: 09/28/12

Vendor # 2 - Expected Start Date: 07/01/12 Expected End Date: 09/29/12

Extension of previous emergency purchase: checkbox Yes or checked checkbox 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 \$ 300,000 \*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].

*Guo Babuh*

Signature of Affiant

Subscribed and sworn before me this

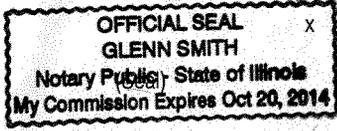
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day of

July

20

12



x  
x

*[Handwritten Signature]*  
Notary Public

My Commission expires:

10/20/14

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 # \_\_\_\_\_

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# MEMORANDUM

**TO:** Capital Programs  
Capital Development Board

**FROM:** Illinois Department of Corrections  
(Name of Agency)

**DATE:** 2-Jul-12

**SUBJECT:** Emergency Purchase Request

The IDOC on behalf of the Dixon Correctional C is requesting that the Capital Development Board take action to procure, on an emergency basis, one or more contacts 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 State services.
- It is necessary to insure the integrity of State records.

Specific justification for the emergency conditions listed above are as follows:  
(Please attach relevant documentation)

A severe storm on June 29, 2012 caused significant physical building damage and power outages to the Dixon Correctional Center. The high winds felled many tree limbs and local swirling debris damaged structures and equipment, in addition to safety hazards exposed to the residents and staff. Combinations of shingle and membrane roof damage occurred on the Psychiatric X-House BC-148, General Stores BC-108, Resident Buildings BC-033 & BC-061, and the sewage plant pump house BC-090 all requiring repair and/or replacement. Associative roof repairs will require any work necessary to curbs, metal flashings, trim, etc. to ensure an integral system. Lightening or electrical spikes damaged generator components at several locations leaving housing units and the warehouse with no backup power; of particular concern is non-existent backup power to coolers and freezers. The X-House building automation system and fire alarm system are inoperative requiring repair and/or replacement. Many buildings are still being evaluated for various types of component or equipment electrical failures such as meters, breakers, contactors, pumps, etc. Lack of power resulted in various electrical and plumbing components being submerged in water requiring further review and replacement. Failure to timely evaluate, repair and replace these individual components and systems will severely disrupt operational needs and safety to the residents and staff at significant expense to the State of Illinois.

I am

Duane Ladage, Architect, Capital Programs Unit

(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.***