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Capital Development Board
Emergency Purchase

Date: Aug 1, 2012 | Project Number: 120-075-056 | Estimated Cost: $163,177.25

Using Agency: Dixon CC | Vendor: Loescher Heating and Air Conditioning

Address: 1860 South Walnut Road, Freeport, IL 61032

Justification (check all that apply):

☐ Threat to Public Health ☐ Threat to Public Safety ☒ Protect from Further Loss ☐ Insure Integrity of State Records

☒ Prevent or Minimize Serious Disruption in Critical State Services Affecting Health, Safety, or Collection of Substantial State Revenue

Conditions and circumstances requiring this emergency expenditure are:

As a result of a severe storm on June 29, 2012, significant roof damage occurred at approximately 10 buildings requiring repair and/or replacement. An emergency was requested to prevent disruption in critical state services and to prevent further loss/damage.

Contractor Selection (list all contractors contacted and bid prices):

Loescher Heating and Air Conditioning - $163,177.25

Procurement Office Review:

Chief Procurement Officer, Fred Hahn

Comments:

Date: | Signature: | ☐ Approve ☐ Disapprove ☐ Need More Information

Emergency Extension Justification:

Extension Hearing Date: | Final Cost: $142,607.30

EP0912

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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.

- ☐ 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 HVAC units. **In addition, Loescher will be evaluating/repairing the building automation system, fire alarm, if necessary, and plumbing system.**

(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: ☐ 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 $ 350,000 ☒ *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].

Gus Behnke
Signature of Affiant

Subscribed and sworn before me this 1st day of August 2012.

x
(Seal) OFFICIAL SEAL
CHRISTOPHER R. MILES
Notary Public - State of Illinois
My Commission Expires Nov 03, 2014

Christopher R Miles
Notary Public

My Commission expires: _____

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 #_____