



ECOP

Chairman: David Vaught  
Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

April 15, 2013

Fred Hahn  
Chief Procurement Officer  
Capital Development Board  
Executive Ethics Commission  
377C Stratton Office Building  
Springfield, Illinois 62706

**Re: 50-35 Potential Conflict of Interest**

Dear Mr. Fred Hahn,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received April 15, 2013 and understand the facts to be as follows:

- 1) The Capital Development Board has issued a request for a review and comment on potential conflicts of interest disclosed by KAM Services, Inc.
- 2) The contract pertains to providing asbestos abatement services related to elevator upgrades at Illinois State Police Headquarters, Springfield, Illinois.
- 3) KAM Services, Inc. was selected using Competitive Sealed Bid.
- 4) The disclosure form submitted on behalf of KAM Services, Inc. indicates the following:
  - a. Mark Mitchell, 43% owner has identified his father Marion E. Mitchell as holding the position of County Chairman for the County of Jasper, Illinois. Marion E. Mitchell's annual salary does not exceed 60% of the Governor's salary.
- 5) The Capital Development Board confirmed that none of the disclosed individuals were in a position to influence the award of this contract. The Capital Development Board and CPO Fred Hahn indicate that it would be in the best interest of the State to approve this conflict of interest due to the using agency's needs and the value of the contract.

Based on the foregoing, you are requesting my review and comment pursuant to the Illinois Procurement Code.

Review and Comment

After careful review of the documentation provided, I do not view the relationships disclosed above as creating a conflict of interest sufficient to preclude the Capital Development Board from entering into a contract with KAM Services, Inc. for the services outlined in your letter received April 15, 2013.

Sincerely,

Aaron Carter  
Executive Director

Cc: EEC General Counsel