

PPB

STATE OF ILLINOIS
PROCUREMENT POLICY BOARD

David Vaught, Chairman

Members: Michael Bass, Ed Bedore, Ricardo Morales

July 19, 2011

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 July 15, 2011 and understand the facts to be as follows:

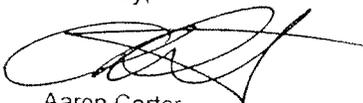
- 1) The Capital Development Board has issued a request for a review and comment on potential conflicts of interest disclosed by Open Road Paving LLC.
- 2) The contract pertains to the contract for entrance drive repair at Danville Community College.
- 3) Open Road Paving LLC was selected via Competitive Sealed Bid.
- 4) The disclosure form submitted on behalf of Open Road Paving LLC indicates the following:
 - a. Kathleen Crawmer, Timothy Crawmer and Charles Crawmer, all individuals with an ownership interest in excess of 5% of O'Neil Brothers, a corporate subsidiary of Open Road Paving, have disclosed that Mr. Dan Crawmer (spouse of Kathleen and father to Timothy and Charles) works for the University of Illinois, Department of Real Estate. Mr. Crawmer does not earn an income in excess of 60% of the governor's salary and did not influence the competitively sealed bidding process.
- 5) The Illinois Capital Development Board confirmed that none of the disclosed individuals were in a position to influence the award of this contract. The Illinois 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 Open Road Paving LLC for the services outlined in your letter received July 15, 2011.

Sincerely,

Aaron Carter
Executive Director