STATE OF ILLINOIS
PPB
PROCUREMENT POLICY BOARD

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June 4, 2013

Fred Hahn
Chief Procurement Officer
Capital Development Board
Executive Ethics Commission
301 Stratton 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 June 4, 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 HDR Engineering, Inc.

2) The contract pertains to subcontractor to the architect/engineer for the HVAC upgrade and window replacement at the Illinois Department of Transportation's District 6 Headquarters Materials Lab.

3) HDR Engineering, Inc. was selected using Competitive Sealed Bid, Contractor, and Sub-contractor agreement.

4) The disclosure form submitted on behalf of HDR Engineering, Inc. indicates the following:

   a. Patrick Pechnick has disclosed his spouse, Catherine Valente, is employed by IDOT as an Administrative Assistant. Her earnings are $65,000 per year.
   b. Michael Kelly has disclosed his mother, Gwendolyn Kelly, was a Principal Education Consultant with the Illinois State Board of Education, and retired 2/29/12.

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 HDR Engineering, Inc. for the services outlined in your letter received June 4, 2013.

Sincerely,

Aaron Carter
Executive Director

Cc: EEC General Counsel

222 SOUTH COLLEGE STREET, SUITE 231, SPRINGFIELD, IL 62704
Telephone: (217) 785-3988 Fax: (217) 557-9927 TTY: (888) 642-3450