



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

May 9, 2013

Fred Hahn
Chief Procurement Officer
Capital Development Board
Executive Ethics Commission
377C 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 May 8, 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 United Contractors Midwest, Inc.
- 2) The contract pertains to the upgrade of campus roadway and parking lots at Heartland Community College.
- 3) United Contractors Midwest, Inc was selected using Competitive Sealed Bidding.
- 4) The disclosure form submitted on behalf of United Contractors Midwest, Inc indicates the following:
 - a. The Disclosure Form A submitted on behalf of Stephan A. Cullinan, M.D., an individual with an ownership interest and distributive income of more than 60% of the Governor's salary, indicates that Mr. Cullinan is the Chief Medical Officer of Health Professional, Ltd, and a minority shareholder in Correctional Healthcare Companies, Inc. Health Professionals, Ltd. is a health care company that provides medical management services to inmates at various Illinois Department of Corrections facilities Statewide. Dr. Cullinan is in no position to influence the competitively sealed bidding process from the position he holds.
- 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 United Contractors Midwest, Inc for the services outlined in your letter received May 8, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Carter", is written over a white background.

Aaron Carter
Executive Director

Cc: EEC General Counsel