



ECOPY

Chairman: Jay Stewart

Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

February 4, 2014

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

**Re: 50-35 Potential Conflict of Interest, 540-250-017**

Dear Mr. Fred Hahn,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received February 3, 2014 and understand the facts to be as follows:

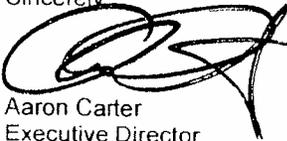
- 1) The Capital Development Board has issued a request for a review and comment on potential conflicts of interest disclosed by subcontractor Zimmerly Ready Mix Company.
- 2) The contract pertains to the construction of military vehicle parking for the Paris Armory in Paris (Edgar County) Illinois.
- 3) Zimmerly Ready Mix Company was selected using contractor-subcontractor agreement.
- 4) The disclosure form submitted on behalf of Zimmerly Ready Mix Company indicates the following:
  - a. Chris Patrick (66.99% owner), was elected to the Edgar County Board and named Chairman on December 3, 2012. He resigned his post June 28, 2013. Mr. Patrick had no procurement authority in this position. His annual salary was \$2,400.
  - b. Hunter Smith (17% owner), has indicated that his father, S. Craig Smith, is Mayor of Paris, Illinois at an annual salary of \$9,000.
- 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 Zimmerly Ready Mix Company for the services outlined in your letter received February 3, 2014.

Sincerely,



Aaron Carter  
Executive Director

Cc: EEC General Counsel