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Chairman: Jay Stewart  
Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

March 31, 2014

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

**Re: 50-35 Potential Conflict of Interest, 291-275-003**

Dear Mr. Hahn,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received March 31, 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 HDR Engineering, Inc.
- 2) The contract pertains to the upgrade of elevators at the Illinois State Police Central Headquarters.
- 3) HDR Engineering, Inc. was selected using Sub-contractor agreement.
- 4) The disclosure form submitted on behalf of HDR Engineering, Inc. indicates the following:
  - a. Mr. Michael Kelly's mother, Gwendolyn Kelly, was employed by the Illinois State Board of Education, Division of Special Education services. Her title was Principal Education Consultant. Ms. Kelly retired February 29, 2012. In this capacity she made no procurement decisions and her annual salary was \$90,000.
  - b. Mr. Patrick Pechnick's spouse, Catherine Valente, retired from the Illinois Department of Transportation as an Administrative Assistant on 12/31/2011. She made no procurement decisions and her annual salary was \$65,000.
- 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 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 March 31, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Carter".

Aaron Carter  
Executive Director

Cc: EEC General Counsel