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

December 11, 2014

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

Re: 50-35 Potential Conflict of Interest, 825-020-149

Dear Mr. Hahn,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received December 10, 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 prime vendor KAM Services, Inc.
- 2) The contract pertains to construction related services.
- 3) KAM Services, Inc. was selected via competitive sealed bids.
- 4) The disclosure form submitted on behalf of KAM Services, Inc. indicates the following:
 - a. Marion Mitchell, the father of Mark E. Mitchell, who is a 43% owner of the firm, is the acting county board chairman of Jasper County (he also disclosed that his father is the retired school administrator for Jasper CUSD #1). In emails, Mr. Mitchell confirmed that his father earns less than \$106,447.20 as the acting chair.
- 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 KAM Services, Inc. for the services outlined in your letter received December 10, 2014.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Carter", is written over a circular stamp or seal. The signature is fluid and cursive.

Aaron Carter
Executive Director

Cc: EEC General Counsel