



Chairman: Frank J. Vala
Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

August 14, 2015

Ms. Lorri Lawton
Chief Procurement Officer
Capital Development Board
377C Stratton Office Building
Springfield, IL 62706

Re: 50-35 Potential Conflict of Interest, Subcontract for 120-135-061

Dear Ms. Lawton,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received July 31, 2015 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 Selvaggio Steel, Inc., subcontractor of R.D. Lawrence Construction Company, LTD.
- 2) The contract pertains to construction related services.
- 3) The subcontractor was selected via contractor-subcontractor agreement.
- 4) The disclosure form submitted on behalf of the subcontractor indicates the following:
 - a. Mary Selvaggio, spouse of Mark Selvaggio, President and 56% owner, is employed as a Program Manager with the Illinois Commerce Commission. As of May 2015, her salary is \$114,846, which is greater than 60% of the salary of the Governor.
- 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 Lawton 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 above-named prime vendor from entering into a subcontract with the above-named subcontractor. The delay in processing this potential conflict of interest review was due to a question of our legal counsel regarding Section 50-13 of the Procurement Code.

Sincerely,

Will Blount
Executive Director

Cc: EEC General Counsel