

**Sole Source Justification Form
Part I**

Requesting Agency/University: Capital Development Board
 Name of Requestor: James Cockrell
 Project Title: Truman City College Upgrades
 Vendor: Friedler Construction Company.
 Value of Initial Term, or if a Renewal, Value of this Renewal: \$ 437306

Date: 5/1/2013 Bulletin or Reference Number: 22030824
 Department/Bureau/Section: Capital Planning

Value is: Actual Estimated

Term

One-Time Purchase
 Term Contract Proposed Sole Source Contract Begin Date: 5/30/2013 Proposed Sole Source Contract End Date: 8/30/2013

Renewals

of Potential/Remaining Renewals: N/A Length of Each Renewal in Months: Total Value of All/Remaining Renewals: \$

This is a: New Sole Source Pre-Negotiated Sole Source Renewal
 New Sole Economically Feasible Source Change Order or Amendment to an Existing Sole Source

Professional and Artistic? Yes No Sole Source may not be used for amendments for Professional or Artistic Services if the amendment would increase the value by more than 5% of the initial award or extend the term by more than 60 days.

Provide a description of the supplies or services required: A contract with Friedler Construction Company inadvertently expired without a time extension prior to work being completed. The Capital Development Board intends to enter into a sole source contract with Friedler Construction to finish the work as it was outlined in the scope of the previous contract.

Funding

Select the type of funding to be used (check all that apply):
 Federal Funds State Appropriated Funds State Grant Funds Other (Explain):

This purchase is economically only available from a single source because it is:

- Art or Entertainment Services or Athletic Events
- Compatibility of Equipment, Accessories, Replacement Parts or Service
- Critical Changes to the Existing Contract Are Necessary and Best Accomplished by the Contract Holder
- Federal/State Grant Requires Contract with Vendor
- Item is Copyrighted or Patented and the Item is Only Available From the Holder – Copyright or Patent Number(s):
- Item is to be Procured for Commercial Resale
- Items Are Needed for Trial Use or Testing
- Media for Advertising
- Necessary Adjustment of Utility Facilities in Conjunction with Highway Construction
- Organization Memberships (Dues, Fees, Conference Charges Including Mandated Travel and Related Expenses)
- Public Utility Regulated Services
- Radio and Television Broadcast Rights
- Railroad Crossings/Facilities Alterations – Proprietary
- Software License/Upgrade/Maintenance
- Other (Explain): The State has already paid this company nearly \$1.5 million against their total contract of \$1,911,239.11 and substantial work has been completed. It would not be economically feasible to use another company to complete the work.

Has the Agency or University purchased these supplies/services in the past? Yes No

If yes, STARTING WITH THE MOST RECENT CONTRACT AND WORKING BACKWARD, for the entire relationship with this vendor for this supply or service, list each term, value, short description and type of procurement of each:

Term:	Term From:	Term To:	Value	Description:	Contract Number:	Type:
One	12/3/2010	11/12/2011	\$ 1911239	Construction Services	11049581	Competitively Bid
Two			\$			Select One
Three			\$			Select One
Four			\$			Select One
Five			\$			Select One
Six			\$			Select One
Seven			\$			Select One
Eight			\$			Select One
Nine			\$			Select One
Ten			\$			Select One

If more than 10 years, explain:

Business Rationale

1. Provide a detailed explanation of the need for the supplies or services: The work on this contract is nearly complete, all that remains is some warranty services.
2. Why are the requested supplies or services the only one that can satisfy your requirements? Friedler Construction Company was contracted to do construction services for Truman City College after competitive bid was completed. They have completed most of the work as outlined in the scope of this project and it would not be economically feasible to contract with anyone else for these services.
3. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide specific, quantifiable factors/qualifications: The Capital Development Board has spent a substantial amount of money and time with the vendor that was contracted to do the construction services. This vendor is the only one that can complete the work as outlined in the original contract.
4. If services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications: The service are nearly 95% complete. The incumbent firm would be the only economically feasible source to finish this construction work given the time and effort they have already put into this project.
5. Were alternative supplies or services evaluated? Yes No
 - 5a. If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility:
 - 5b. If no, why were alternatives not evaluated? It would cost the State a substantial amount of money that has already been paid to the present contractor, not to mention the time lost if another vendor were to start from scratch.
6. What efforts were made to get the best possible price? CDB bid out the services for the original contract.
7. Will this purchase obligate the State to this vendor for future purchases such as maintenance, licensing or continuing need? Yes No
 - 7a. If yes, please provide details regarding future obligations and/or needs:
8. Why is the price for this purchase considered to be fair and reasonable? CDB competitively bid the original contract
9. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract: No, not a renewal
10. What will be the financial or other impact to the State if this sole source is not approved and a competitive bid is required? The state of Illinois will incur the additional cost of new contractor to re-do work already paid for causing increased financial burden to the state.

Agency Representative Signature Required

I know and understand the contents of this Sole Source Justification and attest that all statements are true and correct.



Agency Representative Signature

James Cockrell

Printed Name

5/1/13

Date

217 558-4263

Agency Representative Telephone Number

james.cockrell@illinois.gov

Agency Representative Email Address

SPO Approval and Signature Required



SPO Signature

Chris Flynn

Printed Name

5/3/2013

Date

217-558-2185

SPO Telephone Number

christopher.flynn@illinois.gov

SPO Email Address

Sole Source Justification Form Part II

Bulletin or Reference Number: 22030824

Requesting Agency/University: Capital Development Board
Project Title: Truman City College Upgrades
Initial Date of Procurement Bulletin Posting: 5/3/2013
Vendor: Friedler Construction Company

Was a Sole Source Hearing requested per 30 ILCS 500/20-25?

- Yes (Complete Section I below)
No (Section I not required, go to Section II below)

Section I - Sole Source Hearing Details

Hearing Date: 5/20/2013
Hearing Location: 510 Stratton Building, Springfield, IL 62706

Hearing Time: 10:00 a.m. p.m.

The Sole Source Hearing Panel or Officers consisted of the following individuals: Chris Flynn, State Purchasing Officer

The State posted to the Illinois Procurement Bulletin a description of the State's need, the justification for the sole source decision, and information regarding the opportunity to submit comments and testify at a public hearing. Notice of the hearing was also posted outside the hearing room 48 hours prior to the hearing.

- No members of the public or other entities testified or provided written comments.
Members of the public or other entities testified and/or provided written comments. See attached.

The public hearing was conducted for the purpose of receiving testimony regarding the sole source determination. The hearing panel recommends the following: Proceed to contract with Friedler Construction Company.

The following relevant documents are attached:

- Written comments submitted prior to, at or after the Sole Source Hearing
Decision Memo or Written Recommendation of the Hearing Panel
Hearing Minutes (if minutes were recorded)

The following documents and/or testimony were presented at the public hearing and are attached: Sign-in Sheet for Hearing also attached.

[Signature]
Hearing Panel Representative or Officer Signature

Christopher M. Flynn
Printed Name

5/20/2013
Date

(217) 558-2185
Hearing Panel Representative or Officer Telephone

christopher.flynn@illinois.gov
Hearing Panel Representative or Officer Email Address

Section II - CPO Approval and Signature Required

- Based on my review, I authorize the Agency/University to proceed in accordance with the published Notice referenced above.
Based on my review, this procurement the Agency/University is not authorized to proceed with this sole source as presented and my recommendation is that it be cancelled.
Based on my review, I authorize the Agency/University to proceed with the following changes:
I do not concur for the following reasons:
Other:

[Signature]
CPO Signature

Fredrick W. Hahn, Chief Procurement Officer
Printed Name

20 May 2013
Date

217-558-2210
CPO Telephone Number

fredrick.hahn@illinois.gov
CPO Email Address