



# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

February 15, 2012

Anthony Cappello, President  
Diamond Coring Company, Inc.  
11800 South Ewing Avenue  
Chicago, IL 60617

Subject: Notice of Interim Suspension

Dear Mr. Cappello:

This letter serves as notice, from the Chief Procurement Officer ("CPO") for the Illinois Department of Transportation ("Transportation"), placing you, Anthony Cappello, and Diamond Coring Company, Inc. ("Diamond") under an interim suspension from doing business with the Department. The basis for this action is that the CPO and Department discovered that a criminal information charge was filed against you in the United States District Court for the Northern District of Illinois, Eastern Division, a one count Information Charge, Case No. 12-CR-103 a copy of which is enclosed, filed on or about July 21, 2011. The Information charges you with one (1) count of mail fraud violating 18 USC 1341, alleging that you obtained contracts worth more than \$2.3 million by operating the Stealth Group, Inc., also known as SGI, as a fraudulently certified WBE and DBE. Moreover, you allegedly caused SGI to falsely represent that it had office space at 9816 South Commercial Street in Chicago when you knew SGI never used this address as office space, and in fact was operating out of Diamond Coring's office space. Finally, for the purpose of executing the above-described scheme, you allegedly caused to be delivered by mail, according to the direction thereon, an envelope containing a City of Chicago check, paid pursuant to Order Payment Voucher PV85068561313, in the approximate amount of \$93,500, remitted to Diamond Coring, and addressed to Diamond Coring, 11800 South Ewing Ave., Chicago, IL 60617.

All of the aforementioned appears to demonstrate a lack of integrity and honesty in the conduct of business or the performance of contracts and provides cause for suspension under the CPO's procurement rules, 44 Illinois Administrative Code, §6.520. Section 6.530 of the rules of the CPO (44 Illinois Administrative Code, §6.530), provides for the interim suspension of any contractor due to acts or omissions that indicate the contractor lacks integrity and honesty in the conduct of business or the performance of contracts. Section 6.530 specifically provides for interim suspension based upon indictment. A copy of the CPO procurement rules regarding suspension of contractors is enclosed.

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I find that immediate action is necessary to safeguard the public interest in the solicitation, execution, administration and performance of public contracts. Therefore, pending the conclusion of the legal proceedings, you and Diamond are subject to an interim suspension. Neither you nor Diamond shall be eligible to participate as a contractor, subcontractor, material supplier, or lessor of equipment on or in connection with any contract, or subcontract awarded or approved by the Department, which includes any contract or subcontract in connection with a local agency project that is subject to the approval of the Department.

Further, pursuant to Section 6.590 of the rules of the Department (44 Illinois Administrative Code, §6.590), this interim suspension applies to all executory contracts that you and/or Diamond, are currently performing.

Pursuant to Section 6.620(b) of the rules, 44 Illinois Administrative Code §6.620(b), you may submit, within 30 days after receipt of this notice, in person, in writing, or through a representative, information, documentation and argument in opposition to the interim suspension. The CPO will consider your submission in light of the evidence developed, and may modify or terminate the suspension or may leave it in force. The CPO's decision concerning imposition of an interim suspension is final without further hearing. Any submission should be delivered to Mr. Bill Grunloh, Chief Procurement Officer, 2300 South Dirksen Parkway, Springfield, Illinois 62764.

This interim suspension is effective immediately.



Bill Grunloh  
Chief Procurement Officer  
Illinois Department of Transportation

Enclosure

cc: Ann Schneider, Secretary of Transportation