



Chairman: David Vaught
Members: Ed Bedore, Ricardo Morales, Larry Ivory, Bill Black

February 5, 2013

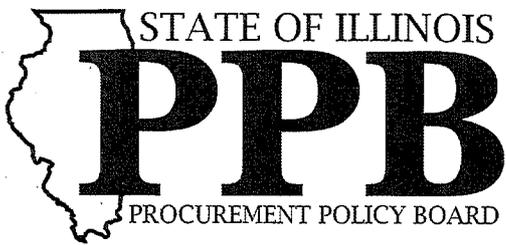
Bill Grunloh
Chief Procurement Officer
Illinois Department of Transportation
Executive Ethics Commission
2300 S. Dirksen Parkway, Room 200
Springfield, Illinois 62764

Re: 50-35 Potential Conflict of Interest, PTB 166, Item 19

Dear Mr. Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received February 4, 2013 and understand the facts to be as follows:

- 1) The Illinois Department of Transportation has issued a request for a review and comment on potential conflicts of interest disclosed by Hanson Professional Services.
- 2) The contract pertains to Phase 1 (Tier 2) – Environmental Studies for the Springfield Flyover component of the Chicago to St. Louis High Speed Rail Project.
- 3) Hanson Professional Services was selected using QBS.
- 4) The disclosure form submitted on behalf of Hanson Professional Services indicates the following:
 - a. Earnest Ball, father of Jeffery T. Ball serves as a member of the Board of Trustees for the Springfield Fire Protection District, East Side Fire Protection District and earns less than \$106,447.20 per year.
 - b. Charles A. Hagloch serves on the Cass County Board and earns less than \$106,447.20 per year.
 - c. John E. Harms serves on the Department of Financial & Professional Regulation Structural Engineering Board and earns less than \$106,447.20 per year.
 - d. Helen Militos spouse of Thomas Havenar is a Grants Accountant, administers grants for SIU School of Medicine and earns less than \$106,447.20 per year.
 - e. John P. Coombe's son holds the position of Contractual staff Attorney with the Illinois Office of the Comptroller.
 - f. Thomas Bartolomucci's spouse, Beth works for the Illinois State police and earns in excess of 60% of the Governor's Salary. The Executive Ethics Commission held a public hearing seeking a waiver of this potential conflict as being in the best interest of the State. In the course of that hearing and supplemental research it was discovered that Thomas did not possess the distributable income to trigger the conflict clause in Section 50-13 of the Procurement Code.
 - g. Stuart M. Kemp has been a member of the Boone County Sanitary District since 2011 as a Board of Trustees Member. This is a non-paid position.
 - h. James W. Moll has been a member of the Zoning Board of Appeals for the City of Leland Grove since November 1, 2012. He is a Zoning Board Member.
 - i. James P. Messmore's daughter, Lauren Messmore, has been employed by the Illinois House Republican Organization as a researcher since December 17, 2012.
 - j. Craig A. Holan has ownership stock in Hanson Professional Services, Inc. and indicated that he is a commissioned officer in the Illinois National Guard as a Commander of 766th ENBN, with earnings from the Illinois National Guard less than \$106,447.20 annually. Mr. Holan is also employed full-time as a federal technician for the Illinois Department of Military Affairs and makes \$87,157.
- 5) The Illinois Department of Transportation confirmed that none of the disclosed individuals were in a position to influence the award of this contract. The Illinois Department of Transportation and CPO Bill Grunloh 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.



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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 Illinois Department of Transportation from entering into a contract with Hanson Professional Services for the services outlined in your letter received February 4, 2013.

Sincerely,

Aaron Carter
Executive Director

Cc: EEC General Counsel



CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

February 4, 2013

Procurement Policy Board
511 West Capital Ave. Suite 102
Springfield, IL. 62704

Attn: Aaron Carter

RE: Conflict of Interest Disclosure for Consulting Services, Hanson Professional Services,
PTB 166, Item 19

Dear Mr. Carter:

Included herewith is the potential conflict of interest form Hanson Professional Services (Hanson), selected by the Consultant Selection Committee with the Illinois Department of Transportation. This consultant selection was made via Qualification Based Selection pursuant to the evaluation procedure as provided for in 30 ILCS 535/30.

Hanson was chosen for Phase 1 (Tier 2) - Environmental Studies for the Springfield Flyover component of the Chicago to St. Louis High Speed Rail Project. This work is anticipated to fulfill the requirements for Federal Railroad Administration (FRA) Environmental Impact Statement levels of review. The work may include but not be limited to data collection, preparation of base maps and mosaics, geometric studies, capacity analysis, railroad coordination, environmental field studies and reviews, cost estimates, public involvement, and all other related work necessary to complete Phase I environmental studies and tasks.

The engineering services required may consist of only a portion of the total engineering work on the project. The Consultants activities are anticipated to be monitored by the High Speed Rail Project Manager (PM) for this project.

The Department will furnish the Consultant with the Phase I (Tier 1) environmental document, any available as built plans, microfilm plans, field notes, traffic data, accident statistics, agency coordination, existing right of way plans, aerial photos, boring logs, and any other applicable information.

The completion date for this contract will be 36 months after authorization to proceed.

The estimated fee for this agreement is \$8 Million.

Hanson Professional Services has disclosed the following information concerning their partners:

1. Jeffrey Ball's father serves on the local fire protection district board of trustees, a paid position for the East Side Fire Protection District.
2. Thomas Bartolomucci's spouse is employed by the Illinois State Police as a computer programmer (data processing). Her salary is in excess of 60% of the Governor's salary. Her current salary is \$110,148.00.

3. John Coombe has disclosed his son, Sean Coombe, is a staff attorney in the Office of the Comptroller. Sean does not earn an income in excess of 60% of the Governor's salary.
4. Charles A. Hagloch has disclosed he is currently a member of the Cass County Board. Also Mr. Hagloch has disclosed his daughter, Regina Walker, is a member of the Cass County Zoning Board, which is a paid position.
5. Thomas Havenar's spouse, Helen Milito, is employed by SIU School of Medicine as a grant accountant. She does not earn a salary in excess of 60% of the Governor's salary.
6. Craig Holan has disclosed he is a commissioned officer in the Illinois National Guard. He is a Commander, 766th EN BN. Earnings from the Illinois National Guard are less than \$106,447.20.

This memo has been reviewed by our office, and it has been determined that these conflicts are potential. None of the above named individuals were in a position to improperly influence the process of the consultant selection committee. Also, pursuant to the 4/27/12 EEC decision, Ms. Bartolomucci's conflict is not actual.

If you have any questions concerning this request, please contact Carrie Kowalski of the Bureau of Design and Environment, Consultant Services Unit, at 217-782-6916.

Sincerely,



Gretchen Tucka,
State Purchasing Officer

Enclosures

STATE OF ILLINOIS
PROCUREMENT POLICY BOARD
CONFLICT OF INTEREST REVIEW
CHECKLIST

Please ensure that the following documents are included with your request:

- Cover letter with overview of the potential Conflict of Interest
- Conflict of Interest Review Request Form
- Copy of Proposed Contract*
- Any Prequalification Information Submitted by the Vendor
- Prior Procurement Policy Board/Office of the Governor Conflict of Interest Review Letter for this Vendor

*may be the proposed contract sent in with a RFP response, a copy of the solicitation response, etc.

Please scan original documents** with signatures and email to:

aaron.carter@illinois.gov
cc: deanna.rossetto@illinois.gov

If you are unable to scan and email the original signed documents, please send to:

Procurement Policy Board
511 W. Capitol Avenue, Suite 102
Springfield, IL 62704

**If you scan and email the original documents, please do not send the original documents to our office. Please keep the documents in your procurement file.

CONFLICT OF INTEREST REVIEW REQUEST FORM

The following information must be filled in as accurately and completely as possible. This form will be sent to the Procurement Policy Board providing essential information needed to review and determine if an actual conflict of interest exists, which is sufficient to preclude the State from entering into the attached proposed contract pursuant to section 50-35(d) of the Illinois Procurement Code.

CONTRACTING AGENCY INFORMATION

Using Agency: Department of Transportation
Address: 2300 South Dirksen Parkway City/State: Springfield, IL
Contact Person: Carrie Kowalski Title: Consultant Unit Chief
Phone: 217-782-6916 Fax: 217-524-9357
Email: carrie.kowalski@illinois.gov

SELECTED VENDOR INFORMATION

Name of Vendor: Hanson Professional Services
Address: 1525 S. 6th Street City/State: Springfield, IL
Contact Person: John Coombe Title: Executive Vice President
Phone: 217-788-2450 Fax: 217-788-2503
Email: jcoombe@hanson-inc.com
Procurement Bulletin Reference Number: PTB 166-19 Date Posted to Bulletin: 11/8/2012

CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: Phase 1 (Tier 2) - Environmental Studies for the Springfield Flyover component of the Chicago to St. Louis High Speed Rail Project. This work is anticipated to fulfill the requirements for Federal Railroad Administration (FRA) Environmental Impact Statement levels of review. The Consultants work may include but not be limited to data collection, preparation of base maps and mosaics, geometric studies, capacity analysis, railroad coordination, environmental field studies, and reviews, cost estimates, public involvement, and all other related work necessary to complete Phase I environmental studies and tasks.

The engineering services required may consist of only a portion of the total engineering work on the project. The Consultants activities are anticipated to be monitored by the High Speed Rail Project Manager (PM) for this project.

The Department will furnish the Consultant with the Phase I (Tier 1) environmental document, any available as built plans, microfilm plans, field notes, traffic data, accident statistics, agency coordination, existing right of way plans, aerial photos, boring logs, and any other applicable information.

Total Contract Amount (Estimate if actual is unknown): \$ 8 Million

Contract Begin Date: Upon authorization to proceed is received. Contract End Date: 36 months after authorization to proceed is received.

Describe any Renewal Options (i.e. One 2-year Option): No renewal options

PROCUREMENT PROCESS

What was the method of procurement used to select this vendor? Qualification Based Selection pursuant to 30 ILCS 535/30.

If this vendor was selected using a competitive process, how many vendors responded to the bid? Not Applicable

Were any vendors disqualified? Not Applicable If yes, please explain why.

If a multiple award, how many vendors were awarded a contract? Not a multiple award.

Were there any instances of low vendor rejections? Not Applicable. If yes, please explain why.

EXPLANATION OF POTENTIAL CONFLICTS OF INTEREST

For each individual identified as causing a potential conflict of interest, include the following information: name, relationship (if applicable), Agency of State employment, start date, job title and responsibilities. Indicate if any of the named individuals earn more than \$106,447.20 and explain the potential conflict of interest.

1. Jeffrey Ball's father serves on the local fire protection district board of trustees, a paid position for the East Side Fire Protection District.
2. Thomas Bartolomucci's spouse is employed by the Illinois State Police as a computer programmer (data processing). Her salary is in excess of 60% of the Governor's salary. Her current salary is \$107,700.00.
3. John Coombe has disclosed his son, Sean Coombe, is a staff attorney in the Office of the Comptroller. Sean does not earn an income in excess of 60% of the Governor's salary.
4. Charles A. Hagloch has disclosed he is currently a member of the Cass County Board. Also Mr. Hagloch has disclosed his daughter, Regina Walker, is a member of the Cass County Zoning Board, which is a paid position.
5. Thomas Havenar's spouse, Helen Milito, is employed by SIU School of Medicine as a grant accountant. She does not earn a salary in excess of 60% of the Governor's salary.
6. Craig Holan has disclosed he is a commissioned officer in the Illinois National Guard. He is a Commander, 766th EN BN. Earnings from the Illinois National Guard are less than \$106,447.20.

PROVIDE A WRITTEN STATEMENT SIGNED BY THE STATE PURCHASING OFFICER (SPO) FOR YOUR AGENCY STATING:

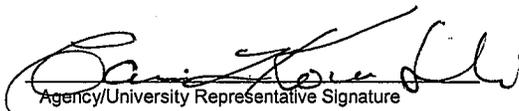
1. Is the conflict an actual conflict and whether or not any of the above named individual(s) were in a position to influence the State's award of this contract.

These are potential. None of the above named individuals were in a position to improperly influence the process of the consultant selection committee. Also, pursuant to the 4/27/12 EEC decision, Ms. Bartolomucci's conflict is not actual.

2. Why is it in the best interest of the State to proceed with this contract.

This is for Phase I Engineering Services for high speed rail.

AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE



Carrie Kowalski
Agency/University Representative Printed Name

2/4/2013
Date

217.782.6916
Agency/University Representative Telephone

carrie.kowalski@illinois.gov
Agency/University Representative Email Address

CPO SIGNATURE REQUIRED



Bill Grunloh
CPO Printed Name

2/4/2013
Date

217.558.5434
CPO Telephone Number

bill.grunloh@illinois.gov
CPO Email Address