



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

January 29, 2013

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

Re: 50-35 Potential Conflict of Interest, from the January 18, 2013 Letting, Item 40 and 137

Dear Mr. Bill Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received January 29, 2013 and understand the facts to be as follows:

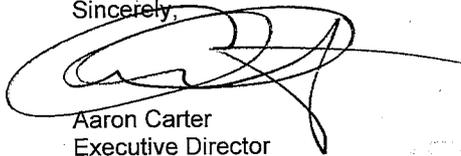
- 1) The Illinois Department of Transportation has issued a request for a review and comment on potential conflicts of interest disclosed by Laverdiere Construction, Inc.
- 2) The contract pertains to the contract for construction related services for Hancock and Peoria Counties.
- 3) Laverdiere Construction, Inc was selected using Competitive Sealed Bid.
- 4) The disclosure form submitted on behalf of Laverdiere Construction, Inc indicates the following:
 - a. John Laverdiere has disclosed that his spouse works at the Western Illinois University Library as a Library Assistant. Mrs. Laverdiere does not earn an income in excess of 60% of the Governor's salary nor was she in a position to improperly influence this letting item. This is being disclosed because she works for a University, which is asked to item 1(b) of the Form A Financial Interest Disclosure.
- 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.

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 Laverdiere Construction, Inc for the services outlined in your letter received January 29, 2013.

Sincerely,



Aaron Carter
Executive Director

Cc: EEC General Counsel



CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

January 28, 2013

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

Attn: Aaron Carter

RE: Conflict of Interest Disclosure for Laverdiere Construction, Inc., lowest responsible bidder for Letting Items 40 and 137 from the January 18, 2013 letting

Dear Mr. Carter:

Attached is a potential conflict of interest form for Laverdiere Construction, Inc., a contractor who was the lowest responsible bidder who was also responsive for two construction contracts advertised on the January 18, 2013 letting by the Department of Transportation. Item 40 consists of construction related services in Hancock County, and includes: replacing the bridge (S.N. 034-0029) carrying Illinois Route 96 across Inlet Creek located 1.4 miles north of U.S. Route 136 in Hamilton. Item 137 consists of construction related services in Peoria County, and includes: streetscape improvements including new sidewalk, curb and gutter, aesthetic lighting, and landscaping planters located on East Main Street from Magnolia Street (IL Rte. 8/78) to Rose Street in the City of Elmwood.

Laverdiere was selected via competitively sealed bidding process. A description of the contract and low bid amount is enclosed with this letter and conflict of interest checklist. This contract is in the Department's interests of maintaining safe bridge passageway to ensure the safety of the motoring public. A copy of prior approval by the Procurement Policy Board is also enclosed for your review.

John Laverdiere has disclosed that his spouse works at Western Illinois University Library as a Library Assistant. Mrs. Laverdiere does not earn an income in excess of 60% of the Governor's salary nor was she in a position to improperly influence this Letting Item.

This conflict has been reviewed by our office, and it has been determined that this is not an actual conflict and will not interfere in the execution of this contract.

If you have any questions concerning this request, please contact Jim Layden of the Bureau of Design and Environment, at 217-782-7806.

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: Illinois Department of Transportation

Address: 2300 South Dirksen Parkway City/State: Springfield, IL
Contact Person: Jim Layden Title: Chief Contracts Official
Phone: 217.782.7806 Fax: 217.785.1141
Email: Jim.Layden@Illinois.gov

SELECTED VENDOR INFORMATION

Name of Vendor: Laverdiere Construction
Address: 4055 West Jackson Street City/State: Macomb, IL
Contact Person: Michelle Allaman Title: Office Manager
Phone: 309.837.1258 Fax: 309.833.4993
Email: mallaman@lavconinc.com

Procurement Bulletin Reference Number: Letting Items 40, 137 Date Posted to Bulletin: 12/7/2012

CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: Item 40 consists of construction related services in Hancock County, and includes: replacing the bridge (S.N. 034-0029) carrying Illinois Route 96 across Inlet Creek located 1.4 miles north of U.S. Route 136 in Hamilton. Item 137 consists of construction related services in Peoria County, and includes: streetscape improvements including new sidewalk, curb and gutter, aesthetic lighting, and landscaping planters located on East Main Street from Magnolia Street (IL Rte. 8/78) to Rose Street in the City of Elmwood.

Total Contract Amount (Estimate if actual is unknown): \$ Item 40: \$985,875.83; Item 137: \$471,685.31

Contract Begin Date: Upon authorization to proceed is received. Must award within 45 days of Letting Date. Contract End Date: Item 40: 9/13/13+10 Working Days; Item 137: 9/1/13

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? Competitive Sealed Bidding

If this vendor was selected using a competitive process, how many vendors responded to the bid? Item 40: 3 total bidders; Item 137: 6 total bidders.

Were any vendors disqualified? No If yes, please explain why.

If a multiple award, how many vendors were awarded a contract? No multiple awards.

Were there any instances of low vendor rejections? No. 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.

John Laverdiere has disclosed that his spouse works at Western Illinois University Library as a Library Assistant. Mrs. Laverdiere does not earn an income in excess of 60% of the Governor's salary nor was she in a position to improperly influence this Letting Item. This is being disclosed because she works for a University, which is asked in Item 1(b) of the Form A Financial Interest Disclosure.

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.

The conflicts disclosed by Mr. Laverdiere is potential and not actual. The position held by the aforementioned individual does not interfere with the competitive sealed bidding process.

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

These contracts aer for structure repair and replacement. This is part of the Department's mission.

AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE



Agency/University Representative Signature

Michael Layden

Agency/University Representative Printed Name

1/28/2013

Date

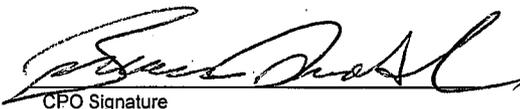
217.782.7806

Agency/University Representative Telephone

jim.layden@illinois.gov

Agency/University Representative Email Address

CPO SIGNATURE REQUIRED



CPO Signature

Bill Grunloh

CPO Printed Name

1/28/2013

Date

217.558.5434

CPO Telephone Number

bill.grunloh@illinois.gov

CPO Email Address