



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

July 26, 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, Prime 68A42

Dear Mr. Bill Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received July 26, 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 McDonough County.
- 3) Laverdiere Construction, Inc was selected using contractor-subcontractor process.
- 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 July 26, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Carter", is written over a faint, circular official seal or stamp. The signature is written in a cursive style.

Aaron Carter
Executive Director

Cc: EEC General Counsel



CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

July 25, 2013

Procurement Policy Board
222 South College Street, Suite 231
Springfield, IL 62704

RE: Conflict of Interest Disclosure – Laverdiere Construction, Inc., Sub-Contractor for contract 68A44 from the March 8, 2013 letting

Dear Mr. Carter:

Attached is the potential conflict of interest form for Laverdiere Construction, Inc. (Laverdiere), a sub-contractor for Bloomsdale Excavating Company, Inc. (Bloomsdale), the lowest responsible bidder who was also responsive for a construction contract advertised on the March 8, 2013 letting by the Department of Transportation. Prime Contract 68A42 consists of construction related services in McDonough County, and includes: pre-grading and drainage structures on a new alignment of U.S Routes 336/110 and reconstruction of C.H. 14 located west of Macomb. Laverdiere will be expected to perform drainage related services.

Bloomsdale was selected via competitively sealed bidding process. A description of the contract and low bid amounts are enclosed with this letter and conflict of interest checklist. This contract is in the Department's interests of maintaining safe State Routes to ensure the safety of the motoring public.

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.

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 these contracts.

If you have any questions concerning this request, please contact Michael Copp of the Bureau of Construction, at 217-782-3413.

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
- Copy of the Disclosure/Certification Documents Submitted by the 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
222 South College Street, Suite 231
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: Michael D. Copp Title: Prequalification Engineer
Phone: 217-782-3413 Fax: 217-524-4922
Email: michael.copp@illinois.gov

VENDOR INFORMATION FOR VENDOR WITH POTENTIAL CONFLICT

This Vendor is: [] Prime Vendor [X] Sub-contractor
Name of Vendor: Laverdiere Construction
Address: 4055 West Jackson Street City/State: Macomb, IL
Contact Person: Jack Laverdiere Title: President
Phone: 309-837-1258 Fax: 309-833-4993
Email: mallaman@lavconinc.com
Procurement Bulletin Reference Number: Prime 68A42 Date Posted to Bulletin:

CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: Prime Contract 68A42 consists of construction related services in McDonough County, and includes: pre-grading and drainage structures on a new alignment of U.S Routes 336/110 and reconstruction of C.H. 14 located west of Macomb.

Total Contract Amount (Estimate if actual is unknown): \$ Prime: \$32,991,324.06

Contract Begin Date: Will begin upon authorization to proceed is received. Contract End Date:

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? Contractor-subcontractor process.
If this vendor was selected using a competitive process, how many vendors responded to the bid? NA
Were any vendors disqualified? NA 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? NA 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.

If a prime vendor, did they disclose their use of lobbyists? Yes No
If yes, did the lobbyists lobby on behalf of the vendor to secure this contract? Yes No

PROVIDE A WRITTEN STATEMENT SIGNED BY THE AGENCY REPRESENTATIVE 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 prime contractor having been selected through the competitive sealed bidding process.

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

This is for new structure creation on the States' right of ways, which is necessary for the safety of the motoring public.

AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE


Agency/University Representative Signature

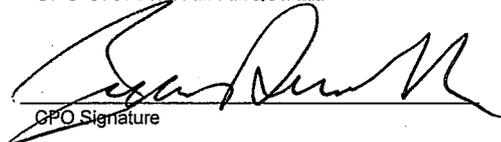
Michael D. Copp
Agency/University Representative Printed Name

7/25/2013
Date

217.782.3413
Agency/University Representative Telephone

michael.copp@illinois.gov
Agency/University Representative Email Address

CPO SIGNATURE REQUIRED


CPO Signature

Bill Grunloh
CPO Printed Name

7/25/2013
Date

217.558.5434
CPO Telephone Number

bill.grunloh@illinois.gov
CPO Email Address