



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

April 3, 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, Contract #68620 from the November 9, 2012 Letting

Dear Mr. Bill Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received April 2, 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 Millennia Professional Services.
- 2) The contract pertains to construction related services in Tazewell County.
- 3) Millennia Professional Services was selected using prime contracted with subcontractor/competitively sealed bidding.
- 4) The disclosure form submitted on behalf of the Millennia Professional Services indicates the following:
 - a. Stephan Dietz, project manager with Millennia has disclosed he previously worked for the Illinois Department of Transportation in the District 4 Peoria Office. His last title with the Department was Civil Engineer 5. Mr. Dietz did not participate in the evaluation or rating of construction contracts and he did receive a revolving door waiver from the Illinois OEIG.
- 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 Millennia Professional Services for the services outlined in your letter received April 2, 2013.

Sincerely,

Will Blount
Assistant Director

CC: EEC General Counsel



CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

April 2, 2013

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

RE: Conflict of Interest Disclosure – Millennia Professional Services of Illinois, Ltd., Sub-Contractor for a contract (68620) from the November 9, 2012 letting

Dear Mr. Carter:

Attached is the potential conflict of interest form for Millennia Professional Services of Illinois, Ltd. (Millennia), a sub-contractor for Fred Weber, Inc. (Weber), the lowest responsible bidder who was also responsive for a construction contract advertised on the November 9, 2012 letting by the Department of Transportation.

Prime Contract 68620 consists of construction related services in Tazewell County, and includes: reconstruction of the Interstate 74 and Interstate 155 interchange and the reconfiguration of the Interstate 74 and Morton Avenue interchange. This project begins west of Pleasant Hill Road and continues to just west of Main Street and on Interstate 155 beginning north of the Birchwood interchange and ending at Interstate 74 in Tazewell County. Millennia will be doing ditch, water main, and sewer related services.

Weber 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 roadways to ensure the safety of the motoring public.

Stephan Dietz, Project Manager with Millennia, has disclosed he previously worked for the Illinois Department of Transportation in the District 4 Peoria Office. For the last seven months of his employment before his resignation on March 2, 2012, Mr. Dietz was a Civil Engineer V; his title was Acting Maintenance Field Engineer. As part of his duties, Mr. Dietz oversaw three maintenance yards where the Department's Highway Maintainers work. Before that, Mr. Dietz was a Civil Engineer IV; his title was Senior Resident Engineer (RE). Being a senior RE, Mr. Dietz was out in the field while construction projects were underway. However, Mr. Dietz did not participate in the evaluation or rating of construction contractors. He also had no participatory role in the IDOT Letting process while employed by the Department.

This conflict has been reviewed by our office, and it has been determined that this is a potential and not actual conflict. For Calendar Year 2011, Mr. Dietz earned a salary from the Department in excess of 60% of the Governor's salary; for Calendar Year 2012 he did not for obvious reasons. Stephan Dietz will not interfere in the execution of this contract by Millennia with Weber.

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

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 S. 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: Millenia Professional Services of Illinois, Ltd.
Address: 850 North Main City/State: Morton, IL
Contact Person: Paul Moreno Title: Owner
Phone: 309-821-8141 Fax: 309-321-8142
Email: pmoreno@mps-il.com

Procurement Bulletin Reference Number: Prime Contract 68620 Date Posted to Bulletin:

CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: Prime Contract 68620 consists of construction related services in Tazewell County, and includes: reconstruction of the Interstate 74 and Interstate 155 interchange and the reconfiguration of the Interstate 74 and Morton Avenue interchange. This project begins west of Pleasant Hill Road and continues to just west of Main Street and on Interstate 155 beginning north of the Birchwood interchange and ending at Interstate 74 in Tazewell County. Millennia will be doing ditch, watermain, and sewer related services.

Total Contract Amount (Estimate if actual is unknown): \$ Prime Contract Amount: 86,596,214.36

Contract Begin Date: upon authorization to proceed is received. Contract End Date: N/A

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

PROCUREMENT PROCESS

What was the method of procurement used to select this vendor? Contractor-Sub-Contractor Agreement

If this vendor was selected using a competitive process, how many vendors responded to the bid? N/A

Were any vendors disqualified? N/A If yes, please explain why.

If a multiple award, how many vendors were awarded a contract? N/A

Were there any instances of low vendor rejections? N/A 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.

Stephan Dietz, Project Manager with Millennia, has disclosed he previously worked for the Illinois Department of Transportation in the District 4 Peoria Office. For the last seven months of his employment before his resignation on March 2, 2012, Mr. Dietz was a Civil Engineer V; his title was Acting Maintenance Field Engineer. As part of his duties, Mr. Dietz oversaw three maintenance yards where the Department's Highway Maintainers work. Before that, Mr. Dietz was a Civil Engineer IV; his title was Senior Resident Engineer (RE). Being a senior RE, Mr. Dietz was out in the field while construction projects were underway. However, Mr. Dietz did not participate in the evaluation or rating of construction contractors. He also had no participatory role in the IDOT Letting process while employed by the Department.

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.

This conflict has been reviewed by our office, and it has been determined that this is a potential conflict. For Calendar Year 2011, Mr. Dietz earned a salary from the Department in excess of 60% of the Governor's salary; for Calendar Year 2012 he did not for obvious reasons. Stephan Dietz will not interfere in the execution of this contract by Millennia with Cullinan.

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

This is for reconstruction of a four lane state right of way. This is essential for safe passage of the motoring public. Mr. Dietz had no power/control/authority over the competitive sealed bidding process while he was employed by the Department.

AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE


Agency/University Representative Signature

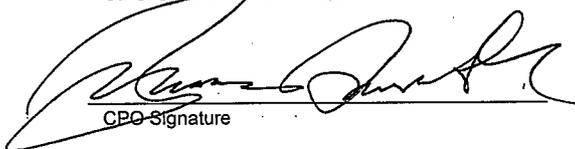
Michael D. Copp
Agency/University Representative Printed Name

4/2/2013
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

4/2/2013
Date

217.558.5434
CPO Telephone Number

bill.grunloh@illinois.gov
CPO Email Address