STATE OF ILLINOIS
PPB
PROCUREMENT POLICY BOARD

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

June 20, 2013

Bill Grunloh
Chief Procurement Officer-IDOT
Executive Ethics Commission Executive Ethics Commission
2300 S. Dirksen Pkwy
Room 200
Springfield, Illinois 62764

Re: 50-35 Potential Conflict of Interest, PTB #166-07

Dear Mr. Bill Grunloh,

In accordance with the requirements of Section 50-35 of the Illinois Procurement Code, I have reviewed your request received June 19, 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 PTB 166-007 advertisement engineering services that are required to perform field surveys for various roadway projects throughout District 1.

3) Millennia Professional Services was selected using consultant-sub consultant.

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. 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.

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 June 19, 2013.

Sincerely,

Aaron Carter
Executive Director

Cc: EEC General Counsel

222 SOUTH COLLEGE STREET, SUITE 231, SPRINGFIELD, IL 62704
Telephone: (217) 785-3988 Fax: (217) 557-9927 TTY: (888) 642-3450

CHIEF PROCUREMENT OFFICE

Bill Grunloh, Department of Transportation - Highway Construction

June 17, 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-Consultant for Professional Transportation Bulletin 166, Item 7, with Engineering Services Group, Inc. being the Prime Consultant

Dear Mr. Carter:

Attached is the potential conflict of interest form for Millennia Professional Services of Illinois, Ltd. (Millennia), a sub-consultant for Engineering Services Group, Inc. (ESG), the prime consultant selected for Professional Transportation Bulletin 166, Item 7. ESG was selected via Quality Based Selection. Millennia was selected via Prime Consultant-Sub Consultant agreement.

PTB 166-007 consists of engineering services for various roadway projects throughout District One. Work Orders under the blanket agreement will be negotiated by the department on an as-needed basis. It is anticipated that this contract will include six or more projects during the contract period. The Consultant's work may include, but is not limited to, route and stream surveys, gathering topography, cross-sections, profile, existing and proposed centerline alignment, drainage inverts, right-of-way monuments, land use determination, hydraulic and centerline plots, plotting of the field information collected, outfall mapping using high accuracy GPS data collector to import to ARC GIS, and possibly supplementing the District Survey staff for establishing control for mapping projects.

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 our office, and it has been determined that this is a potential and not actual conflict.

If you have any questions concerning this request, please contact Susan Dodd, Consultant Unit, Bureau of Design and Environment, at 217-782-1792.

Sincerely,

Gretchen Tucka,
State Purchasing Officer
Enclosures

2300 South Dirksen Parkway • 200 Hanley Building • Springfield, IL 62706
P: (217) 558-5434 • F: (217) 557-5445

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:	Susan Dodd	Title:	Consultant Unit
Phone:	217-782-1792	Fax	217-524-9327
Email:	susan.dodd@illinois.gov		

VENDOR INFORMATION FOR VENDOR WITH POTENTIAL CONFLICT

This Vendor is: ☐ Prime Vendor ☒ 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: PTB 166-07 Date Posted to Bulletin:

CONTRACT INFORMATION

Describe the need for this procurement or proposed contract: PTB 166-007 Advertisement
Engineering services are required to perform field surveys for various roadway projects throughout District One. Work Orders under the blanket agreement will be negotiated by the department on an as-need basis. It is anticipated that this contract will include six or more projects during the contract period.

The Consultant's work may include, but is not limited to, route and stream surveys, gathering topography, cross-sections, profile, existing and proposed centerline alignment, drainage inverts, right-of-way monuments, and land use determination, hydraulic and centerline plots, plotting of the field information collected, outfall mapping using high accuracy GPS data collector to import to ARC GIS, and possibly supplementing the District Survey staff for establishing control for mapping projects.

Roadway Survey tasks to be performed on demand at various locations within District One under a Work Order agreement to be determined at a later date. Tasks to include topographic survey, alignment and ties, pick-up survey for Mapping projects, outfall mapping using GIS data collector to import into ArcGIS and any survey task deemed needed by the Hydraulics Section Chief at District One Headquarters.

Total Contract Amount (Estimate if actual is unknown): $ Prime Agreement Amount: $300,000.00

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? Consultant-Sub Consultant 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 Mr. Tim Morris of the Office of Chief Counsel, and it has been determined that this is a potential conflict. For Caendar 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 agreement by Millennia with prime consultant BLA.

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

This is for re-design of a state right of way. This is essential for safe passage of the motoring public. Mr. Dietz had no power/control/authority over the prime consultant for his firm to secure this sub consultant agreement while he was employed by the Department.

AGENCY/UNIVERSITY REPRESENTATIVE SIGNATURE

Susan M. Dodd	Susan Dodd	6/17/2013
Agency/University Representative Signature	Agency/University Representative Printed Name	Date
217.782.1792	susan.dodd@illinois.gov	
Agency/University Representative Telephone	Agency/University Representative Email Address	

CPO SIGNATURE REQUIRED

	Bill Grunloh	6/17/2013
CPO Signature	CPO Printed Name	Date
217.558.5434	bill.grunloh@illinois.gov	
CPO Telephone Number	CPO Email Address	