



Emergency Purchase Number: EA 16-02

Office/Division: Department of Transportation Division of Highways

Address: PO Box 100
Carbondale IL 62901

Chief Procurement Officer: Bill Grunloh

Vendor: E.T. Simonds Construction

Address: PO Box 2107
Carbondale IL 62902

Estimated Cost: \$800,000.00

Final Cost: _____

This expenditure is justified as:

- An emergency involving public health.
- An emergency involving public safety.
- Necessary to protect State property from further loss or damage.
- Necessary to prevent or minimize serious disruption in State services.
- Necessary to insure integrity of State records.
- Quick purchase as provided by Section 20-30 (d) of the Illinois Procurement Code.

The conditions and circumstances requiring this emergency expenditure are:

The emergency purchase is requested for the Interstate 24 Bridge over the Ohio River in Massac County. This major river crossing has an average daily traffic count in excess of 25,000. During the summer of 2014 a new bituminous wearing surface was constructed over the existing water proofing membrane system. For unknown reasons the new wearing surface started debonding primarily along the centerline. These debonded areas has created lagre pot holes to a depth that is dangerous to the traveling public and is compromising the existing concrete deck. Temporary patching has been completed by operation froces. Due to the large number of existing temporary patches and potential patches an emergency contract is requested. To complicate matters, an existing bearing replacement contract has been executed with lane closures expected in late October of this year on this structure.

EMERGENCY PURCHASE AFFIDAVIT

Reference # EA 16-02

Chief Procurement Officer (CPO) making a procurement under Illinois Procurement Code (30 ILCS 500/20-30) shall file affidavit with Procurement Policy Board and Auditor General within 10 days.

Agency: Illinois Department of Transportation Division: Highways

Address: P.O. Box 100

City: Carbondale State: IL Zip: 62901

Vendor: E.T. Simonds Construction

Address: P.O. Box 2107

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State of Illinois)
: SS
County of Jackson)

I, Jeffery L. Keirn, being duly sworn, solemnly swear and affirm that I am Deputy director, Illinois Dept. of Transportation

I have authorized the emergency procurement in accordance with standards as established by law and rule in fulfillment of the emergency purchase affidavit provisions of Illinois Procurement Code [30 ILCS 500/20-30] as follows.

- ☒ Involving threat to public health or public safety.
☒ Immediate expenditure is necessary for repairs to State property to protect against further loss of or damage
☐ To prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues.
☐ To insure integrity of State records
☐ Quick purchase as provided by Section 20-30 (d) of the Illinois Procurement Code

The conditions and circumstances requiring this emergency purchase, including reason for selection of the particular contractor are:

The emergency purchase is requested for the Interstate 24 Bridge over the Ohio River in Massac County. This major river crossing has an average daily traffic count in excess of 25,000. During the summer of 2014 a new bituminous wearing surface was constructed over the existing water proofing membrane system. For unknown reasons the new wearing surface started debonding primarily along the centerline. These debonded areas has created large pot holes to a depth that is dangerous to the traveling public and is compromising the existing concrete deck. Temporary patching has been completed by operation forces. Due to the large number of existing temporary patches and potential patches an emergency contract is requested. To complicate matters, an existing bearing replacement contract has been executed with lane closures expected in late October of this year on this structure.

(Continue on next page if necessary)

Expected Start Date: July 31, 2015 Expected End Date: October 28, 2015

Extension of previous emergency purchase: ☐ Yes or ☒ No

Term of emergency procurement shall not exceed 90 days. Contract may be extended beyond 90 days if CPO determines additional time is necessary; however, prior to execution of extension, CPO must hold a public hearing and provide written description.

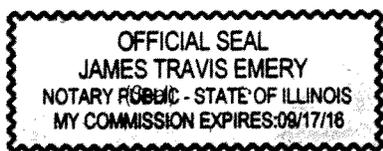
Contract Amount: \$ Actual or \$800,000.00 *Estimated.

*When only an estimate of cost is available, the actual cost shall be reported immediately after it is determined.

I am duly authorized to make this affidavit. I know and understand the contents of this affidavit and all statements herein are true and correct. This affidavit is made pursuant to and in fulfillment of the requirements of Illinois Procurement Code [30 ILCS 500/20-30].

Signature of Affiant (Jeffery L. Keirn)

Subscribed and sworn before me this 30th day of July 20 15



Notary Public (Signature)

My Commission expires: SEPT 17, 2016

Approved: Callen Cator 7/31/15
Chief Procurement Officer/State Purchasing Officer Date

Section 20-30. Emergency purchase

(a) Conditions for use. In accordance with standards set by rule, a purchasing agency may make emergency procurements without competitive sealed bidding or prior notice when there exists a threat to public health or public safety, or when immediate expenditure is necessary for repairs to State property in order to protect against further loss of or damage to State property, to prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues, or to ensure the integrity of State records; provided, however, that the term of the term of the emergency purchase shall be limited to the time reasonably needed for a competitive procurement, not to exceed 90 days. A contract may be extended beyond 90 days if the chief procurement officer determines additional time is necessary and that the contract scope and duration are limited to the emergency. Prior to the execution of the extension, the chief procurement officer must hold a public hearing and provide written justification for all emergency contracts. Members of the public may present testimony. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written description of the basis for the emergency and reasons for the selection of the particular contractor shall be included in the contract file.

(b) Notice. Notice of all emergency procurements shall be provided to the Procurement Policy Board and published in the online electronic Bulletin no later than 3 business days after the contract is awarded. Notice of intent to extend an emergency contract shall be provided to the Procurement Policy Board and published in the online electronic Bulletin at least 14 days before the public hearing. Notice shall include at least a description of the need for the emergency purchase, the contractor, and if applicable, the date, time and location of the public hearing. A copy of this notice and all documents provided at the hearing shall be included in the subsequent Procurement Bulletin. Before the next appropriate volume of the Illinois Procurement Bulletin, the purchasing agency shall publish in the Illinois Procurement Bulletin a copy of each written description and reasons and the total cost of each emergency procurement made during the previous month. When only an estimate of the total cost is known at the time of publication, the estimate shall be identified as an estimate and published. When the actual total cost is determined, it shall also be published in like manner before the 10th day of the next succeeding month.

(c) Affidavits. A chief procurement officer making procurement under this Section shall file affidavits with the Procurement Policy Board and the Auditor General within 10 days after the procurement setting forth the amount expended, the name of the contractor involved, and the conditions and circumstances requiring the emergency procurement. When only an estimate of the cost is available within 10 days after the procurement, the actual cost shall be reported immediately after it is determined. At the end of each fiscal quarter, the Auditor General shall file with the Legislative Audit Commission and the Governor a complete listing of all emergency procurements reported during that fiscal quarter. The Legislative Audit Commission shall review the emergency procurements so reported and, in its annual reports, advise the General Assembly of procurements that appear to constitute an abuse of this Section.

(d) Quick purchases. The chief procurement officer may promulgate rules extending the circumstances by which a purchasing agency may make purchases under this Section, including but not limited to the procurement of items available at a discount for a limited period of time. (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

(For continuation if necessary)

Reference # EA 16-02

For this reason time is critical to patch all failures prior to the bearing replacement and winter season. The District is very concerned that without this contract additional failures will occur creating additional traffic hazards.

The following contractors were contacted to provide informal bids:

E.T. Simonds Construction	bid amount \$488,732.00
Sierra Bravo Contractors	bid amount \$624,658.88
Halverson Construction	bid amount \$690,165.00
St. Louis Bridge Company	No bid received

The low bid was: E.T. Simonds \$488,732.00