



Emergency Purchase Number: EA14-04

Office/Division: Division of Highway - District 8

Address: 1102 Eastport Plaza
Collinsville, IL 62234-6198

Chief Procurement Officer: Bill Grunloh

Vendor: Howell Paving, Inc.

Address: P. O. Box 1009
Mattoon, IL 61938

Date of Public Hearing: March 3, 2014 **Time of Public Hearing:** 9:00 AM

Location of Public Hearing: Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 200
Springfield, IL 62764

Estimated Cost: \$4,000,000.00

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 Chief Procurement Officer for the Department of Transportation, Highway Construction, is holding a public hearing to hear testimony and receive comments on an emergency extension beyond ninety (90) days to complete the work regarding pavement milling, partial depth patching, resurfacing and pavement marking necessary to restore the pavement for extensive pavement surface failures in the right lane of both northbound and southbound I-57 in Marion County from the Jefferson County Line to approximately 9.5 north. These failures were due to heavy rains followed by freezing temperatures. The original Emergency Affidavit and Notice of Award are attached.

The hearing is scheduled for Monday, March 3, 2014, at 9:00 am (CST) in room 200 of the Hanley Building in Springfield, Illinois.

The call in number for the hearing is: 888-494-4032 access code:4802671892



Emergency Purchase Number: EA14-04 **AMENDED**

Office/Division: Division of Highways, District 8

Address: 1102 Eastport Plaza Drive
Collinsville, IL 62234-6198

Chief Procurement Officer: Bill Grunloh

Vendor: Howell Paving, Inc.

Address: P. O. Box 1009
Mattoon, IL 61938

Estimated Cost: \$3,000,000.00 **Amended Estimated Cost: Final Cost:**
\$4,000,000.00

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:

Original Conditions: Recent heavy rains followed by freezing temperatures have resulted in extensive pavement surface failures in the right lane of both northbound and southbound I-57 in Marion County from the Jefferson County Line to approximately 9.5 miles north. The proposed work will consist of providing traffic control, pavement milling, partial depth patching, resurfacing and pavement marking necessary to restore the pavement.

The Department's, District 8 Bureau of Operations did not have sufficient forces and equipment to accomplish the required work. As such, we solicited quotations based on preliminary plans and estimated quantities from three contractors for this work and have selected Howell Paving, Inc. Howell Paving, Inc. submitted the lowest and only quotation, they are pre-qualified experienced, and have the manpower, staffing, and equipment to immediately mobilize and complete the project. Actual start date of the project is weather dependent.

Amended Conditions: Since closing the right lane on I-57 southbound for 9.6 miles from US 50 in Marion County on December 21, 2013, the left/passing lane has suffered a similar fate of rapid deterioration under the increased traffic loading. During this period, the roadway has received numerous rainfall events, been coated with over 20" of snow/ice, and endured several days with temperatures below 0. In an effort to keep the interstate open in this area, multiple Maintenance Yards have repeatedly pothole patched this segment, utilizing in excess of 125T of cold-mix asphalt to maintain safe operation of the roadway. Further, each repair effort has resulted in increasing inconvenience to the motoring public and negative public perceptions by the users and adjacent communities. It is now very clear, the use of Maintenance forces cannot keep up with the needed pace of repairs and additional emergency work is needed to restore this portion of I-57 to the expected level of service. As a result, we have requested the ability to add additional work to the original Emergency Affidavit. To date, the needed additional work encompasses the same repair scope to the left/passing lane of southbound I-57 within the same limits. It is anticipated the new estimate repair cost is \$4,000,000.

EMERGENCY PURCHASE AFFIDAVIT

Reference # EA14-04

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: 1102 Eastport Plaza Drive

City: Collinsville State: IL Zip: 62234-6198

Vendor: Howell Paving, Inc.

Address: P.O. Box 1009

City: Mattoon State: IL Zip: 61938

State of Illinois)
: SS
County of Madison)

I, Jeffery L. Keim, being duly sworn, solemnly swear and affirm that I am Deputy Director of Highways/Region 5 Engineer.

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.

- Involved 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:

Recent heavy rains followed by intense snow and freezing temperatures have resulted in extensive pavement surface failures in northbound and southbound I-57 within Marion County from the Jefferson County Line to approximately 9.6 miles north near US 50. The proposed work will consist of providing traffic control, pavement milling, partial depth patching, full-depth patching, asphalt resurfacing and pavement marking necessary to restore the pavement to a safe operating condition.
(Continued)

(Continue on next page if necessary)

Expected Start Date: 01/13/2014 Expected End Date: 04/12/2014

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 \$4,000,000.00 *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. Keim)

Subscribed and sworn before me this 14th day of January 20 14.

Signature of Notary Public (Judy D Prather)



x
x
x

My Commission expires: 12/10/2017

Approved: Chief Procurement Officer/State Purchasing Officer Date 1/15/14

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 a 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 14-04

The Department's District 8 Bureau of Operations did not have sufficient forces or equipment to accomplish the required work. As such, we solicited quotations based on preliminary plans and estimated quantities from three contractors for this work and have selected Howell Paving, Inc. Howell Paving, Inc. submitted the lowest and only quotation; they are pre-qualified, experienced, and have the knowledge, staffing, and equipment to immediately mobilize and complete the project. Other Contractors who were contacted about this project expressed concern for being able to successfully complete the project due to their lack of geographic proximity to this location and the need to produce and construct a temperature-sensitive final product. Actual start date of the project is weather and material dependent.

