



**Emergency Purchase Number:** EA17-02

**Office/Division:** Division of Highways/District 1

**Address:** 201 W. Center Court  
Schaumburg, IL 60196

Chief Procurement Officer: Bill Grunloh

**Vendor:** K-Five

**Address:** 13769 Main Street  
Lemont IL 60439

Estimated Cost: \$325,000.00

**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:

On July 25, 2016 an accident involving 3 cars and 2 trucks occurred on the outbound lanes of the Stevenson Expressway (I-55), near Cicero Avenue. As a result of the accident, the vehicles involved burned, with one of the trucks carrying flammable paint products, there was a large fire. The fire caused extensive damage to a large section of pavement, causing the surface of the roadway to become burned and distressed, also obliterating the traffic markings. Since the incident, the district has inspected the pavement, taken pavement cores to assess the damage and have prepared plans and estimates to obtain quotes for the repair work. Although the pavement is currently passable, due to the heavy traffic on the Stevenson Expressway (I-55), and the upcoming winter season, the roadway must be repaired in the near future to remain open. This does not allow sufficient time to go through the normal letting process. The repair will include milling off and replacing the top five inches of asphalt damaged by the fire. Permanent pavement marking and raised reflective pavement markers will also be installed per standard.

Bids were sought from qualified IDOT contractors to make the necessary repairs in accordance with the Standard Specifications for Road & Bridge Constuction. The only contractor who chose to bid on the work was K-Five, who submitted a low bid of \$274,940.47; along with a schedule of unit prices.

Other contractors who were contacted and send plans, but did not submit bids were:

- D-Construction. amoure@Dconstruction.net
- Gallagher Asphalt - 708-877-7160, jkolmodin@gallagherasphalt.com

- Plote - 847-695-9300, bids@Plote.com

In addition, the following contractor were contacted, but upon learning the details of the work, said that they weren't interest in bidding.

- PT Ferro - Phil Hess, 815-726-6284
- Arrow Road Construction - Nick, 847-437-0700

EMERGENCY PURCHASE AFFIDAVIT

Reference # 17-02

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: District One

Address: 201 W Center Court

City: Schaumburg State: IL Zip: 60196

Vendor: K-Five

Address: 13769 Main Street

City: Lemont State: Illinois Zip: 60439

State of Illinois )
: SS
County of Cook )

I, John Fortmann, being duly sworn, solemnly swear and affirm that I am Regional Engineer, Region One

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.

- Checkboxes for emergency purchase reasons: 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:

On July 25, 2016 an accident involving 3 cars and 2 trucks occurred on the outbound lanes of the Stevenson Expressway (I-55), near Cicero Avenue. As a result of the accident, the vehicles involved burned, with one of the trucks carrying flammable paint products, there was a large fire. The fire caused extensive damage to a large section of pavement, causing the surface of the roadway to become burned and distressed, also obliterating the traffic markings. Since the incident, the district has inspected the pavement, taken pavement cores to assess the damage and have prepared plans and estimates to obtain quotes for the repair work. Although the pavement is currently passable, due to the heavy traffic on the Stevenson Expressway (I-55), and the upcoming winter season, the roadway must be repaired in the near future to remain open. This does not allow sufficient time to go through (over)

(Continue on next page if necessary)

Expected Start Date: August 23, 2016 Expected End Date: November 20, 2016

Extension of previous emergency purchase: [ ] Yes or [X] 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.

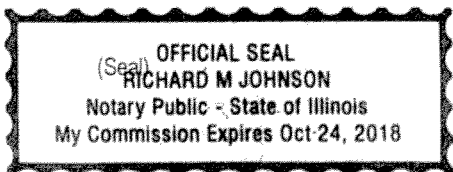
Contract Amount: \$ [ ] Actual or \$325,000 [X] \*Estimated.

\*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 (John Fortmann)

Subscribed and sworn before me this 23rd day of August 20 16



Signature of Notary Public (Richard M. Johnson)

My Commission expires: 10/24/2018

Approved: [Signature] Chief Procurement Officer/State Purchasing Officer Date: 8/24/16

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 # 17-02

the normal letting process. The repair will include milling off and replacing the top five inches of asphalt damaged by the fire. Permanent pavement marking and raised reflective pavement markers will also be installed per standard.

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