



Notice of Award for Emergency Purchases

Emergency Purchase Number: EA17-06

Office/Division: Division of Highways/District 8

Address: 1102 Eastport Plaza Drive
Collinsville IL 62234

Chief Procurement Officer: Bill Grunloh

Vendor: The Killian Corporation

Address: 608 South Independence Street
Mascoutah, IL 62258-0187

Estimated Cost: \$1,000,000

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 Department sustained a slope failure on the north side of Old US Route 50 between Frogtown Road and Stollestown Road in Clinton County. The slope failure is approximately 0.8 miles in length. The slope failure is a result of flooding that occurred during the period of April 29th through May 10th compounded by waves resulting from high sustained winds during the period of May 4th, 5th and 6th. The proposed work will consist of 4,700 cubic yards of earth excavation, 15,000 tons of dumped rip rap class A4, 12,000 SY of filter fabric, 65 tons of coarse aggregate backfill special, 500 lin. ft. of RIGID underdrain 6", 0.2 acres of class 3 seeding and 0.2 acres of mulch to repair/replace the damaged slope adjacent to Old Us Route 50. The Department's District 8 Bureau of Operations does not have sufficient qualified forces, equipment and traffic control to accomplished the required work. As such, we solicited quotations based on plans and estimated quantities from seven vendors for this work and have selected The Kilian Corporation. The Kilian Corporation submitted the lowest compliant quotation in the amount of \$519,035.00, they are prequalified, experienced and have the knowledge, staffing and equipment to immediately mobilize and complete the project.

Other vendors solicited and their bid amount or no bids are

- 1.) Keeley and Sons Inc. - No bid,
- 2.) Keller Construction - \$645,033.85,
- 3.) Baxmeyer Construction Inc. - \$579,933.75,
- 4.) Petroff Trucking Co Inc. - \$549,525.00,

- 5.) Stutz Excavating Inc. - \$550,430.00 and
- 6.) Widman Construction Inc. - No bid.

These bids are an informal quote based on estimated quantities and are strictly estimated. Additional work and/or quantities may be found to be necessary after construction is started.

EMERGENCY PURCHASE AFFIDAVIT

Reference # 17-06

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: The Killian Corporation

Address: 608 South Independence Street

City: Mascoutah State: IL Zip: 62258-0187

State of Illinois)
County of Madison)

I, Joseph D. Monroe, being duly sworn, solemnly swear and affirm that I am IDOT, Office of Highways Project Implementation, Region 5, District 8, Operations 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.

- 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.

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

The Department sustained a slope failure on the north side of Old US Route 50 between Frogtown Road and Stolleitown Road in Clinton County. The slope failure is approximately 0.8 miles in length. The slope failure is a result of flooding that occurred during the period of April 29th through May 10th compounded by waves resulting from high sustained winds during the period of May 4th, 5th and 6th. The proposed work will consist of 4,700 cubic yards of earth excavation, 15,000 tons of dumped rip rap class A4, 12,000 SY of filter fabric, 65 tons of coarse aggregate backfill special, 500 lin. ft. of RIGID underdrain 6", 0.2 acres of class 3 seeding and 0.2 acres of mulch to repair/replace the damaged slope adjacent to Old Us Route 50. The Department's

(Continue on next page if necessary)

Expected Start Date: June 1, 2017 Expected End Date: August 29, 2017

Extension of previous emergency purchase: 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 \$1,000,000 *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: Joseph D. Monroe

Subscribed and sworn before me this 1st day of JUNE 20 17



Signature of Notary Public: Kay E. Whitecotton

My Commission expires: 2/26/2020

Approved: Callum Coton 6/2/17
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 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 # 17-06

District 8 Bureau of Operations does not have sufficient qualified forces, equipment and traffic control to accomplish the required work. As such, we solicited quotations based on plans and estimated quantities from seven qualified vendors for this work and have selected The Kilian Corporation. The Kilian Corporation submitted the lowest compliant quotation in the amount of \$519,035.00, they are prequalified, experienced and have the knowledge, staffing and equipment to immediately mobilize and complete the project.

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These bids are an informal quote based on estimated quantities and are strictly estimated. Additional work and/or quantities may be found to be necessary after construction is started. Notice to proceed for this emergency contract was given to The Kilian Corporation on 06/01/2017 and completion is expected within 90 days subject to favorable weather conditions.