



Reference #: 023-010-020

EMERGENCY PURCHASE STATEMENT / NOTICE OF AWARD

Agency: Capital Development Board Point of Contact: Dan Troglio

Location of Emergency: Appellate Court Building - Ottawa, LaSalle County

Vendor: JB Contracting Corp. (21672)

Address: 2999 St. Vincent Avenue City: LaSalle State: IL Zip: 61301

Emergency Purchase Details

Emergency Category (select the appropriate option(s) from the checklist below):

- ☒ Involving threat to public health or public safety
- ☐ Immediate expenditure is necessary for repairs to State property to protect against further loss 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

Describe the scope of the emergency. Show justification for the need of an emergency contract, the selection of the vendor, and explain why the need for work cannot be met through a competitive process:

The Appellate Court/Third District has notified the Capital Development Board ("CDB") that the Courthouse's current HVAC system is over 40 years old, with two of the five cooling units being inoperable (1 unit at ground level and 4 units on the roof). This failure has caused the entire first and second floors of the Courthouse to have high humidity levels and no air flow or air conditioning. There is also a significant appearance of mold on the second floor of the Courthouse. The judicial conference room and judicial living quarters, located on the first floor could become unsafe and inhabitable due to the HVAC and mold issues.

On March 1, 2023, the Chief Procurement Office ("CPO") provided CDB authorization to engage the Indefinite Delivery/Indefinite Quantity ("IDIQ") Central Region Architect/Engineer to proceed with site investigation and report preparation.

The initial walk-through indicated that only one of five Air Handling Units ("AHU") was functioning within the space and other AHUs located in the attic were not functional at the time of the visit. Of the units that were observed, none were bringing in any outside air so the building is essentially recirculating the air within the space, except for any air infiltrations through windows and doors etc. Further, each unit appears to be quite old (approx. 40 years) and replacement parts have been hard to come by per the using agency.

It was also confirmed that there is a growth of suspected mold behind the wall paper in a few areas of the building. The users had humidity sensor spread throughout the building and the average RH was 70% in winter. If left unaddressed during summer conditions, the extent of the spread is unknown, resulting in the potential for substantial remediation efforts (and costs).

Therefore, CDB's assistance has been requested to provide temporary cooling measures, until such time more permanent replacement systems can be implemented, under an emergency declaration. Considering the time frames needed for standard bidding and award procedures, design and construction services for temporary cooling under the existing processes would likely not begin for several months. For this reason, an emergency purchase is necessary to provide expedited temporary cooling units to support proper cooling of the facility as quickly as possible.

JB Contracting Corp. was selected for construction services as they have the expertise to complete the work, they can work in an expedited manner, and they are in close proximity to the site.



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Describe the scope of work or services provided to include special limitations, conditions and incorporated documents:

The scope of work provides for the rental, installation, maintenance, and eventual removal of temporary air conditioning units as directed by the Architect/Engineer of record. Any ancillary items, such as electrical power improvements or other necessary work needed for temporary installation, is considered part of the scope. The contractor is also responsible for any needed trouble-shooting throughout the cooling season, should issues arise.

Incorporated documents include the March 2009 Standard Documents for Construction & Supplement and any design documents provided by the Architect/Engineer of record. Section 01 29 00 PAYMENT PROCEDURES, will be strictly followed and adhered to. The sum of all items listed in the Contractor Schedule of Values should equal the contract award amount. Payment amounts will be approved based on proof of work actually performed and materials actually used. Construction Services provided under this procurement should not exceed \$100,000.00, which is a place-holder prior to entering into a Construction Contract, without prior authorization from the Capital Development Board in consultation with the Chief Procurement Office. Final Actual Costs will be reported upon project completion and project close-out.

In accordance with section 00 21 50 of the Standard Documents for Construction, the General Contractor shall perform no less than 20% of work with its own staff. Each other trade shall perform no less than 40% of work with its own staff. Work with own staff includes direct labor and supervision, as well as material purchases where the material is installed by the contractor.

Was authorization to proceed verbally given? ☐ Yes ☒ No, receipt of this signed Notice authorizes the vendor to begin work

If Yes is checked above, explain who authorized the work, when, under what conditions or limitations and for what scope.

Expected Start Date: May 25, 2023 Estimated End Date: Aug 22, 2023

Amount of this expenditure is: \$100,000.00 Actual or Estimated: Estimated



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Signatures

I am making this statement and providing it to the CPO Office, the Auditor General, and the Procurement Policy Board in compliance with the Illinois Procurement Code and within 10 days after award of the contract.

I have authorized the emergency procurement in accordance with the requirements of the Illinois Procurement Code (30 ILCS 500) and the applicable administrative rule. I know and understand the contents of this statement and all statements herein are true and correct to the best of my knowledge.

Agency Signature:	Chris R. Miles Digitally signed by Chris R. Miles Date: 2023.05.25 14:32:07 -05'00'	Title:	<u>Executive II</u>
SPO/CPO Signature:	GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM Date: 2023.05.25 14:36:36 -05'00'	Date:	<u>May 25, 2023</u>



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EMERGENCY PURCHASE EXTENSION

Agency: Capital Development Board Point of Contact: Dan Troglio

Location of Emergency: Appellate Court Building - Ottawa, LaSalle County

Vendor: JB Contracting Corp. (21672)

Address: 2999 St. Vincent Avenue City: LaSalle State: IL Zip: 61301

Extension Request

Original Emergency Term Start Date: May 25, 2023 Original Emergency Term End Date: Aug 22, 2023

Amount of original: \$100,000.00 (Current Contract) Actual or Estimated: Estimated

Requested Extension End Date: Jan 31, 2024 Amount of extension expenditure: 50K-100K (A/C Units)

Actual or Estimated: Estimated

Describe the scope of the original emergency (supply, service, etc.):

The scope of work remains the same and provides for the rental, installation, maintenance, and eventual removal of temporary air conditioning units as directed by the Architect/Engineer of record. Any ancillary items, such as electrical power improvements or other necessary work needed for temporary installation, is considered part of the scope. The contractor is also responsible for any needed trouble-shooting throughout the cooling season, should issues arise.

Describe the scope of the extension (supply, service, etc.). Show justification for extending the original emergency contract, and explain why the extension need cannot be met through a competitive process:

The emergency declaration is currently scheduled to expire on August 22, 2023.

Rental cooling units (3 large/6 small) were deployed in June and remain operational. Also, CDB recently received a request from the Courts to add additional cooling units to the building as their main down stair A/C unit has been failing regularly and they have court upcoming in September, requiring a functioning A/C system on the first floor. The project team is in the process of procuring additional units as a result of the request. The team estimates an additional cost between \$50,000.00 and \$100,000.00 for the additional units. A change order is forthcoming.

Temporary cooling units will need to remain in place until the end of the cooling season. Therefore, the project team is requesting consideration to extend the emergency contract through January 31, 2024, to allow for continued cooling for the facility through October, 2023, followed by the eventual removal of the temporary units, and formal close-out of the contract.

CDB requires JB Contracting, Corp.'s continued participation to provide temporary cooling units as they hold the rental contract and they continue to be responsible for any maintenance should issues arise.

Section 20-30(a) of the Procurement Code provides that a contract for an emergency may be extended beyond 90 calendar days with the approval of the chief procurement officer (CPO). Prior to execution of the extension, the CPO shall receive this completed form along with all applicable supporting documentation justifying the extension within 14 calendar days prior to the expiration of the contract. The duration of the extension shall be limited to the scope of the emergency.



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I am requesting an extension of the requested emergency contract and attest that it is limited to the scope of the emergency. I know and understand the contents of this statement and all statements herein are true and correct to the best of my knowledge.

Agency Signature: Chris R. Miles Digitally signed by Chris R. Miles
Date: 2023.08.18 16:41:21 -05'00' Title: Executive II

Extension Determination

This justification for emergency extension will be posted to the Procurement Bulletin within seven days after execution of the contract change.

SPO Comments:

Signatures

The State Purchasing Office recommends approval of the extension request.

SPO Signature: GERALD STEVEN BURLINGHAM Digitally signed by GERALD STEVEN BURLINGHAM
Date: 2023.08.21 10:03:37 -05'00' Date: Aug 21, 2023

After a complete review of the circumstances relating to the need for extending the existing emergency contract, CPO approval is given to extend for a period not to exceed 163 calendar days.

CPO Signature: KENNETH TODD MORRIS Digitally signed by KENNETH TODD MORRIS
Date: 2023.08.21 10:09:11 -05'00' Date: Aug 21, 2023