



CHIEF PROCUREMENT OFFICE

Art Moore, Capital Development Board

HEARING CANCELLED

No requests for comments were received.

Sole/Sole Economically Feasible Source Contract

The office of the Chief Procurement Officer will hold a public hearing to hear testimony and receive comments on the proposed contract(s) described below.

Details of the proposed contract, justification for the Agency to contract in this way and the hearing procedure can be found at <https://cdb.illinois.gov/procurement/solesourceprocurementcontractawards.html>

HEARING OFFICER

NAME: Thaddeus Wilkins

ADDRESS: 160 N LaSalle Street, Suite C1010, Chicago, Illinois 60601

PHONE: 312-802-4562

FAX: 217-558-1399

E-MAIL: Thaddeus.Wilkins@illinois.gov

TESTIMONY

Anyone wishing to testify, please notify the HEARING OFFICER by 4:00 pm, Monday, April 1, 2024 of your desire to testify.

PROPOSED CONTRACT(S) SUBJECT OF THIS HEARING

Agency: CDB

Vendor: Paul Borg Construction.

Description: Various IDOT Improvements

Project Number: 630-000-234

SOLE SOURCE JUSTIFICATION FORM

Bulletin or Reference Number:

SECTION I - GENERAL INFORMATION

Requesting Agency/University: CDB Department/Bureau/Section: Construction
 Name of Requestor: Penny Varnava Date: 3.8.2024
 Project Title: Various IDOT Improvements @ Hillside & Joliet (630-000-234
 Vendor: Paul Borg Construction

Provide a description of the supplies or services required:
 The scope of this project includes upgrades at the existing Joliet IDOT Yard exhaust sytem and finishes --- AND --- Construction of a new salt track garage in Hillside IDOT Yard

Value of Initial Term, this Change Order or Amendment, or if a Renewal, Value of this Renewal: \$ \$315,448.59 Value is: Actual Estimated

This is a: (\$125,857.99 in retainage) New Sole Source

Professional and Artistic? Yes No
Sole Source may not be used for amendments for Professional or Artistic Services if the amendment would increase the value by more than 5% of the initial award or extend the term by more than 60 days.

SECTION II - PROPOSED TERM

One-Time Purchase
 Term Contract Estimated Begin Date: 4/1/2024 Estimated Contract End Date: 9/30/2024
 One-Time Amendment or Change Order to an Existing Contract for Reasons Other Than Adding Additional Funds
 Explain (Then Skip Section III and go to Section IV):
 The contract expired on 11/13/2023 but additional change orders AND payments foi completed work (via Pay Applications) are necessary
 If a Term Contract, does the term, including renewals, exceed 12 months? Yes No
 If yes, a detailed justification is required:

SECTION III - RENEWALS

Number of Potential/Remaining Renewals: 0
 Length of Each Renewal in Months: 0
 Total Value of All or Remaining Renewals: \$ 0

SECTION IV - FUNDING

Select the type of funding to be used (check all that apply):
 Federal Funds State Appropriated Funds Other (Explain):

SECTION V - SOLE SOURCE JUSTIFICATION

This purchase is economically only available from a single source because it is:

- Art or Entertainment Services or Athletic Events
- Compatibility of Equipment, Accessories, Replacement Parts or Service
- Critical Changes to the Existing Contract Are Necessary and Best Accomplished by the Contract Holder
- Federal/State Grant Requires Contract with Vendor
- Items are Copyrighted or Patented and the Items are Only Available From the Holder – Copyright or Patent Number(s):
- Items are Required by an Existing Franchise Agreement
- Items are Required for Research and No Other Source is Able to Meet the Researcher's Documented Need
- Items are for Commercial Resale
- Items Are Needed for Trial Use or Testing
- Media for Advertising
- Necessary Adjustment of Utility Facilities in Conjunction with Highway Construction
- Organization Memberships (Dues, Fees, Conference Charges Including Mandated Travel and Related Expenses)
- Public Utility Regulated Services
- Radio and/or Television Broadcast Rights
- Railroad Crossings/Facilities Alterations – Proprietary
- Software License/Upgrade/Maintenance
- Other (Explain): The General Contractor has not yet completed the project scope and substantial completion milestone is not yet met

SOLE SOURCE JUSTIFICATION FORM

Bulletin or Reference Number: The

SECTION VI - HISTORY

Has the Agency or University purchased these supplies or services in the past? Yes No

If yes, STARTING WITH THE MOST RECENT CONTRACT AND WORKING BACKWARD, for the entire relationship with this vendor for this supply or service, list each term, value, short description and type of procurement of each:

Term:	Term From:	Term To:	Value:	Description:	Contract Number:	Type:
One	3/18/2021	11/13/2023	\$ 315,448.59	Construction Services	21045081	Competitively Bid
Two	4/1/2024	9/30/2024	\$ 0	Construction Services		Sole Source
Three			\$			Select One
Four			\$			Select One
Five			\$			Select One
Six			\$			Select One
Seven			\$			Select One
Eight			\$			Select One
Nine			\$			Select One
Ten			\$			Select One

If more than 10 years, explain:

SECTION VII - BUSINESS RATIONALE

1. Provide a detailed explanation of the need for the supplies or services:
This GC is on site but the work has not yet been completed and substantial completion has not been reached. Note: the project original PM went on medical leave and the contract inadvertently reached expiration.
2. Why are the requested supplies or services the only one that can satisfy your requirements?
Work site and scope familiarity and warranties of work in place and unfinished work that is not substantially completed yet.
3. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide specific, quantifiable factors/qualifications:
As the project has not yet reached substantial completion, it would be beneficial to allow the same contractor to complete it; there have not been any performance issues preventing us to do so
4. If services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications:
The work is currently incomplete and not ready for the using agency's beneficial use as the project substantial completion is not yet reached.
5. Were alternative supplies or services evaluated? Yes No
 - 5a. If yes, name the alternative vendors whose supplies or services were evaluated:
 - 5b. If yes, what were the alternatives for each vendor and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility:
 - 5c. If no, why were alternatives not evaluated?
Due to the nature of the work and the fact that the substantial completion requirements are not yet met.,
6. What efforts were made to get the best possible price? There is no price impact associated with this action.
7. Will this purchase obligate the State to this vendor for future purchases such as maintenance, licensing or continuing need? Yes No
 - 7a. If yes, please provide details regarding future obligations and/or needs:
8. Why is the price for this purchase considered to be fair and reasonable?
There is no price impact for this contract; the project was competitively bid and awarded to this vendor
9. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract:
N/A
10. What will be the financial or other impact to the State if this sole source is not approved and a competitive bid is required?
Work will not be completed nor warranted.
11. Is there any additional justification information that you would like to add to justify this sole source?
N/A


SOLE SOURCE JUSTIFICATION FORM

Bulletin or Reference Number:

SECTION VIII - APPROVALS

REQUESTING DEPARTMENT SIGNATURE REQUIRED

I know and understand the contents of this Sole Source Justification and attest that all statements are true and correct and that the fairness and reasonableness of the price was adequately confirmed.

	Penny Varnava	3.8.2024
Requesting Department Representative	Printed Name	Date
2312 833.5313	penny.varnava@illinois.gov	
Requesting Department Representative Telephone Number	Requesting Department Representative Email Address	


STATE AGENCY BUREAU/DIVISION HEAD OR UNIVERSITY PURCHASING DIRECTOR APPROVAL AND SIGNATURE REQUIRED

I know and understand the contents of this Sole Source Justification and attest that all statements are true and correct and that the fairness and reasonableness of the price was adequately confirmed.

	Timothy E. Patrick	3-8-2024
State Agency Bureau/Division Head and Not a Designee or University Purchasing Director Signature and Not a Designee	Printed Name	Date
217-782-0601	tim.patrick@illinois.gov	
State Agency Bureau/Division Head or University Purchasing Director Telephone Number	State Agency Bureau/Division Head or University Purchasing Director Email Address	

SPO APPROVAL AND SIGNATURE REQUIRED

I know and understand the contents of this Sole Source Justification and have verified that all statements are true and correct and that the fairness and reasonableness of the price was adequately confirmed.

	Gerald S. Burlingham	3.8.24
SPO Signature	SPO Printed Name	Date
217-836-0185	gerald.burlingham@illinois.gov	
SPO Telephone Number	SPO Email Address	

SOLE SOURCE JUSTIFICATION FORM PART II

Bulletin or Reference Number:

SECTION I - GENERAL INFORMATION

Requesting Agency/University: CDB
Project Title: Various IDOT Improvements @ Hillside & Joliet
Initial Date of Procurement Bulletin Posting:
Vendor: Paul Borg Construcion Company

Was a Sole Source hearing held per 30 ILCS 500/20-25?
[] Yes - Complete Sections II and III below
[X] No - Section II not required, go to Section III below

SECTION II - SOLE SOURCE HEARING DETAILS

Hearing Date:
Hearing Time:
Hearing Location:

The State posted to the Illinois Procurement Bulletin a description of the State's need, the justification for the sole source decision, and information regarding the opportunity to submit comments and testify at a public hearing. Notice of the hearing was also posted outside of the hearing room 48 hours prior to the hearing.

- [] No members of the public or other entities testified or provided written comments.
[] Members of the public or other entities testified and/or provided written comments. See attached.

The public hearing was conducted for the purpose of receiving testimony regarding the sole source determination. The Hearing Officer recommends the following:

The following relevant documents are attached:

- [] Written comments submitted prior to, at or after the Sole Source Hearing
[] Decision Memo or Written Recommendation of the Hearing Officer
[] Hearing Minutes (if minutes were recorded)
[] Other:

Hearing Officer Signature Printed Name Date
Hearing Officer Telephone Hearing Officer Email Address

SECTION III - CPO APPROVAL AND SIGNATURE REQUIRED

- [X] Based on my review, I authorize the Agency/University to proceed in accordance with the published Notice referenced above.
[] Based on my review of this procurement the Agency/University is not authorized to proceed with this sole source as presented and my recommendation is that it be cancelled.
[] Based on my review, I authorize the Agency/University to proceed with the following changes:
[] I do not concur for the following reasons:
[] Other:

CPO Signature Arthur Moore 4/3/24
Printed Name Date
217-558-2156 arthur.l.moore@illinois.gov
CPO Telephone Number CPO Email Address