



## Sole Source Hearing Details

Agency Name: Capital Development Board

Title of Procurement: Wilbur Wright College: Replace Flooring

Project Number: 810-022-006

Vendor Name: A.L.L Masonry Construction Co. Inc.

Hearing Date: November 30, 2023

**CANCELLED**

Hearing Time: 2:00 PM

Webex Details: WEBEX INFORMATION:  
<https://illinois.webex.com/illinois/j.php?MTID=mcfc2635e87e701832614d174c02102a6>

Meeting number (access code): 2632 547 4548  
Meeting password: 6TxcNqffq34

**Hearing Officer:** Thaddeus Wilkins, Hearing Officer  
Chief Procurement Office - Capital Development Board  
E-mail: Thaddeus.Wilkins@illinois.gov  
phone 312-802-4562

**Notice Contact:** Ken Morris, Deputy Chief Procurement Officer  
Chief Procurement Office - Capital Development Board  
E-mail: Ken.Morris@illinois.gov  
phone 217-836-0075

### **The hearing has been cancelled as no written comments or written requests for public hearing were received by 4PM on Monday, November 27, 2023**

If a public hearing is requested, the purchasing agency shall present testimony justifying the procurement method. Any interested party may present testimony for or against the awarding of a sole source contract. The purpose of the hearing will be to receive information from the public as to whether contract award by Sole Source is appropriate and in accordance with the Illinois Procurement Code. Formal rules of evidence will not apply. Hearings may be recorded in order to aid in the production of minutes. Parties may submit written comments in lieu of attending the hearing. Written comments will be afforded the same weight as oral comments received at hearing. After consideration of the testimony, the Chief Procurement Officer may approve the purchasing agency's request to contract by the sole source procurement method.

**SOLE SOURCE JUSTIFICATION FORM**

Bulletin or Reference Number:

**SECTION I - GENERAL INFORMATION**

Requesting Agency/University: CDB Department/Bureau/Section: Construction  
 Name of Requestor: Natasia McDade Date: 10.17.2023  
 Project Title: Wilbur Wright College: Replace Flooring  
 Vendor: A.L.L. Masonry Construction Co. Inc

Provide a description of the supplies or services required:  
 There is defective material that was used on the project that's preventing the completion of work by the contractor. This is to establish a new contract in order to close the vendors contract.

Value of Initial Term, this Change Order or Amendment, or if a Renewal, Value of this Renewal: \$81,228.57 Value is:  Actual  Estimated

(\$77,926.14 in Retainage) This is a: 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: 12/01/2023 Estimated Contract End Date: 10/31/2024
- 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):

If a Term Contract, does the term, including renewals, exceed 12 months?  Yes  No  
 If yes, a detailed justification is required:

ALL Masonry has worked to try different materials supplied by the manufacture that could adhere to the stairs. After two attempts both of which has failed preventing the project to move towards Final Acceptance. The warranty work that is pending also propose a safety issue (tripping hazard). The stairway is the method of travel for the students and staff throughout the building. This work needs to be completed soon to prevent accidents from happening. A new contract is needed to allow the contractor to correct the defective work.

**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): Contractor knows the site and has communicated with the manufacture for the material being installed on this project.

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**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	5/28/2021	10/26/2022	\$ 855,602.44	Construction Services	21050081	Competitively Bid
Two			\$			Select One
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:  
Give ALL Masonry Construction a new contract to provide closeout and final payment to the vendor.
2. Why are the requested supplies or services the only one that can satisfy your requirements?  
All services required to close out the project are directly related to the previous/current contract.
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:  
The luminescent tape on the nosing of the stair that continued to de-laminate. After multiple attempts to repair using Tarkett's (Manufacturer) recommendations they finally agreed to cover the treads under their warranty and produce a new set of stair treads with a different nosing. There are 6 staircases that has defective glue/tape all testing taking place is being done on one staircase to prevent disruption to the school.
4. If services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications:  
ALL Construction has paid the manufacture for the product that's being installed. ALL Construction are the contractors that has installed the material and therefor responsible to correct all defects associated with this contract.
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?  
The work being completed is warranty work per the manufacture requirements. The manufacture has provided different adherents to the contractor to test out and it has failed. The manufacture that was selected by the contractor intends to correct this issue using supplies that they can supply a warranty for.
6. What efforts were made to get the best possible price? The project was competitively bid in 2021  Yes  No
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?  
This contract was bid in 2021, the contractor is providing the services originally agreed at no additional cost.
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?  
The only impact would be an excess in cost to put together
11. Is there any additional justification information that you would like to add to justify this sole source?  
No additional information to add at this time.

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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.

  
 Requesting Department Representative

Timothy E. Patrick  
 Printed Name


10-24-2023  
 Date

217-782-0601  
 Requesting Department Representative Telephone Number

tim.patrick@illinois.gov  
 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.

  
 State Agency Bureau/Division Head and Not a Designee or University Purchasing Director Signature and Not a Designee

Jim Underwood  
 Printed Name

10/24/23  
 Date

217-782-8725  
 State Agency Bureau/Division Head or University Purchasing Director Telephone Number

Jim.Underwood@illinois.gov  
 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.

  
 SPO Signature

Gerald S. Burlingham  
 SPO Printed Name

11.14.23  
 Date

217-836-0185  
 SPO Telephone Number

gerald.burlingham@illinois.gov  
 SPO Email Address