

**STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION**

IN THE MATTER OF,

Michelle Lawrence and ML Group, LLC

Respondent(s)

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2012-S-00__

NOTICE OF SUSPENSION AND INTERIM SUSPENSION

To: Michelle Lawrence, President
ML Group, LLC
1507 E. 53rd Street #807
Chicago, Illinois 60615

The Chief Procurement Officer for the State of Illinois, Department of Transportation ("CPO"), pursuant to Title 44 Illinois Administrative Code, Sections 6.510, 6.520, Section 6.530, in order to safeguard the public interest in the solicitation, execution, administration and performance of public contracts hereby notifies Michelle Lawrence and ML Group, LLC (collectively referred to as "ML Group") that the CPO proposes to suspend ML Group from participating on any new contract awarded by or requiring approval or concurrence of the Illinois Department of Transportation (herein "Department" or "IDOT").

The bases for these actions include one or more of the following allegations:

1. ML Group knowingly and intentionally submitted a fraudulent Contract Bond on IDOT Contract No. 46203, naming Capitol Indemnity Corporation as the surety.
2. ML Group knowingly and intentionally submitted a fraudulent Contract Bond on IDOT Contract No. 46208, naming Capitol Indemnity Corporation as the surety.
3. ML Group knowingly and intentionally submitted a fraudulent Bid Bond, dated March 7, 2012, for IDOT Contract No. 46203, Item No. 144, naming Capitol Indemnity Corporation as the surety.

4. ML Group knowingly and intentionally submitted a fraudulent Bid Bond, dated March 7, 2012, for IDOT Contract No. 46208, Item No. 3, naming Capitol Indemnity Corporation as the surety.
5. ML Group knowingly and intentionally submitted a fraudulent Bid Bond, dated March 7, 2012, for IDOT Contract No. 63675, Item No. 75, naming Capitol Indemnity Corporation as the surety.
6. ML Group knowingly and intentionally submitted a fraudulent Bid Bond, dated March 7, 2012, for IDOT Contract No. W1054, Item No. 1A, naming Capitol Indemnity Corporation as the surety.

The attached Affidavit of Bruce Harmening provides support for allegations (1) through (6). (See Attachment A).

7. Michelle Lawrence, President of ML Group, has been charged with one felony count of theft/unauthorized control of more than \$10,000.00 in State of Illinois v. Michelle Lawrence, Case No. 11112771701, Cook County Circuit Court. For support for the allegation in this paragraph see Attached B.
8. According to reports of former employees, ML Group has failed to comply with the Illinois Prevailing Wage Act, 820 ILCS 130/1 et seq., and pay its workers the prevailing wage on public works projects. For support of this allegation see Attachment C.

ML Group, through its acts, omissions and/or misconduct, whether or not any such misconduct or offense is in connection with a Department contract or any contract requiring Department approval, has demonstrated it lacks the responsible business integrity and honesty to contract with the Department. 44 Ill. Adm. Code 6.520(a) and (c).

INTERIM SUSPENSION

Pursuant to 44 Illinois Administrative Code, Section 6.530, I find that immediate action is necessary to safeguard the public interest in the solicitation, execution, administration and performance of public contracts. The reasons for the interim suspension are set forth in paragraphs (1) through (6) above and the Affidavit of Bruce Harmening, attached as Attachment 1. Therefore, until the completion of an investigation of the causes for suspension and hearing on the merits, if necessary, ML Group is subject to an interim suspension. ML Group shall not be eligible for selection as a contractor, for approval as a subcontractor under prime contract proposals, or for approval in either capacity on a contract with a local agency subject to the approval of the Department of Transportation, pending further notice.

RESPONDENT'S RIGHTS UNDER THE CODE

1. Any contractor receiving a notice of suspension may, within thirty (30) days after receipt of a notice, file an appearance and request for hearing. A contractor that does not file an appearance and request a hearing within the thirty (30) days after receipt shall be deemed to have waived any hearing and will be subject to immediate suspension. (44 Ill. Admin. Code 6.620)
2. Upon receipt of an appearance and request for hearing, the Secretary will set the matter for a hearing within thirty (30) days, and notify the contractor of the place, time and date of the hearing and the designated hearing officer. (44 Ill. Admin. Code 6.630)
3. The contractor may file a written notice for disqualification of a Hearing Officer, setting forth reasons of personal bias or conflict of interest, within three (3) days after the appointment of the Hearing Officer. (44 Ill. Admin. Code 6.630)
4. The contractor may file a written answer to a notice not later than twenty (20) day prior to the hearing date, but shall not be required to file an answer. The answer may include affirmative defenses. (44 Ill. Admin. Code 6.640)

5. Within 30 days after receipt of a notice that imposes an interim suspension, the contractor may submit, in person, in writing, or through a representative, information, documentation and argument in opposition to the interim suspension. The Chief Procurement Officer will consider the contractor's submission in light of the evidence developed in the pending investigation, and may modify or terminate the suspension or may leave it in force. The Chief Procurement Officer's decision concerning imposition of an interim suspension is final without further hearing (44 Ill. Admin. Code 6.620).
6. Notices shall be directed to Lance T. Jones, Office of Chief Counsel, 2300 S. Dirksen Parkway, Springfield, IL 62764.

This Notice of Suspension and Interim Suspension is issued and served this 27th day of June 2012 at Springfield, Illinois.

Department of Transportation



Bill Grunloh, Chief Procurement Officer

Lance T. Jones, Deputy Chief Counsel
2300 S. Dirksen Parkway, Room 313
Springfield, IL 62764
(217) 782-3215
(217) 524-0823 - Fax