

**STATE OF ILLINOIS
OFFICE OF THE CHIEF PROCUREMENT OFFICER
DEPARTMENT OF TRANSPORTATION**

IN THE MATTER OF:)
)
R.L. Brink, Corp.) **2012-S-06**
)
Respondents)

FINAL DETERMINATION OF SUSPENSION

I have carefully reviewed the Findings and Recommendations of the Hearing Officer in the above matter. In addition, I have reviewed the past suspension precedent of this Office, have compared the facts which led to the proven violation of the "Responsible Bidder" requirement contained in 30 ILCS 500/30-22(6), and considered what suspension term would be commensurate with the seriousness of the above actions. As a result of this review, I have made the following final determination.

I hereby adopt the findings of fact and the conclusions of law made by the Hearing Officer which find the Department met its burden of proving R.L. Brink engaged in "acts or omissions that indicate that the contractor or subcontractor lacks integrity and honesty in the conduct of business or the performance of contracts." 44 ILL. ADMIN. CODE 6.520.

Accordingly R.L. Brink is hereby **SUSPENDED** from participating on any contracts awarded by or requiring approval or concurrence of the Illinois Department of Transportation for a period of two years. Pursuant to 44 ILL. ADMIN. CODE 6.690(c), the Interim suspension term will be deducted from the two-year suspension period.

Due to Adams County Circuit Court's issuance of a temporary restraining order on September 4, 2012 and a preliminary injunction on October 1, 2012, the interim suspension was stayed pending the conclusion of the administrative proceedings. Prior to entry of these orders R.L. Brink served 15 days (Aug. 22 – Sept. 5) of the interim suspension. As such, 15 days will be deducted from the two-year suspension period per 44 ILL. ADMIN. CODE 6.690(c) and R.L. Brink, Corp. will be suspended from December 18, 2012 until December 3, 2014.

This Final Determination is issued and served this 18th day of December, 2012 at Springfield, Illinois.



Bill Grunloh, Chief Procurement Officer
2300 S. Dirksen Parkway, Room 200
Springfield, Illinois 62764
(217) 558-5434

CERTIFICATION OF SERVICE

I hereby certify that I served a copy of the foregoing FINAL DETERMINATION OF SUSPENSION on the following:

Stanley E. Niew
G. Ryan Liska
Niew Legal Partners, P.C.
1000 Jorie Boulevard, Suite 206
Oak Brook, IL 60523

Lance T. Jones
Deputy Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Parkway, Room 313
Springfield, IL 62764

by sending a copy thereof via United States Postal Service Certified Mail to Stanley E. Niew and G. Ryan Liska at the address listed above and via electronic email, and to Lance T. Jones via electronic email and personal delivery, on the 18th of December, 2012.



Bill Grunloh
Chief Procurement Officer

December 18, 2012