

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET
INFRASTRUCTURE COMMITTEE

**Thursday, October 5, 2017
7:00 P.M. – Committee Room A**

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Selection of Vice-Chairman
3. Approval of Minutes
 - A. Infrastructure Committee of September 7, 2017
4. Public Participation / Presentations
5. Items for Consent
 - A. Ordinance No. 17-O-0038 – Authorizing the Disposal of Surplus Equipment, Stock Inventory, and/or Personal Property Owned By the City Of West Chicago
 - B. Contract Award – Operations Management International, Inc. For Professional Services Related to the Management and Operation of the City's Regional Wastewater Treatment Plant
 - C. 2013 Main Street Tunnel Improvement Project – Change Order No. 1 and Final
6. Items for Discussion
7. Unfinished Business
8. New Business
9. Reports from Staff
10. Adjournment

Draft

MINUTES

INFRASTRUCTURE COMMITTEE

September 7, 2017 7:00 P.M.

1. Call to Order, Roll Call, and Establishment of a Quorum. Chairman Beifuss called the meeting to order at 7:00 P.M. Roll call found Aldermen James Beifuss, Heather Brown, Sandra Dimas, Alton Hallett, and Noreen Ligino-Kubinski present. Alderman George Garcia was absent.

Staff present included Director of Public Works Robert Flatter and Executive Secretary Ashley Cunningham.

2. Approval of Minutes

A. Infrastructure Committee Minutes of August 10, 2017. Alderman Beifuss requested that the word “dome” in line one of Item 6.A. be changed to “shed”. The Committee also requested that the word “shed” in line two be changed to “facility”. **Alderman Dimas made a motion, seconded by Alderman Hallett to approve the Meeting Minutes of August 10, 2017.**

Voting Yea: Aldermen Beifuss, Brown, Dimas, Hallett, and Ligino-Kubinski.

Voting Nay: 0.

3. Public Participation / Presentations. None.

4. Items for Consent. Alderman Beifuss requested discussion on Consent Item B. **Alderman Hallett made a motion, seconded by Alderman Brown to approve:**

A. Resolution No. 17-R-0052 - FY 2018 CDBG Grant Application for Participating Streets

Roll call found the vote unanimous for approval. Voting Yea: Aldermen Beifuss, Brown, Dimas, Hallett, and Ligino-Kubinski. Voting Nay: 0.

5. Items for Discussion. Items for discussion include Consent Item 4.B.

4.B. Resolution No. 17-R-0053 - Contract Award – Copenhaver Construction, Inc. for the 2017 Main Street and METRA Station Sidewalk Project. Mr. Flatter reminded the Committee that back in July all bids for the 2017 Sidewalk Maintenance Program were rejected for being substantially over budget. In an attempt to get better pricing, staff divided the scope of

work into two projects; work associated with the sidewalk between 447 and 461 Main Street, and the ramp leading to the METRA station, were bid in August 2017. The remaining citywide sidewalk replacements have not been rebid at this time. The 2017 Main Street and METRA Station Sidewalk Project bid packet included two design options. Option one, included in the base bid, consists of the installation of fifteen stairs with a 1.5" diameter welded steel pipe pedestrian handrail. Option two, identified as an alternate bid, consists of the installation of four sets of stairs separated by an eight foot six inch landing which does not require the installation of a pedestrian handrail. Copenhagen Construction, Inc. submitted the lowest responsible base bid of \$65,754.50. The alternate bid items were not used in determining the lowest responsible bidder, but were included in the bid proposal in order to establish unit prices. Considering the alternate bid, Copenhagen Construction Inc. submitted the lowest responsible alternate bid of \$51,018.00. Given the fact that the City only has \$75,000.00 budgeted for all sidewalk replacements in FY 2017, and given the fact that it will be difficult to get a contractor to bid on a citywide sidewalk replacement project of only \$24,000.00, City staff recommends not rebidding the remaining citywide sidewalk replacements this year and instead rolling the outstanding balance into FY 2018's program. Alderman Beifuss asked if it would be possible to move the citywide sidewalk project up into late spring. Mr. Flatter indicated this would be possible; he and Thomas Engineering Group had discussed going to bid in February to be able to compare bid results with the MPI bid and choose the best option for the City. Mr. Flatter explained that the City generally goes to bid in the fall to address things that people call in about over the summer. He also indicated that this fall/winter all of the sidewalks in the City will be reevaluated to come up with a new prioritized list of sidewalk repairs. The Committee indicated that it would be their preference to move the citywide sidewalk project to the spring. **Alderman Ligino-Kubinski made a motion, seconded by Alderman Dimas to approve.**

Roll call found the vote unanimous for approval. Voting Yea: Aldermen Beifuss, Brown, Dimas, Hallett, and Ligino-Kubinski. Voting Nay: 0.

6. Unfinished Business. None.

7. New Business.

A. Alderman Beifuss addressed his concerns regarding the higher than budgeted cost of the proposed salt dome project and the reduced amount of funds to be received from the state. As a result, he is requesting staff to provide some cost alternatives that would potentially be less expensive initially so that the street programs can continue without being significantly impacted. Alderman Beifuss expressed some concern with falling behind on the City's street projects. He is wondering if there might be a way to complete the salt dome project in phases to reduce the initial cost of construction and phase them in over time. Mr. Flatter confirmed that Christopher B. Burke Engineering has been tasked with creating three to four concept plans for total site development to take into consideration the long-term plans for a future Public Works facility. Costs for phasing in the extra storage sheds for equipment storage and additional improvements/additions to the salt dome project will also be provided for consideration.

B. Alderman Beifuss noted that Alderman John Smith has resigned to address the recent health issues of his wife, and the selection of a new Vice Chairman is required. This selection should be added to the Agenda for October.

8. Reports from Staff. None.

9. Adjournment. At 7:20 P.M., Alderman Hallett made a motion to adjourn, seconded by Alderman Dimas. Motion was unanimously approved by voice vote.

Respectfully submitted,

Ashley Cunningham
Executive Secretary of Public Works

CITY OF WEST CHICAGO

INFRASTRUCTURE COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Ordinance No. 17-O-0038 – Authorizing the Disposal of Surplus Equipment, Stock Inventory, and/or Personal Property Owned By the City Of West Chicago

AGENDA ITEM NUMBER: 5.A**COMMITTEE AGENDA DATE:** October 5, 2017**COUNCIL AGENDA DATE:** October 16, 2017**STAFF REVIEW:** Robert E. Flatter, P.E., Public Works Director**SIGNATURE** **APPROVED BY CITY ADMINISTRATOR:** Michael L. Guttman**SIGNATURE** _____**ITEM SUMMARY:**

City staff has identified surplus equipment, stock inventory, and/or personal property that has no useful life and is no longer useful to the City, has little or no salvage value, and should be properly disposed of (please refer to Ordinance No. 17-O-0038 and Attachment A for additional information).

Therefore, staff is requesting that these items be declared surplus so that they may be traded in, disposed of through auction, disposed of through the City's contractual waste hauler, recycled, or sold to a local scrap dealer for scrap value; in a manner deemed appropriate by the City Administrator, with or without consideration.

ACTIONS PROPOSED:

Adopt Ordinance No. 17-O-0038 for the disposal or sale of surplus equipment, stock inventory, and/or personal property owned by the City of West Chicago.

COMMITTEE RECOMMENDATION:

ORDINANCE NO. 17-O-0038

WHEREAS, in the opinion of the corporate authorities of the City of West Chicago, it is no longer necessary or useful to or for the best interests of the City of West Chicago, to retain ownership of the surplus equipment, stock inventory, and/or personal property hereinafter described; and,

WHEREAS, it has been determined by the City Council of the City of West Chicago to properly dispose of said surplus equipment, stock inventory, and/or personal property.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Chicago, Illinois, in regular session assembled as follows:

SECTION 1. Pursuant to 65 ILCS 5/11-76-4, the City Council of the City of West Chicago finds that the surplus equipment, stock inventory, and/or personal property listed on Attachment A are no longer necessary or useful to the City of West Chicago and the best interests of the City of West Chicago will be served by their disposal.

SECTION 2. Pursuant to said Statute, the City Administrator is hereby authorized and directed to dispose of the aforementioned surplus equipment, stock inventory, and/or personal property in any manner deemed appropriate, with or without consideration.

SECTION 3. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED this 16th day of October 2017.

Alderman J. Beifuss	_____	Alderman L. Chassee	_____
Alderman J. Sheahan	_____	Alderman H. Brown	_____
Alderman A. Hallett	_____	Alderman M. Ferguson	_____
Alderman M. Ferguson	_____	Alderman S. Dimas	_____
Alderman K. Meissner	_____	Vacant – Ward 5	_____
Alderman R. Stout	_____	Alderman G. Garcia	_____
Alderman N. Liginio-Kubinski	_____	Alderman B. Gagliardi	_____

APPROVED as to form: _____
City Attorney

APPROVED this 16th day of October 2017.

Mayor Ruben Pineda

ATTEST:

City Clerk, Nancy M. Smith

PUBLISHED: _____

ATTACHMENT "A"
LISTING OF SURPLUS ITEMS
ORDINANCE NO. 17-O-0038

REQUESTING TO BE REMOVED	Serial # / VIN # / ID #	Qty
Hon 4 drawer legal sized vertical metal file cabinets	N/A	44
Wesco 4 drawer legal sized vertical metal file cabinets	N/A	3
Unidentified manufacturer 4 drawer legal sized vertical metal file cabinets	N/A	3
Peerless 5 drawer legal sized vertical metal file cabinets	N/A	2
Anderson Hickey 2 drawer legal sized vertical metal file cabinet	N/A	1
Hon 4 drawer letter sized vertical metal file cabinet	N/A	1
Unidentified 2 drawer legal sized vertical metal file cabinet	N/A	1
Unidentified 5 drawer legal sized vertical metal file cabinet	N/A	1
Tennsco 4 drawer legal sized vertical metal file cabinet	N/A	1
Hon 4 drawer legal sized lateral metal file cabinet	N/A	2
Quartet 3'x6' cork bulletin board with metal frame	N/A	1
Unidentified 3' x 5' white dry erase board	N/A	1
5 wheel desk chairs with arm supports	N/A	3
Tennsco 3' x 6.5' 5 shelf metal bookcase	N/A	1
26" Zenith System 3 television	Model No. SS8769H	1
Bretford 3'x5' metal television cart with 2 shelves and under cabinet storage	N/A	1
Unidentified 3'x4' metal frame table with wood top	N/A	1
Hon 4 drawer legal size lateral metal file cabinet with formica top	N/A	1
Hon 2 drawer legal size lateral metal file cabinet with armoire-type cabinet	N/A	1
Optiplex 755 computer	H4l8bg1	1
Optiplex 755 computer	1y3dp1	1
Optiplex 755 computer	1kylzl1	1
Optiplex 755 computer	Dcxlzl1	1
Optiplex 755 computer	1y2fbp1	1
Optiplex 960 computer	Fqvozh1	1
Optiplex 960 computer	Cqvozh1	1
Optiplex 960 computer	514ghs1	1
Optiplex 960 computer	513ths1	1
Optiplex 960 computer	512phs1	1
Optiplex 960 computer	513ghs1	1
Optiplex 745 computer	653kbd1	1
Optiplex 745 computer	633kdd1	1
Optiplex 780 computer	1y2cbo1	1
Optiplex 780 computer	1y1bbp1	1
HP Tape Library	407351002	1
Kyocera flip phones	N/A	44
Samsung flip phones	N/A	10
HTC phone	N/A	1
iPhone 4	N/A	1
G'zOne flip phone	N/A	6

CITY OF WEST CHICAGO

INFRASTRUCTURE COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

Contract Award – Operations Management International, Inc. For Professional Services Related to the Management and Operation of the City's Regional Wastewater Treatment Plant

AGENDA ITEM NUMBER:

5.B.

COMMITTEE AGENDA DATE: October 5, 2017

COUNCIL AGENDA DATE: October 16, 2017

STAFF REVIEW: Robert E. Flatter, P.E., Director of Public Works

SIGNATURE



APPROVED BY CITY ADMINISTRATOR: Michael L. Guttman

SIGNATURE

ITEM SUMMARY:

In 2008 the City privatized its Wastewater Treatment Plant operations, and on March 26, 2008, the City Council approved a five-year contract with Operations Management International, Inc. (OMI) to perform various tasks and duties, including, but not limited to, management and operation of the City's Wastewater Treatment Plant (WWTP). In December 2012, the City Council approved another five year contract with OMI for similar services during fiscal years 2013 thru 2017.

Over the past ten years, OMI's staff has managed, operated, monitored, and maintained the WWTP on a continuous twenty-four hour per day, seven day per week basis, so that the Plant's effluent discharge meets the requirements specified in the City's Illinois Environmental Protection Agency NPDES Permit. OMI pays all costs incurred with normal operations, including utilities, chemical purchases, and repairs, as well as all costs associated with grit, screenings, and sludge removals. They document and provide all annual maintenance and repair activities. They perform all laboratory testing and samplings required by the NPDES permit, and provide compliance inspection and oversight services of the City's Industrial Pretreatment Program in addition to preparing the annual pretreatment reports required by the USEPA.

City staff, the Village of Winfield, and the IEPA Inspectors have all been extremely pleased with OMI's professionalism and performance over the past ten years. Staff believes that it would be in the best interest of the City to have OMI continue to be involved with the management and operation of the City's WWTP. OMI also desires to continue to be involved in the management and operation of the City's WWTP and has submitted a proposal to provide services over the next five years (fiscal years 2018 thru 2022), with a ten year option (fiscal years 2018 thru 2027).

For consideration of a five year contract with renewable five (5) year terms, OMI is willing to:

1. Develop a written Phosphorus Discharge Optimization Plan for the City of West Chicago Wastewater Treatment Plant, as mandated by the Illinois Environmental Protection Agency (IEPA) under Subsections 5, 6 and 7 of Special Condition 18 of the NPDES Permit No. IL0023469 dated December 13, 2016, and will submit it to the IEPA at no cost to the CITY; and,
2. Conduct an Industrial Pretreatment Survey within the corporate limits of the City of West Chicago and the Village of Winfield, as mandated by the IEPA under Special Condition 11 of the NPDES Permit No. IL0023469 dated December 13, 2016, to update the CITY'S inventory of Industrial Users to ensure that all Significant Industrial Users (SIUs) are properly identified, characterized, and categorized. Survey will be conducted at no cost to the CITY.

For consideration of a ten year contract with renewable five (5) year terms, OMI is willing to:

1. Develop a written Phosphorus Discharge Optimization Plan for the City of West Chicago Wastewater

CITY OF WEST CHICAGO

Treatment Plant, as mandated by the Illinois Environmental Protection Agency (IEPA) under Subsections 5, 6 and 7 of Special Condition 18 of the NPDES Permit No. IL0023469 dated December 13, 2016, and will submit it to the IEPA at no cost to the CITY; and,

2. Conduct an Industrial Pretreatment Survey within the corporate limits of the City of West Chicago and the Village of Winfield, as mandated by the IEPA under Special Condition 11 of the NPDES Permit No. IL0023469 dated December 13, 2016, to update the CITY'S inventory of Industrial Users to ensure that all Significant Industrial Users (SIUs) are properly identified, characterized, and categorized. Survey will be conducted at no cost to the CITY; and,
3. By December 31, 2018, invest up to \$350,000.00 in Capital Improvements at the City of West Chicago Wastewater Treatment Plant, as determined appropriate and acceptable to the CITY. Projects being considered include, but are not limited to, conversion of the disinfection system from chlorine gas to hypochlorite, and installation of chain link fencing along the eastern property line of the plant to improve perimeter security.

When OMI's original contract was executed in 2008, the City was on a May thru April fiscal year calendar. In 2013, to coincide with the City's current fiscal/calendar year, OMI's contract started on January 1, 2013, and will end on December 31, 2017. Compensation for services performed during 2018 will not exceed \$2,730,700.00 (which is 1.85% over 2017). Changes in the base fee will be negotiated annually using the twelve month percentage change (prior year to current year) in the Employment Cost Index (ECI) and the Consumer Price Index (CPI). For 2008 thru 2017, this change represented an average annual increase of approximately 1.0% (see attached spreadsheet for additional clarification). In addition, at the end of each contract year, OMI rebates the City fifty percent (50%) of budgeted funds, and the City pays fifty percent (50%) for all overages, for utilities (i.e., electricity and natural gas), biosolids hauling and disposal, and chemicals spent for the operations and maintenance of the WWTP during the contract year. As a result, OMI has rebated the City more than \$310,000.00 for the first eight years of operations.

The proposed contract contains a termination clause, same for a five year term or ten year term, which identifies that either party may terminate the contract for a material breach of the contract by the other party after giving written notice of breach and allowing the other party thirty days to correct the breach. The termination clause identifies that, except for a breach by the City for nonpayment of OMI's invoices, neither party shall terminate the contract without giving the other party thirty days written notice of intent to terminate after failure of the other party to correct the breach within thirty days. However, in the event of OMI's insolvency, bankruptcy or receivership, termination shall be effective immediately upon receipt of notice from the City. The contract also contains language that upon notice of termination by the City, OMI shall assist the City in resuming operation of the WWTP for a period of time not to exceed ninety days, and OMI shall turn over all O&M manuals, operating and laboratory records database, state reports, IPP reports, maintenance database and all other deliverables prepared for the City under the terms of the contract.

Considering OMI's outstanding performance over the past ten years, its familiarity with the WWTP, its willingness to invest in the WWTP with certain Capital Improvements, and the City's ability to terminate the contract with notice for an uncured material breach, City staff recommends that City Council award a ten year contract with renewable five year terms to OMI for the management and operation of the City's WWTP during fiscal years 2018 thru 2027. The Village of Winfield has indicated that it prefers awarding a five year contract with renewable five year terms.

OMI's services will be budgeted for and paid from the Sewer Fund (05-34-42-4225).

ACTIONS PROPOSED:

Staff seeks direction from Committee.

								(Included in Operatons & Maintenance)			
Contract Year	Coverage Period	Base Fee (Operations & Maintenance + Repairs)	Base Fee Percentage Increase	Rebates	Operations & Maintenance	Operations & Maintenance Percent Increase	Repairs	Electricity	Natural Gas	Biosolids Hauling & Disposal	Chemicals
1	May 2008 thru April 2009	\$2,439,000.00		\$82,779.46	\$2,189,000.00		\$250,000.00	\$262,529.00	\$13,200.00	\$301,636.00	\$48,880.00
2	May 2009 thru April 2010	\$2,517,690.00	3.13%	(\$24,203.03)	\$2,267,690.00	3.47%	\$250,000.00	\$262,529.00	\$70,000.00	\$301,636.00	\$48,880.00
3	May 2010 thru April 2011	\$2,563,044.00	1.77%	\$53,079.27	\$2,313,044.00	1.96%	\$250,000.00	\$262,529.00	\$70,000.00	\$301,636.00	\$48,880.00
4	May 2011 thru April 2012	\$2,548,896.00	-0.56%	\$39,803.82	\$2,348,896.00	1.53%	\$200,000.00	\$262,529.00	\$70,000.00	\$301,636.00	\$48,880.00
8 Month Extension											
5	May 2012 thru December 2012	\$1,731,365.00	0.00%	\$96,811.32	\$1,598,032.00	0.00%	\$133,333.00	\$175,019.00	\$46,667.00	\$201,091.00	\$32,587.00
New Contract											
6	January 2013 thru December 2013	\$2,521,000.00	-1.11%	\$14,262.10	\$2,371,000.00	0.93%	\$150,000.00	\$230,000.00	\$35,000.00	\$301,636.00	\$57,500.00
7	January 2014 thru December 2014	\$2,572,047.00	1.98%	\$16,466.93	\$2,422,047.00	2.11%	\$150,000.00	\$230,000.00	\$35,000.00	\$301,636.00	\$57,500.00
8	January 2015 thru December 2015	\$2,624,121.00	1.98%	\$31,985.21	\$2,474,121.00	2.10%	\$150,000.00	\$230,000.00	\$35,000.00	\$301,636.00	\$57,500.00
9	January 2016 thru December 2016	\$2,643,913.98	0.75%	Under Review	\$2,493,913.98	0.79%	\$150,000.00	\$230,000.00	\$35,000.00	\$301,636.00	\$57,500.00
10	January 2017 thru December 2017	\$2,680,076.00	1.35%	TBD	\$2,530,076.00	1.43%	\$150,000.00	\$230,000.00	\$35,000.00	\$301,636.00	\$57,500.00
New Contract (Proposed)											
11	January 2018 thru December 2018	\$2,730,700.00	1.85%	TBD	\$2,580,700.00	1.96%	\$150,000.00	\$237,000.00	\$51,000.00	\$260,000.00	\$86,876.00

CITY OF WEST CHICAGO

INFRASTRUCTURE COMMITTEE AGENDA ITEM SUMMARY

ITEM TITLE:

2013 Main Street Tunnel Improvement Project - Change Order No. 1 and Final

AGENDA ITEM NUMBER: 5.C.

COMMITTEE AGENDA DATE: October 5, 2017

COUNCIL AGENDA DATE: October 16, 2016

STAFF REVIEW: Robert E. Flatter, P.E., Director of Public Works

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR: Michael L. Guttman

SIGNATURE _____

ITEM SUMMARY:

On Monday, June 3, 2013, the City Council approved Resolution No. 13-R-0044, authorizing the Mayor to execute a Contract Agreement with Mack Construction Corporation (Mack) for professional services related to the 2013 Main Street Tunnel Improvement Project, for an amount not to exceed \$669,763.50. The 2013 Main Street Tunnel Improvement Project consisted of, but was not limited to, removal and replacement of Portland cement concrete ramps, sidewalk and retaining walls, installation of sheet piling with cast-in-place facing, drainage structure adjustments, tunnel and path light, brick paver installation, decorative railing installation, along with restoration and landscaping and all incidental and collateral work necessary to complete the project as shown on the design plans and described in the project specifications. Per the project specifications, the project was to have commenced by Monday, June 17, 2013, and be completed by August 12, 2013. Pending weather conditions, there was a provision that would allow the City to extend the project completion date to September 14, 2013, for installation of landscape material only.

On June 20, 2013, after receiving executed contracts, insurance documents, and Performance Bond from Mack, the City issued a Notice To Proceed letter to Mack with a reminder that the project must be complete by August 12, 2013, and that payment of prevailing wage and certified payroll was required. This project was not completed until August 28, 2015; all delays were attributed to Mack's performance, or lack thereof. To date, the City has not made final payment on the project, the City has imposed \$371,500.00 in liquidated damages against Mack, and the City's attorney continues to work with Mack's attorney to close out the project and resolve final payment related issues.

During construction, fourteen change order requests were submitted from Mack for additional work. Work related to nine of the fourteen changes orders was authorized by City staff to keep the project moving forward. The nine change orders authorized totaled \$108,959.36 in additional charges. All change orders are summarized below:

Change Order No. 1 – Void.

During construction it was determined that an existing street light cable needed to be relocated to accommodate site grading, which was not foreseen when the project was designed. Work was completed by the City using Meade Electric. Work associated with this change order was discussed with the Infrastructure Committee on September 5, 2013.

Change Order No. 2 – Replacement of Cistern with Storm Sewer Catchbasin - \$18,150.00.

During construction it was discovered that the tunnel's floor drains discharged into an old twenty-five foot deep timber cistern with a plywood top. The cistern was replaced with a concrete storm sewer catchbasin structure. City staff was aware of the old railroad cistern, but had no prior knowledge of its use or purpose. For safety reasons, the cistern was replaced with a concrete storm sewer catchbasin. Work associated with this change order was discussed with the Infrastructure Committee on September 5, 2013.

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Change Order No. 3 – Void.

Contractor attempted to seek additional compensation associated with a sheet piling conflict, related to the existing overhang for the Helen Fox Community Center. Change Order was rejected and work was completed within existing project scope and unit pricing. Work associated with this change order was discussed with the Infrastructure Committee on November 7, 2013.

Change Order No. 4 – Unsuitable and Non-Special Waste Hauling - \$18,044.00.

While excavating around the tunnel, the excavated soil material would not be accepted from a Clean Construction or Demolition Debris (CCDD) disposal facility with submission of a Clean Uncontaminated Soil Certification for the site. Midwest Environmental Consulting Services, Inc. was hired by the City to collect and analyze soil samples for certification sign-off. Laboratory analytical test results determined that the site's soils exceeded IEPA Tiered Approach to Corrective Action Objectives (TACO) maximum allowable concentrations for Arsenic, Dibenzo(a,h)anthracene, Mercury, and Selenium. To address the unforeseen soil chemistry, the excavated material (24 semi-loads) had to be classified as "non-special waste" and taken to an EPA approved landfill. Additional haul costs incurred by Mack resulted in an overall project increase of \$18,044.00.

Change Order No. 5 – Tunnel Floor Drains - \$21,023.00.

Additional work requested by the City to install additional floor drains inside tunnel to help eliminate water seepage through wall joints and standing water on floor which results during large rain events and snow melt. Work associated with this change order was discussed with the Infrastructure Committee on April 3, 2014.

Change Order No. 6 – Additional Reinforcement associated with Tunnel Wall Design Change - \$3,905.00.

Additional rebar reinforcement necessary for change in condition from a sloped wall to a vertical wall for the top of the existing tunnel entrance wall (north end) and the addition of a water stop. Condition unforeseen until site excavation was completed and existing tunnel wall was exposed. Work associated with this change order was discussed with the Infrastructure Committee on April 3, 2014.

Change Order No. 7 – Reconstruction of headwall at north and south ends of tunnel - \$25,131.00.

During demolition it was determined that the existing tunnel headwalls, both north and south ends, had deteriorated over the years and were no longer structurally sound. Both headwalls had to be reconstructed and reinforced with additional rebar. Condition unforeseen until site excavation and demolition was completed and existing tunnel headwall was exposed. Work associated with this change order was discussed with the Infrastructure Committee on April 3, 2014.

Change Order No. 8 – Additional Tunnel Wall Patching - \$17,481.36.

Additional grinding and patch work requested by the City on interior walls of tunnel (approximately 371 square feet). Nominal quantities of grinding and patch work were originally identified in bid documents and on engineering plans, but actual limits and condition of interior walls were not known until contractor removed several layers of paint from walls. Work associated with this change order was discussed with the Infrastructure Committee on April 3, 2014.

Change Order No. 9 – Void.

Contractor attempted to seek additional compensation associated with changes in limits of concrete gutter. Change Order was rejected and work was completed within existing project scope and unit pricing.

Change Order No. 10 – Additional Concrete Coring - \$460.00.

Additional concrete core needed through tunnel wall to accommodate tunnel lighting. Not foreseen when project was designed.

Change Order No. 11 – Void.

Contractor attempted to seek additional compensation associated with the removal and reinstallation of brick pavers. Change Order was rejected and work was completed within existing project scope and unit pricing.

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Change Order No. 12 – Void.

Contractor attempted to seek additional compensation associated with an extension of the ramp walkway on the south end of the project to comply with ADA requirements. Change Order was rejected and work was completed within existing project scope and unit pricing.

Change Order No. 13 – Electrical conduit paint credit – (\$750.00).

Contractor covered electrical conduit inside tunnel with anti-graffiti coating prior to painting. Credit issued to City for not painting electrical conduit.

Change Order No. 14 – Additional decorative railing - \$5,515.00.

Additional decorative railing necessary to comply with field changes, site conditions, and ADA requirements.

In addition to a contract increase resulting from additional work authorized by the change orders referenced above, final project quantities measured in the field at end of project and paid at contract unit prices resulted in a project increase of \$5,529.20.

Therefore, total change order associated with the 2013 Main Street Tunnel Project resulted in an overall project increase of \$114,488.56, bringing the total contract amount to \$784,252.06. Even if the liquidated damages imposed and previously referenced are upheld, the total change order in the amount of \$114,488.56 needs to be approved by City Council.

There are adequate funds available in the Capital Projects Fund to cover this budget overage.

ACTIONS PROPOSED:

Approve Change Order #1 and final to the Contract with Mack Construction Corporation, for the 2013 Main Street Tunnel Project, for a total addition to the contract in the amount of \$114,488.56.

COMMITTEE RECOMMENDATION: