

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Approved with changes on 12/01/11

MINUTES

INFRASTRUCTURE COMMITTEE

November 3, 2011 - 7:00 P.M.

1. **Call to Order, Roll Call, and Establishment of a Quorum.** Chairman Dzierzanowski called the meeting to order at 7:00 P.M. Roll Call found Aldermen James Beifuss, Nanette Connelly, Nicholas Dzierzanowski, Alan Murphy, James Smith, and John Smith present. Alderman Russell Radkiewicz was absent.

Also in attendance were Public Works Director Robert Flatter, Street Superintendent Tim Wilcox, Water Treatment Plant Supervisor Joe Munder, and Administrative Secretary Michelle Baldino.

2. **Approval of Minutes.**

A. **Infrastructure Committee Minutes of October 6, 2011.** Alderman Nanette Connelly made a motion to approve the Infrastructure Committee Minutes of October 6, 2011, seconded by Alderman John Smith. Voting Yea: Alderman Nanette Connelly, John Smith, James Beifuss, Nicholas Dzierzanowski, Alan Murphy, and James Smith. Voting Nay: 0.

3. **Public Participation / Presentations.** None.

4. **Items for Consent.** Chairman Dzierzanowski read the following items for consent.

A. **Change Order No. 1 & Final – Effluent Launder Replacement Project at the City's Regional Wastewater Treatment Plant – Maxim Construction Corporation, Inc.**

B. **Grant Agreement with State of Illinois Department of Commerce and Economic Opportunity for the Main Street Pedestrian Tunnel Rehabilitation Project**

C. **Contract Award – FY 2012 Liquid Carbon Dioxide – EPCO Carbon Dioxide Products**

D. **Contract Award – FY 2012 Rotary Hydrated Lime – Mississippi Lime Company**

E. **Contract Award – FY 2012 Liquid Sodium Hypochlorite – Rowell Chemical Corporation**

F. **Contract Award – FY 2012 Liquid Aluminum Sulfate – United States Aluminate Company (USALCO)**

G. **Contract Award – 2012-2017 Emerald Ash Borer Insecticidal Treatment Program – Emerald Tree Care, LLC**

H. Intergovernmental Agreement with Illinois Department of Transportation for Maintenance and Apportionment of Energy Costs for Traffic Control Devices located on State Highways

Items removed for discussion include 4.B, 4.C., 4.D., 4.F., (Chairman Dzierzanowski), and 4.G. (Alderman Beifuss).

Alderman Nanette Connelly made a motion to approve Consent Items 4.A., 4.E., and 4.H., seconded by Alderman James Beifuss. Voting Yea: Alderman Nanette Connelly, James Beifuss, Nicholas Dzierzanowski, Alan Murphy, John Smith, and James Smith. Voting Nay: 0.

4.B. Grant Agreement with State of Illinois Department of Commerce and Economic Opportunity for the Main Street Pedestrian Tunnel Rehabilitation Project. Chairman Dzierzanowski asked if the Maypole was considered for this project. Mr. Flatter informed him that the Maypole will be included, but there is a different grant application for the north end of the project where the Maypole will be placed.

Alderman James Beifuss made a motion, seconded by Alderman John Smith to approve Consent Item 4.B. Voting Yea: Aldermen James Beifuss, John Smith, Nanette Connelly, Nicholas Dzierzanowski, Alan Murphy, and James Smith. Voting Nay: 0.

4.C., 4.D., and 4.F. – Contract Awards for Water Treatment Plant Chemicals. Chairman Dzierzanowski combined consent items 4.C., 4.D., and 4.F. stating that the chemical costs are increasing and he asked how much longer would it be before the City raises the water rates. Mr. Flatter stated that an increase in rates wouldn't be considered for at least a couple of years.

Alderman Nanette Connelly made a motion to approve Consent Items 4.C., 4.D., and 4.F., seconded by Alderman John Smith. Voting Yea: Aldermen Nanette Connelly, John Smith, James Beifuss, Nicholas Dzierzanowski, Alan Murphy, and James Smith. Voting Nay: 0.

4.G. Contract Award – 2012-2017 Emerald Ash Borer Insecticidal Treatment Program – Emerald Tree Care, LLC. Alderman Beifuss stated that although the *a* request for a ~~six-year~~ contract extension at the same unit pricing is valid, *it six years* is a long period of time. He asked that if, in a few year's time, there is found to be a better way to treat the ash trees, is there a provision within the contract that allows the City to terminate it with reasonable notice that is both fair to the City and the Contractor. Mr. Flatter informed him that there are cancellation clauses in all of the City's contracts. Staff will present to City Council a Professional Services Agreement that will include a termination/cancellation clause. He also reiterated that the agreement would be written at unit pricing for the different treatment options, and will not be written as a "not to exceed" contract. Staff will budget each year based on estimated diameters of the affected trees.

During discussion regarding the flyer attached to the agenda summary, Mr. Flatter also stated that the Contractor would honor the same unit pricing written in the City agreement for private property owners whether they are incorporated or unincorporated area residents. Chairman

Dzierzanowski stated that he found some of the wording in the flyer troublesome and does not feel that the City should mail out marketing materials for any contractor. He would like to see the flyer revised and brought back to Committee for final approval. Mr. Flatter stated that Mr. White created the flyer and staff had not yet had time to comment yet. He also stated that Emerald Tree Care will bear the cost of creating the flyers. Staff will confirm Emerald Tree Care's intentions about distribution. Staff will work on revision to the attachment and bring back to Committee.

At the request of Alderman Beifuss, staff was directed to include a cancellation/termination provision within the Agreement to include reasons such as performance, technology, etc., for consideration of approval at a future City Council meeting. Alderman Alan Murphy made a motion to approve an Agreement for 2012-2017 Emerald Ash Borer Insecticidal Treatment Program with Emerald Tree Care, LLC, seconded by Alderman James Smith. Voting Yea: Aldermen Alan Murphy, James Smith, James Beifuss, Nanette Connelly, Nicholas Dzierzanowski, and John Smith. Voting Nay: 0.

5. Items for Discussion.

A. Brush Collection Program. Mr. Flatter said that 2011 was the final year of a three-year contract agreement with Kramer Tree Specialists (Kramer) for the City's Brush Collection Program. Kramer has approached the City for another three-year contract, proposing the same unit pricing for 2012, with a 5% increase for 2013 and a 5% increase for 2014. Staff has researched other communities and found that St. Charles, Geneva, Batavia and Glen Ellyn have all contracted with Kramer and have all waived competitive bidding in order to continue using them as they feel that they are best equipped with good quality performance.

Alderman Connelly asked if staff could negotiate a lower increase. Mr. Flatter stated that staff inquired about a two-year contract and Kramer responded with a price of \$9750.00/month totaling an increase of \$10,000 over a two-year period. With the current proposal, the City would realize an increase of \$10,000 over a three-year period. Mr. Flatter said that the other communities that were surveyed pay significantly more than West Chicago, with most of them including a 3% per year increase to their three-year contracts.

Alderman Murphy asked that if the City decides to go out for bid, is the City required to award a contract to the lowest bidder. Mr. Flatter said that a contract should be awarded to the lowest *responsible* bidder. Mr. Wilcox stated that Geneva was unable to get contractors to bid on their program. Mr. Flatter informed Committee that Kramer has held this contract for 14 of the last 17 years because of their performance. Alderman Beifuss asked if the contract includes a provision for response time and monthly completion time. Alderman Beifuss also asked about issues with "weekend warriors". Mr. Flatter said that the contract allows for two weeks in order to collect the brush, but Kramer completes each monthly collection within four days. Staff has never had issues with response time from Kramer with follow up on missed brush calls, or with calls for collection of "fly dumping". "Weekend warrior" piles have always been picked up without question and at no additional charge to the City.

Chairman Dzierzanowski asked about EPA regulations regarding brush collection and the Emerald Ash Borer. Mr. Flatter informed him that Kramer Tree Specialists' operations meet the compliance requirements of the Department of Agriculture.

Chairman Dzierzanowski asked if the funds collected for brush collection through water billing are enough to cover the cost of this program. Alderman Murphy also asked if there might be a residential increase. Mr. Flatter said that this program is funded through the General Fund, which is not in deficit and the costs can be absorbed, but he would have to meet with the Administrative Services Director and City Administrator in order to answer their questions.

The Infrastructure Committee unanimously agreed to support a three-year Contract Agreement with Kramer Tree Specialists for the Brush Collection Program and directed staff to prepare the Agreement for approval at the December Infrastructure Committee meeting.

6. Unfinished Business.

Alderman Beifuss asked for an update on the Washington Street Reconstruction Project. Mr. Flatter informed him that the Contractor (Plote) is currently working on the westbound lane repairing cracks and replacing patches. The intent is to have the roadway opened to two-way traffic by the week of November 21st depending upon the weather. Alderman Beifuss asked who is bearing the cost of the replacement patches. Mr. Flatter said that at this time, it is Plote's cost, but they intend to file a claim with the State (IDOT). The City, along with Thomas Engineering Group has met with IDOT, and it seems that the City will have IDOT's support with the claim, but it is still uncertain. Alderman Beifuss asked about the amount of the claim and Mr. Flatter said that it could be in the range of \$20,000.00 to \$30,000.00. He then explained the appeal process for claims. Mr. Flatter further stated that IDOT will generally side with their specifications and if the contractor didn't comply with them, the Contractor will be responsible for the additional costs.

7. New Business. None.

8. Reports from Staff. None.

9. Adjournment. At 7:45 P.M., Alderman Nanette Connelly made a motion to adjourn seconded by Alderman John Smith. Motion was approved by voice vote.

Respectfully submitted,

Michelle Baldino
Administrative Secretary