CITY OF
WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

INFRASTRUCTURE COMMITTEE

Thursday, May 7, 2020
7:00 P.M. – Committee Room A

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum

2. Approval of Minutes

   A. Infrastructure Committee of March 5, 2020

3. Public Participation / Presentations

4. Items for Consent

   A. Resolution No. 20-R-0019 – Contract Award – Procurement of Coarse and Fine Aggregate Material Delivered for FY 2020
   B. 2020 Asphalt Materials Procurement – DuPage County Joint Purchasing Program – Plote Construction, Inc.
   C. Purchase of Rock Salt from Compass Minerals American, Inc., Overland Park, Kansas, for the 2020-2021 Winter Season
   D. Approval of City Administrator's Execution of Three Year Contract with Constellation NewEnergy, Inc. for the Supply of Electricity

5. Items for Discussion

6. Unfinished Business

7. New Business

8. Reports from Staff

9. Adjournment

CITY OF
WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

Draft

MINUTES

INFRASTRUCTURE COMMITTEE

March 5, 2020 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, Sandra Dimas, Matt Garling, Alton Hallett, Noreen Ligino-Kubinski, and Jeanne Short present. Alderman Heather Brown was absent.

Staff present included Director of Public Works Robert Flatter and Administrative Assistant Ashley Heidorn. Also in attendance were resident Paul Kubinski and Yolanda Peterson, owner of 124 Main Street.

2. **Approval of Minutes**

A. **Infrastructure Committee Minutes of February 6, 2020. Alderman Dimas made a motion, seconded by Alderman Ligino-Kubinski to approve the Meeting Minutes of February 6, 2020.**

Voting Yea: Aldermen Beifuss, Dimas, Garling, Hallett, Ligino-Kubinski, and Short. Voting Nay: 0.

3. **Public Participation / Presentations.** Yolanda Peterson is opening a coffee shop/bakery at 124 Main Street and is requesting the relocation of a City-owned drinking fountain and bench so that she can install a new entrance door at the property. She provided renderings of the proposed design and expressed a willingness to pay for the requested relocation. She believes the current entrance poses a hazard since it opens directly onto the Main Street sidewalk with no recessed entryway like some nearby storefronts. Mr. Flatter commented that in its current location the drinking fountain does not get much use, and he would suggest relocation to somewhere along the bike path. The bench could also be relocated to a new spot in town, which still leaves one bench in the area near 124 Main Street. It was the consensus of the Committee to proceed with relocating the drinking fountain and bench to accommodate a new entrance for 124 Main Street.

4. **Items for Consent. Alderman Dimas made a motion, seconded by Alderman Hallett to approve:**

A. Resolution No. 20-R-0011 – Contract Award – 2020 Parkway Tree Planting Program

475 Main Street
West Chicago, Illinois
60185

T (630) 293-2200
F (630) 293-3028
www.westchicago.org

Ruben Pineda
MAYOR

Nancy M. Smith
CITY CLERK

Michael L. Guttman
CITY ADMINISTRATOR

B. Resolution No. 20-R-0012 – Contract Award – Althoff Industries, Inc. for Replacement of HVAC Control System at City's Water Treatment Plant

C. Purchase of One 2020 Ford F550 4WD Truck Chassis Equipped with a Maintainer Service Body, Crane, Generator/Air Compressor/Welding Unit, and Appurtenances from EJ Equipment, Inc. of Manteno, Illinois

D. Procurement of Unleaded and Diesel Fuel from Gas Depot through DuPage County Joint Purchasing Program

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

5. Items for Discussion. None.

6. Unfinished Business. Alderman Beifuss requested an update on the handrails to be installed on the stairs at 461 Main Street. Mr. Flatter explained that one bid was received by O'Malley Welding & Fabricating, Inc., which came in well under staff's estimated cost for the project. The railings are currently being fabricated and should be installed before the end of March.

Alderman Beifuss also inquired if any progress has been made with Union Pacific regarding the cracks that need repair at the train station platform. Mr. Flatter explained that staff has shared photos and complaints with UP on numerous occasions; they are aware of the issue but have given no commitment as to if or when they will do anything about it.

7. New Business. None.

8. Reports from Staff. Mr. Flatter indicated that staff is still working on a bike path connectivity plan to present to the Committee at a future date, targeting April.

9. Adjournment. At 7:13 P.M., Alderman Hallett made a motion to adjourn, seconded by Alderman Short. Motion was unanimously approved by voice vote.

Respectfully submitted,

Ashley Heidorn
Administrative Assistant of Public Works

CITY OF WEST CHICAGO

<table>
<tr><th colspan="2">INFRASTRUCTURE COMMITTEE
AGENDA ITEM SUMMARY</th></tr>
<tr><td>ITEM TITLE:

Resolution No. 20-R-0019 – Contract Award – Procurement of Coarse and Fine Aggregate Material Delivered for FY 2020</td><td>AGENDA ITEM NUMBER: 4.A.

COMMITTEE AGENDA DATE: May 7, 2020
COUNCIL AGENDA DATE: May 18, 2020</td></tr>
<tr><td>STAFF REVIEW: Robert E. Flatter, P.E., Director of Public Works

APPROVED BY CITY ADMINISTRATOR: Michael L. Guttman</td><td>SIGNATURE

SIGNATURE</td></tr>
</table>

ITEM SUMMARY:

Aggregate Material, such as gravel, rock and sand, is used in numerous maintenance and repair activities performed by staff in the Public Works Department, including shoulder work on unimproved roads and alleys, sand bags, and underground utility repairs in or near streets and sidewalks. Aggregate material is ordered and delivered on an as needed basis and total quantities vary each year, mostly dependent on the number of utility repairs (i.e., watermain breaks, sanitary sewer blockages and repairs, etc.). Aggregate material purchase is budgeted and paid for from the Sewer Fund, Water Fund and General Fund. Staff prepared bid specifications using estimated quantities for the purpose of establishing unit prices. The specifications allow for variations in total unit quantities ordered based on the needs for each item, provided the total contract amount is not exceeded.

On February 14, 2020, the City advertised the 2020 Coarse and Fine Aggregate Material Delivered Program in the Daily Herald and bids were publicly opened on Tuesday, March 10, 2020. Bids were received from two suppliers, with Viking Brothers, Inc. of Aurora, Illinois, submitting the lowest responsible bid of $47,390.00. Marcott Enterprises, Inc. of Villa Park, Illinois submitted a bid of $59,052.50 (see attached bid tab sheet for additional clarification).

Staff recommends that a contract be awarded to Viking Brothers, Inc. of Aurora, Illinois, for services related to the 2020 Coarse and Fine Aggregate Material Delivered, for an amount not to exceed $47,390.00. Viking Brothers, Inc. has previously held contracts with West Chicago for coarse and fine aggregate material delivered and staff was satisfied with its service, products, and reliability. References were called and favorable responses were received.

ACTIONS PROPOSED:

Approve Resolution No. 20-R-019 authorizing the Mayor to execute contract with Viking Brothers, Inc. of Aurora, Illinois, for the procurement of Coarse and Fine Aggregate Material Delivered for FY 2020, for an amount not to exceed $47,390.00.

COMMITTEE RECOMMENDATION:

RESOLUTION NO. 20-R-0019

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH VIKING BROTHERS, INC., FOR THE PROCUREMENT OF COARSE AND FINE AGGREGATE MATERIAL DELIVERED FOR FY2020

BE IT RESOLVED by the City Council of the City of West Chicago, in regular session assembled, that the Mayor is hereby authorized to execute a Contract for the procurement of Coarse and Fine Aggregate Material Delivered, between Viking Brothers, Inc. and the City of West Chicago, for an amount not to exceed \$47,390.00, for Fiscal Year 2020, in substantially the form attached hereto and incorporated herein as Exhibit "A".

APPROVED this 18th day of May, 2020

AYES: ________

NAYES: ________

ABSTAIN: ________

ABSENT: ________

____

Mayor Ruben Pineda

ATTEST:

____

City Clerk Nancy M. Smith

City of West Chicago Tabulation of Bids 2020 Coarse & Fine Aggregate Material Delivered Bid Opening: March 10, 2020 @ 11:30 A.M. Opened by: Rob Flatter Recorded by: Ashley Heidorn				Viking Bros., Inc. 1665 Eastwood Drive Aurora, Illinois 60506		Marcott Enterprises, Inc. 600 N. Villa Avenue, Unit C Villa Park, Illinois 60181	
ITEM	DESCRIPTION	Unit	Qty	Unit Price	Total Cost	Unit Price	Total Cost
1	CA-6 Crushed Stone, #8	Ton	1,400	$12.95	$18,130.00	$15.50	$21,700.00
2	CA-11 Crushed Stone, 3/4 chips	Ton	1000	$17.95	$17,950.00	$22.25	$22,250.00
3	CA-1 Crushed Limestone 3"	Ton	300	$16.95	$5,085.00	$23.25	$6,975.00
4	FA-5 Screenings	Ton	100	$7.50	$750.00	$11.00	$1,100.00
5	3/4" Washed Gravel	Ton	250	$15.50	$3,875.00	$21.65	$5,412.50
6	FA-2 Sand	Ton	100	$16.00	$1,600.00	$16.15	$1,615.00
	TOTAL AS RECORDED:				$47,390.00		$59,052.50
	TOTAL AS CORRECTED:				$47,390.00		$59,052.50

CITY OF WEST CHICAGO

<table>
<tr><th colspan="2">INFRASTRUCTURE COMMITTEE
AGENDA ITEM SUMMARY</th></tr>
<tr><td>ITEM TITLE:

2020 Asphalt Materials Procurement – DuPage County Joint Purchasing Program - Plote Construction, Inc.</td><td>AGENDA ITEM NUMBER: 4.B.

COMMITTEE AGENDA DATE: May 7, 2020
COUNCIL AGENDA DATE: May 18, 2020</td></tr>
<tr><td>STAFF REVIEW: Robert E. Flatter, P.E., Director of Public Works

APPROVED BY CITY ADMINISTRATOR: Michael L. Guttman</td><td>SIGNATURE

SIGNATURE________________________</td></tr>
</table>

ITEM SUMMARY:

For over 32 years the City has utilized the DuPage County Joint Purchasing Program for the procurement of asphalt materials. DuPage County has a Joint Purchasing Program similar to the State of Illinois Joint Purchasing Program where annually it solicits bids for materials by way of public bid and then allows municipalities to take advantage of the competitively bid unit prices.

Recently DuPage County advised staff that Plote Construction, Inc. (Plote) was awarded a contract for Asphalt Materials, both Surface and Binder Course, effective April 1, 2020 and expiring March 31, 2021. Plote has agreed to extend its bid to other taxing bodies in DuPage County through the Joint Purchasing Program. Public Works staff will be able to pick up hot mix asphalt (HMA) material as needed from the plant located on Washington Street, near Illinois Route 38, in West Chicago, Illinois.

The City uses HMA to repair street openings from water and sewer excavations, for pothole patching, repair of surface imperfections through grinding and patching, and overlayment of sections of streets where the surface is deteriorated and the street is not scheduled for contractual reconstruction or resurfacing. For FY 2020, staff anticipates using approximately 700 tons of surface mix and approximately 50 tons of binder mix. Material cost varies from $59.00 to $60.00 per ton depending on the type of HMA required. The amount of $46,000 has been budgeted in the Capital Projects Fund for the purchase of HMA asphalt and street patch materials.

Staff recommends using the DuPage County Joint Purchasing Program for the procurement of Asphalt Materials from Plote Construction, Inc.

A copy of the DuPage County bid awarded to Plote Construction, Inc. is attached for your consideration.

ACTIONS PROPOSED:

Authorize the purchase of HMA Asphalt Materials, as needed, from Plote Construction, Inc. for an amount not to exceed $46,000.00, through the DuPage County Joint Purchasing Program.

COMMITTEE RECOMMENDATION:

PURCHASE ORDER #: 4518-0001 SERV

Please include this Purchase Order Number on all invoices, shipping papers, packages and correspondence. Failure to comply may result in delayed payment of invoices. Current Terms and Conditions are located at www.dupageco.org.

DuPage County Illinois
421 N. County Farm Road
Wheaton, Il 60187-3978

DATE: **04/15/2020**

Reference #	IQM2#17456
Effective Date	04/15/2020
Expiration Date	04/14/2021
Last Invoice Allowed Date	10/14/2020
Lifetime Max Amount	$65,000.00

TO
11199
PLOTE CONSTRUCTION INC
1100 BRANDT DR
HOFFMAN ESTATES IL 60192

DAVE VERDICO
847/695-9300

Vendor Agreement Reference:
DOT-PLOTE CONSTRUCTION - 11199
Vendor Agreement Description:
Provide Bitumunous Paving Mat. To: PW & DOT Department's

TERMS		SHIP VIA
SHIP TERMS	Freight included in Price	Best Way
FRT TERMS	FOB Destination	

LINE	QUANTITY	UOM	ITEM DESCRIPTION	UNIT PRICE	AGREEMENT MAX QTY	AGREEMENT MAX AMOUNT
			Service Agreement - To provide Bituminous Paving Materials, for a contract total not to exceed $65,000.00, (Division of Transportation in the amount of $50,000.00, Public Works in the amount of $15,000.00), per low bid #20-022-DOT, subject to three (3) one-year renewals. For Northwest Region of County. 04/24/2020 BB #116. ------------------------------			
1	0		**Provide Bitumunous Paving Mat.** Department of Transportation	**$50,000.00**	**0.00**	**$50,000.00**
2	0		**Provide Bitumunous Paving Mat.** Public Works Department	**$15,000.00**	**0.00**	**$15,000.00**

Buyer Contact:
Brent Bodine

Total Amount: $65,000.00

Phone: 630-407-6137
Email: Brent.Bodine@DuPageCo.Org

James T. McDonald
Procurement Officer

THE COUNTY OF DUPAGE
FINANCE - PROCUREMENT

2020 CONSTRUCTION MATERIALS 20-022-DOT
BID TABULATION BITUMINOUS PAVING MATERIALS

K-Five Constuction Corporation

Vendor Plant Site	UOM	HMA Surface Course, Mix D, N70	HMA Surface Course, Mix D, N70	HMA Binder Course, IL-19, N70	HMA Binder Course, IL-19, N50	PolymerizedHMA Surface Course, Mix E, N70	Driveway / Private Mix* (See Notes)	SS-1 Asphalt Emulsion 5 Gallon / Pail	Cold Patch* (See Notes)	Dumping of Asphalt Grindings and Clean Concrete ** (See Notes)	Dumping of Broken Asphalt
Naperville - Location 1	Ton	$60.25	$60.00	$56.00	$55.00	N/A	$58.00	N/A	No Bid	$7.75	$7.75
Elmhurst - Location 2	Ton	$59.50	$57.25	$52.00	$52.25	N/A	$55.75	$140.00	No Bid	$7.75	$7.75
Romeoville - Location 3	Ton	$57.50	$55.25	$52.00	$51.50	N/A	$53.25	N/A	No Bid	$7.75	$7.75

Plote Construction, Inc.

Vendor Plant Site	UOM	HMA Surface Course, Mix D, N70	HMA Surface Course, Mix D, N70	HMA Binder Course, IL-19, N70	HMA Binder Course, IL-19, N50	PolymerizedHMA Surface Course, Mix E, N70	Driveway / Private Mix* (See Notes)	SS-1 Asphalt Emulsion 5 Gallon / Pail	Cold Patch* (See Notes)	Dumping of Asphalt Grindings and Clean Concrete ** (See Notes)	Dumping of Broken Asphalt
West Chicago - Location 1	Ton	$60.00	$60.00	$59.00	$59.00	$100.00	No Bid	No Bid	No Bid	$6.00	$10.00
Bartlett - Loction 2	Ton	$60.00	$60.00	$59.00	$59.00	$100.00	No Bid	No Bid	No Bid	N/C	$3.00

NOTES
1) * Vendor shall Include design sheets indicating the composition fo their mix design with their Bid.
2)** Vendor Shall Include a copy of any/all agreements, waivers, disclaimers, etc. required to be completed.

Bid Opening March 10, @ 1:00 P.M.	BB, DW
Invitations Sent	41
Total Bidders Requesting Documents	9
Total Bid Responses Received	2

SECTION 6 - MANDATORY FORM

2020 CONSTRUCTION MATERIALS BID 20-022-DOT

(PLEASE TYPE OR PRINT THE FOLLOWING INFORMATION)

Full Name of Bidder	Plote Construction Inc.		
Main Business Address	1100 Brandt Drive		
City, State, Zip Code	Hoffman Estates, IL 60192		
Telephone Number	847-695-9300	Email Address	bids@plote.com
Bid Contact Person	Dave Verdico		

TO: The DuPage County Procurement Services
The undersigned certifies that he is:

☐ the Owner/Sole Proprietor ☐ a Member authorized to sign on behalf of the Partnership ☒ an Officer of the Corporation ☐ a Member of the Joint Venture

Herein after called the Bidder and that the members of the Partnership or Officers of the Corporation are as follows:

Daniel R. Plote	
(President or Partner)	(Vice-President or Partner)
Janice R. Plote	Janice R. Plote
(Secretary or Partner)	(Treasurer or Partner)

Further, the undersigned declares that the only person or parties interested in this bid as principals are those named herein; that this bid is made without collusion with any other person, firm or corporation; that he has fully examined the proposed forms of agreement and the contract specifications for the above designated purchase, all of which are on file in the office of the Procurement Officer, DuPage County, 421 North County Farm Road, Wheaton, Illinois 60187, and all other documents referred to or mentioned in the contract documents, specifications and attached exhibits, including

Addenda No. ____, ____, ____, and ____ issued thereto;

Further, the undersigned proposes and agrees, if this bid is accepted, to provide all necessary machinery, tools, apparatus, and other means of construction, including transportation services necessary to furnish all the materials and equipment specified or referred to in the contract documents in the manner and time therein prescribed.

Further, the undersigned certifies and warrants that he is duly authorized to execute this certification/affidavit on behalf of the Bidder and in accordance with the Partnership Agreement or by-laws of the Corporation, and the laws of the State of Illinois and that this Certification is binding upon the Bidder and is true and accurate.

Further, the undersigned certifies that the Bidder is not barred from bidding on this contract as a result of a violation of either 720 Illinois Compiled Statutes 5/33 E-3 or 5/33 E-4, bid rigging or bid-rotating, or as a result of a violation of 820 ILCS 130/1 et seq., the Illinois Prevailing Wage Act.

The undersigned certifies that he has examined and carefully prepared this bid and has checked the same in detail before submitting this bid, and that the statements contained herein are true and correct.

Vendors with multiple locations must provide an address, contact and phone number for each location

SECTION 1 PRICING:

No.	Item	UOM	Location 1	Location 2	Location 3
1	HMA Surface Course, Mix D, N70	Ton	$ 60.00	$ 60.00	$
2	HMA Surface Course, Mix D, N50	Ton	$ 60.00	$ 60.00	$
3	HMA Binder Course, IL-19, N70	Ton	$ 59.00	$ 59.00	$
4	HMA Binder Course, IL-19, N50	Ton	$ 59.00	$ 59.00	$
5	Polymerized HMA Surface Course, Mix E. N70	Ton	$ 100.00	$ 100.00	$
6	Driveway / Private Mix - *Vendor shall include design sheets indicating the composition of their mix design with their bid.	Ton	$ No BID	$ No BID	$
7	SS-1 Asphalt Emulsion	Ton	$ No BID	$ No BID	$
8	Cold Patch - *Vendor shall include design sheets indicating the composition of their mix design with their bid.	Ton	$ No BID	$ No BID	$
9	Dumping of Asphalt Grindings and Clean Concrete - **Vendor shall include a copy of any/all agreements, waivers, disclaimers, etc. required to be completed	Ton	6.00	No CHARGE	$
10	Dumping of Broken Asphalt	Ton	10.00	3.00	$
	GRAND TOTAL		$ -	$ -	$ -

LOCATION 1	
Address:	1555 W. Washington
City, State, Zip Code:	West Chicago, IL
Contact:	Tom Murphy
Phone Number:	630-293-5570

LOCATION 2	
Address:	2200 Graham St.
City, State, Zip Code:	Bartlett , IL
Contact:	Dan Mateja
Phone Number:	630-289-6080

LOCATION 3	
Address:	
City, State, Zip Code:	
Contact:	
Phone Number:	

BID FORM SIGNATURE PAGE

The Contractor agrees to provide the service, and/or supplies as described in this solicitation and subject, without limitation, to all specifications, terms, and conditions herein contained. Bidder shall acknowledge receipt of each addendum issued in the space provided on the bid form.

X [signature]

William T. Madden (Signature and Title) Asst. Secretary

CORPORATE SEAL
(If available)

BID MUST BE SIGNED AND NOTARIZED (WITH SEAL) FOR CONSIDERATION

Subscribed and sworn to before me this 10th day of March AD, 20 20

Joanne Kraus (Notary Public) My Commission Expires: 1-2-24

OFFICIAL SEAL
JOANNE KRAUS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 01/02/24

SEAL

If a Corporation, the undersigned, further certifies that the recitals and resolutions attached hereto and made a part hereof were properly adopted by the Board of Directors of the Corporation at a meeting of said Board of Directors duly called and held and have not been repealed nor modified, and that the same remain in full force and effect. (Bidder may be requested to provide a copy of the corporate resolution granting the individual executing the contract documents authority to do so.)

Further, the Bidder certifies that he has provided equipment, supplies, or services comparable to the Items specified in this contract to the parties listed in the reference section below and authorizes the County to verify references of business and credit at its option.

Finally, the Bidder, if awarded the contract, agrees to do all other things required by the contract documents, and that he will take in full payment therefore the sums set forth in the bidding schedule (subject to unit quantity adjustments based upon actual usage).

CONTRACT ADMINISTRATION INFORMATION:

CORRESPONDENCE TO CONTRACTOR:		REMIT TO CONTRACTOR:	
NAME	Plote Construction Inc.	NAME	
CONTACT	Dave Verdico	CONTACT	
ADDRESS	1100 Brandt Drive	ADDRESS	
CITY ST ZIP	Hoffman Estates, IL 60192	CITY ST ZIP	
TX	847-695-9300	TX	
FX	847-695-9317	FX	
EMAIL	bids@plote.com	EMAIL	
COUNTY BILL TO INFORMATION:		COUNTY SHIP TO INFORMATION:	
DuPage County Finance Department 421 North County Farm Road Wheaton, IL 60187 TX : (630) 407-6100		DuPage County 421 North County Farm Road Wheaton, IL 60187 TX : (630) 407-5900 EMAIL : brent.bodine@dupageco.org	

ALL MATERIALS MUST BE BID AND SHIPPED F.O.B. DELIVERED (FREIGHT INCLUDED IN PRICE)

JOINT PURCHASING AGREEMENT

JOINT PURCHASING:

The Above listed bid prices shall apply to Forest Preserve District of DuPage County.

OTHER TAXING BODIES: Based on County Board Resolution IR-084-76.

Would your firm be willing to extend your bid to other taxing bodies in DuPage County such as school districts, townships, cities and villages, etc.? The approximate quantity usage is unknown.

YES X NO ________

State any other requirements that they would have to meet beyond that of our Bid invitation and specification.

NOTE: The County of DuPage would not be involved in purchasing by any other taxing body other than to receive a copy of their purchase order that would reference the County of DuPage contract number. The invoicing and payments would be entirely between the other taxing bodies and the Contractor. If the County of DuPage accepts this bid, the procedure to handle joint purchases would be developed by the County of DuPage with the Contractor and distributed to the taxing bodies by the County of DuPage.

REFERENCES

The bidder must list three (3) references, listing firm name, address, telephone number and contact person to whom they have provided similar equipment, material or services for a period of not less than six (6) months.

COMPANY NAME:	Village of Streamwood
ADDRESS:	301 E. Irving Park Rd.
	Streamwood, IL 60107
CONTACT PERSON:	Matt Mann
TELEPHONE NUMBER:	630-736-3850

COMPANY NAME:	City of St. Charles
ADDRESS:	2 E. Main Street
	St. Charles, IL 60174
CONTACT PERSON:	Mark Koenen
TELEPHONE NUMBER:	630-377-6978

COMPANY NAME:	Village of Bartlett
ADDRESS:	228 S. Main Street
	Bartlett, IL 60103
CONTACT PERSON:	Paul Kuester
TELEPHONE NUMBER:	630-837-0811

SAMPLE

SECTION 8 - SAMPLE CONTRACT AGREEMENT

CONTRACT 20-022-DOT BETWEEN [CONTRACTOR]
AND THE COUNTY OF DUPAGE

THIS AGREEMENT is entered into this _____ day of _________, 20__, between the County of DuPage, Illinois a body corporate and politic, located at 421 North County Farm Road, Illinois, 60187-3978 (hereinafter referred to as the COUNTY), and ______________________________, licensed to do business in the State of Illinois, located at _______, __________, __________ (hereinafter referred to as the CONTRACTOR).

RECITALS

WHEREAS, the COUNTY requires the goods and/or services specified in Bid 20-022-DOT for its Department of ____________________, located at the DuPage County Center, 421 North County Farm Road, Wheaton, Illinois 60187; and

WHEREAS, the CONTRACTOR is the vendor selected pursuant to the bid process and is willing to perform under the terms of the Bid and this Contract.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the parties agree that:

1.0 CONTRACT DOCUMENTS

1.1 This Contract includes all of the following component parts, all of which are fully incorporated herein and made a part of the obligations undertaken by the parties:

- 1.1.a Project Information
- 1.1.b Instructions to Bidders
- 1.1.c General Conditions
- 1.1.d Special Conditions
- 1.1.e Insurance/Bonding Requirements and Certificates
- 1.1.f Bid Form (Including Certification/Proposal, Signature Affidavit including Proposal Pricing)
- 1.1.g Specifications (including any addenda, interpretations and approved exceptions)
- 1.1.h Exhibits
- 1.1.i County Purchase Order

1.2 All documents are or will be on file in the office of the Procurement Services Division, DuPage Center, 421 North County Farm Road, Room 3-400, Wheaton, Illinois 60187.

1.3 In the event of a conflict between any of the above documents, the document control from top to bottom; i.e., "a" controls over "b".

2.0 DURATION OF THIS CONTRACT

2.1 Unless terminated as provided in the Bid Invitation, the term of this Contract shall be a __One (1)__ year period beginning on 04/01/2020 and continuing through 03/31/2021.

2.2 the Contract term is subject to renewal per the Bid Invitation Specifications.
In no event, shall the term plus renewals exceed four (4) years.

3.0 TERMINATION

3.1 Except as otherwise set forth in this AGREEMENT, County shall have the right to terminate this AGREEMENT for any cause or without cause thirty (30) days after having served written notice upon the Contractor, except in the event of Contractor's insolvency, bankruptcy or receivership, in which case termination shall be effective immediately upon receipt of notice.

3.2 Upon such termination, the liabilities of the parties to this AGREEMENT shall cease, but they shall not be relieved of the duty to perform their obligations up to the date of termination, or to pay for deliverables tendered prior to termination. There shall be no termination expenses.

3.3 Upon termination of this AGREEMENT, all data, work products, reports and documents produced, because of this AGREEMENT shall become the property of the COUNTY. Further, Vendor shall provide all deliverables within fourteen (14) days of termination in accordance with the other provisions of this AGREEMENT.

4.0 BID PRICES AND PAYMENT

4.1 The Contractor shall provide the required goods and or services described in the Bid Specifications for the prices quoted on the Bid Form.

4.2 The County shall make payment pursuant to the Illinois Local Government Prompt Payment Act, except that no payment shall be approved where the Contractor has failed to comply with certified payroll requirements of the Illinois Prevailing Wage Act or Davis Bacon Act.

5.0 AMENDMENTS

5.1 This Contract may be amended by agreement of both parties.

5.2 All amendments will conform to State of Illinois Statutes and County procedures for Change Orders.

6.0 CONTRACT ENFORCEMENT – ATTORNEY'S FEES

6.1 If the County is required to take legal action to enforce performance of any of the terms, provisions, covenants and conditions of this Contract, and by reason thereof, the County is required to use the services of an attorney, including the States Attorney, then the County shall be entitled to reasonable attorney's fees and all expenses and costs incurred by the County pertaining thereto and in enforcement of any remedy, including costs and fees relating to any appeal.

7.0 SEVERABILITY CLAUSE

7.1 If any section, paragraph, clause, phrase or portion of this Contract is for any reason determined by a court of competent jurisdiction to be invalid and unenforceable, such portion shall be deemed separate, distinct and an independent provision, and the court's determination shall not affect the validity or enforceability of the remaining portions of this Contract.

8.0 GOVERNING LAW

8.1 This Contract shall be governed by the laws of the State of Illinois both as to interpretation and enforcement. Venue for all disputes will be exclusively in the circuit court for the Eighteenth Judicial Circuit in DuPage County, Illinois and that Illinois law will control.

9.0 ENTIRE AGREEMENT

9.1 This Contract, including the documents listed in 1.0, contains the entire agreement between the parties.

9.2 There are no covenants, promises, conditions, or understandings; either oral or written, other than those contained herein.

IN WITNESS, WHEREOF, the parties set their hands and seals as of the date first written above.

CONTRACTOR	**THE COUNTY OF DUPAGE**
______________________	______________________
SIGNATURE	SIGNATURE
______________________	James McGuire
PRINTED NAME	PRINTED NAME
______________________	Procurement Officer
PRINTED TITLE	PRINTED TITLE
______________________	______________________
DATE	DATE

CITY OF WEST CHICAGO

INFRASTRUCTURE COMMITTEE
AGENDA ITEM SUMMARY

ITEM TITLE:

Purchase of Rock Salt from Compass Minerals America, Inc., Overland Park, Kansas, for the 2020-2021 Winter Season

AGENDA ITEM NUMBER: 4.C.

COMMITTEE AGENDA DATE: May 7, 2020
COUNCIL AGENDA DATE: May 18, 2020

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

SIGNATURE

APPROVED BY CITY ADMINISTRATOR: Michael L. Guttman

SIGNATURE_______________________

ITEM SUMMARY:

For FY 2020, or for the 2020-2021 winter season, City staff participated in the DuPage County Rock Salt Purchasing Program for the purchase of rock salt. On Tuesday, March 3, 2020, City staff submitted information to DuPage County of the City's intent to participate in its Rock Salt Purchasing Program for the purchase of 3,000 tons of rock salt (2,400 tons (80%) minimum purchase required and 3,900 tons (130%) maximum purchase guaranteed available).

On Tuesday, March 31, 2020, DuPage County opened bids for BID#20-035-DOT – BULK ROCK SALT. Four bids were received with Compass Minerals America, Inc. of Overland Park, Kansas, submitting the lowest responsible bid of $81.13 per ton of rock salt delivered (see attached bid tabulation sheet). On Friday, April 3, 2020, DuPage County advised all program participants that it would be awarding its 2020-2021 salt procurement contract to Compass Minerals America, Inc. of Overland Park. Compass Minerals America, Inc. is required to hold its bid prices for 90 days; a contract/commitment from the City of West Chicago is required prior to Tuesday, June 30, 2020.

Based upon pricing received under the DuPage County Rock Salt Purchasing Program, City staff recommends that City Council authorize the purchase of up to 3,900 tons of rock salt, at the price of $81.13 per ton delivered, from Compass Minerals America, Inc., of Overland Park, Kansas for the 2020-2021 winter season under the DuPage County Joint Purchasing Program.

<u>Purchase History:</u>

- For FY 2019, or the 2019-2020 winter season, the City paid $82.96 per ton of rock salt delivered under the DuPage County Rock Salt Purchasing Program.
- For FY 2018, or the 2018-2019 winter season, the City paid $67.15 per ton of rock salt delivered under the DuPage County Rock Salt Purchasing Program.
- For FY 2017, or the 2017-2018 winter season, the City paid $51.49 per ton of rock salt delivered under the DuPage County Rock Salt Purchasing Program.
- For FY 2016, or the 2016-2017 winter season, the City paid $56.35 per ton of rock salt delivered under the DuPage County Rock Salt Purchasing Program.
- For FY 2015, or the 2015-2016 winter season, the City paid $70.44 per ton of rock salt delivered under the DuPage County Rock Salt Purchasing Program.
- For FY 2014, or the 2014-2015 winter season, the City paid $112.69 per ton of rock salt delivered under the CMS program (State of Illinois Program).

CITY OF WEST CHICAGO

ACTIONS PROPOSED:
That the West Chicago City Council authorize the purchase of up to 3,900 tons of rock salt, at the price of $81.13 per ton delivered, from Compass Minerals America, Inc. of Overland Park, Kansas under the DuPage County Rock Salt Joint Purchasing Program for the 2020-2021 winter season.
COMMITTEE RECOMMENDATION:

THE COUNTY OF DUPAGE
FINANCE - PROCUREMENT

BULK ROCK SALT 20-035-DOT
BID TABULATION

				COMPASS MINERALS AMERICA INC.		DETROIT SALT COMPANY		MORTON SALT, INC.		CARGILL INC	
No.	Item	Unit	Qty	**Price**	**Extended Price**	Price	Extended Price	Price	Extended Price	Price	Extended Price
1	Group 1 - DuPage County Standard Delivery	Ton	15,000	**$ 81.13**	**$ 1,216,950.00**	$ 82.63	$ 1,239,450.00	$ 88.87	$ 1,333,050.00	$ 93.41	$ 1,401,150.00
2	Purchase for 130% -150% of Projected Usage	Ton	1	**$ 91.13**		$ 98.35		No Bid		$ 113.41	
	GRAND TOTAL GROUP 1				**$ 1,216,950.00**		$ 1,239,450.00		$ 1,333,050.00		$ 1,401,150.00
3	Group 2A - Townships/Municipalities Early Delivery	Ton	4,000	$ 85.11	$ 340,440.00	**$ 82.63**	**$ 330,520.00**	$ 84.23	$ 336,920.00	$ 93.41	$ 373,640.00
4	Group 2B - Townships/Municipalities Standard Delivery	Ton	55,020	**$ 81.13**	**$ 4,463,772.60**	$ 82.63	$ 4,546,302.60	$ 88.87	$ 4,889,627.40	$ 93.41	$ 5,139,418.20
5	Purchase for 130% -150% of Projected Usage	Ton	1	**$ 91.13**		$ 98.35		No Bid		$ 113.41	
	GRAND TOTAL GROUP 2			**$**	**4,804,212.60**	$	4,876,822.60	$	5,226,547.40	$	5,513,058.20

NOTES
1) For both Group 1 – DuPage County and Group 2 – Townships/Municipalities, the minimum contract commitment is eighty percent (80%) of the standard delivery quantity.

Invitations Sent	5
Potential Bidders Requesting Bid Documents	15
Total Bid Responses Received	4
Bid Opening Attended	DW, JM

CITY OF WEST CHICAGO

INFRASTRUCTURE COMMITTEE
AGENDA ITEM SUMMARY

ITEM TITLE:	
Approval of City Administrator's Execution of Three Year Contract with Constellation NewEnergy, Inc. for the Supply of Electricity	**AGENDA ITEM NUMBER:** 4.D. **COMMITTEE AGENDA DATE:** May 7, 2020 **COUNCIL AGENDA DATE:** May 18, 2020
STAFF REVIEW: Robert E. Flatter, P.E., Public Works Director	**SIGNATURE**
APPROVED BY CITY ADMINISTRATOR: Michael L. Guttman	**SIGNATURE**____________________

ITEM SUMMARY:

Since January 2007, as a result of the electric utility deregulation law passed by the State of Illinois in 1997, the City of West Chicago has contracted for the supply of electricity from a third party supplier for electric to be supplied to the City's Water Treatment Plant, all Well Stations, and all Sanitary Lift Stations. The distribution of electric continues to be provided by ComEd.

Working with David Hoover, who formed a collaborative known as the Northern Illinois Municipal Electric Collaborative (NIMEC) that represents multiple municipalities; alternative pricing is obtained via competitive bid from at least three third party electric suppliers. In the past, the competitive bids were then compared with ComEd's rates to determine which pricing yields the most significant savings for the City. Now, however, ComEd no longer offers fixed rates for medium and large accounts like ours. Therefore, the City is forced to seek competitive bids or pay ComEd's floating rate, which is not recommended, as the floating rates are inflated and change hourly.

On March 2, 2020, City Council approved Resolution No. 20-R-0009 authorizing the City's participation in NIMEC and authorizing the City Administrator to approve a contract with the lowest cost electricity provider. On Monday, March 2, 2020, NIMEC obtained bids from three suppliers (i.e., Dynegy, Constellation, and MC Squared). Constellation NewEnergy, Inc. won the bid and on March 3, 2020 our City Administrator executed a three year contract (May 2020 thru May 2023) with Constellation NewEnergy, Inc. for 0.04468 $/kWh. The existing contract expires on May 31, 2020 and the City's current rate is 0.04834 $/kWh.

ACTIONS PROPOSED:

City Council's after the fact approval of the City Administrator's execution of a three year contract with Constellation NewEnergy, Inc. for the supply of electricity for the City's Water Treatment Plant, all Well Stations, and all Sanitary Lift Stations.

COMMITTEE RECOMMENDATION: