

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda
Bids and Proposals

TO : President and Village Board of Trustees
FROM : Scott Niehaus, Village Manager
DATE : April 13, 2023 Agenda Date April 20, 2023
TITLE : Emergency Storm Sewer Repair - Hickory/Finley
Waiver of Bids
SUBMITTED BY: Brian Jack, Utilities Superintendent *g*

RESULTS:

Date Bids Were Published _____ Bidding Closed _____
Total Number of Bids Received 2
Total Number of Bidders Meeting Specifications 2
Bid Security Required _____ Yes X No
Performance Bond Required _____ Yes X No
Were Any Bids Withdrawn _____ Yes X No
Explanation:
Waiver of Bids Requested? _____ X Yes _____ No
If yes, explain:
Award Recommended to Lowest _____ X Yes _____ No
Responsible Bidder?
If no, explain:

FISCAL IMPACT:

Engineer's estimate/budget estimate \$75,000.00
Amount of Award \$88,200.00
Water & Sewer Capital Reserve Fund (520.270.790.75350 RMPROG 10)

BACKGROUND/RECOMMENDATION:

Award a contract for the Emergnecy Storm Sewer Repair Hickory St / Finley Rd to Martam Construction Inc., of Elgin, IL for amount not to exceed \$88,200.00

Has Recommended Bidder Worked for Village Previously X Yes _____ No
If yes, was quality of work acceptable X Yes _____ No

REVIEW (as needed):

Village Attorney XX _____ Date _____
Finance Director XX _____ Date _____
Village Manager XX _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 4:30 pm, Wednesday, prior to the Board Agenda distribution.



MEMORANDUM

To: Scott Niehaus, Village Manager
From: Brian Jack, Utilities Superintendent *Brian Jack*
Through: Carl Goldsmith, Director of Public Works *Carl Goldsmith*
Date: April 13, 2023
Subject: **Emergency Storm Sewer Repair – Hickory/Finley Waiver of Bids**

Background

The Village maintains a network of storm sewer pipes throughout town that include pipes made from corrugated metal pipe (CMP), reinforced concrete pipe (RCP), vitrified clay pipe, and polyvinyl chloride (PVC) all various sizes and age.

A parkway began sinking on Hickory Street next to 402 S. Finley Road in early March 2023. The Underground Utilities Division investigated the depression and determined that the 30" storm sewer below the depression may have had a failure causing the earth, and sidewalk to sink (please see enclosed photos). Village crews barricaded the area until a more in-depth inspection could be completed. The Underground Utilities Division attempted to televise the storm sewer with the Village owned crawler camera, but the crawler submerged under water and was not able to see any failures in the pipe. The Village contracted with National Power Rodding to do an emergency video inspection on March 17, 2023 utilizing a larger crawler camera to be able to see the full pipe. It was determined by the video inspection and NASSCO (National Association of Sewer Service Companies) rating that there were multiple failures in the pipe causing a series of joint separations and sags that ultimately caused the earth to sink (see enclosed still photos of the sewer failures).

Request for Proposals

This storm sewer is a 30" RCP (reinforced Concrete Pipe) which is 17 feet deep that conveys storm water from the north side of Lombard to Charles Lane pond and to the DuPage River. As the depth of this sewer, and scale of the repair is larger than what in-house Village crews can safely complete, staff reached out to four qualified contractors to submit a proposal for this repair. The results are as follows:

Contractor	Proposal
Martam Construction Inc.	\$88,200.00
Airy's, Inc.	\$115,389.00
John Neri Construction Co.	Declined to Submit
Sheridan Construction Co.	Declined to Submit

Discussion

All proposals were checked to ensure that the contractor was meeting the proposed scope and providing the needed and necessary equipment to safely and properly complete the job. The lowest responsible proposal for the items requested is Martam Construction Inc. of Elgin, IL. They have performed numerous projects like this for the Village in recent years all to the satisfaction of the Village. Martam Construction Inc. is considered a reliable, responsive vendor.

Village staff is requesting to expedite the repair as the earth and sidewalk are continuing to sink causing a safety hazard and to prevent a more catastrophic failure causing significant damage to other utilities in the area and to private property located directly next to the depression.

Funding for this work will be realized in the Water/Sewer Capital Reserve Fund RM PROG 10 Sewer Maintenance and Improvements.

Recommendations:

The Utilities Division requests that we waive the formal bidding process and accept the lowest, responsible proposal for the Emergency Storm Sewer Repair - Hickory / Finley to Martam Construction Inc., of Elgin, IL and authorize a purchase order in an amount not to exceed \$88,200.00 at the Village BoT meeting.

Exhibits:





VILLAGE OF LOMBARD

EMERGENCY STORM SEWER REPAIR – HICKORY/FINELY

This agreement is made this 20th day of April 2023 by and between, and shall be binding upon, the Village of Lombard, an Illinois Municipal Corporation hereinafter referred to as (the "Village") and Martam Construction Inc. of Elgin, IL hereinafter referred to as (the "Contractor").

Witnesseth That in consideration of the mutual promises of the parties delineated in the Contract Documents, and herein, the Contractor agrees to sell and install and the Village agrees to pay for the following described items and the installation of the same as set forth in the Contract Documents:

Provide labor, equipment and materials for the emergency repair of the 30” Storm Sewer on Hickory St. and Finley Rd. in an amount not to exceed \$88,200

1. This Contract shall embrace and include all of the applicable Contract Documents listed below as if attached hereto or repeated herein:
 - a. Request for Proposal for 30” Storm Sewer Repair – Hickory Street / Finley Road consisting of the following:
 - i) Cover Sheet
 - ii) Table of Contents
 - iii) Solicitation Letter
 - iv) General Terms, Conditions and Instructions
 - v) Specific Terms, Conditions and Instructions
 - vi) Proposal Form
 - vii) Plans and Specifications and Specification Deviation Form
 - b. The Contractor's Proposal Dated April 12, 2023
 - c. Documentation of honoring schedule of pricing
 - d. Required Certificate of Insurance
2. The Village agrees to pay, and the Contractor agrees to accept as full payment for the items, and installation of the same, which are the subject matter of this Contract, in

accordance with the provisions of the Local Government Prompt Payment Act and the provisions of the Contract Documents.

3. Risk of loss, destruction or damage of or to goods under this Contract shall be on contractor until installation and acceptance of the goods by the Village.
4. Contractor shall not delegate the duties involved in the performance of the installation services which are the subject matter of this Contract without the written approval of the Village.
5. The Contractor represents and warrants that it will comply with all applicable Federal, State and local laws concerning prevailing wage rates regarding installation services provided under this Contract and all Federal, state and local laws concerning equal employment opportunities.
6. Time is of the essence of this Contract and Contractor agrees to achieve completion of the work order within the Contract time by all proper and appropriate means including working overtime without additional compensation.
7. In executing this Contract, Contractor agrees that it has examined the site of the work and the conditions existing therein, has examined the Contract Documents and taken and compared field measurements and conditions with those Documents.
8. This Contract represents the entire agreement between the parties and may not be modified without the written approval of both parties.
9. Where the terms of this Contract conflict with the provisions of the Contract Documents, the Contract Documents shall be binding.

IN WITNESS WHEREOF, the Village of Lombard, Illinois by Keith Giagnorio, Village President and the Contractor have hereunto set their hands this 20th day of April 2023. If an individual or partnership, all individual names of each partner shall be signed or if a corporation, an officer duly authorized shall sign here:

Accepted this ___ day of _____, 20__.

Individual or Partnership _____ Corporation _____

By _____ Position/Title

By _____ Position/Title

Print Company Name

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 20th day of April 2023

Keith Giagnorio
Village President

Attest:

Elizabeth Brezinski
Village Clerk

VILLAGE OF LOMBARD
CONTRACTOR'S CERTIFICATION

_____, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

_____, having submitted a proposal for:
(Name of Company)

FY 2015 Sewer Lateral Lining Project to the Village of Lombard hereby certifies that said CONTRACTOR:

1. has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105(A) (4).
2. is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if it is:
 - a. it is contesting its liability for the tax or the amount of tax in accordance with procedures established by the approve Revenue Act; or
 - b. it has entered into an agreement with the Department of Revenue for payment of all taxes due and is currently in compliance with that agreement.

3. is in full compliance with the Federal Highway Administration Rules on Controlled Substances and Alcohol Use and Testing, 49 CFR Parts 40 and 382 and that _____
(Name of employee/driver or "all employee drivers")

is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.

By: _____
Authorized Agent of CONTRACTOR

Subscribed and sworn to
before me this _____
day of _____, 2023.

Notary Public