

SYCAMORE CITY COUNCIL
AGENDA
May 5, 2008

CITY COUNCIL COMMITTEE MEETINGS
6:50 P.M.

- A. Meeting of the City Council Finance Committee to Approve Minutes.**
 - B. Meeting of the City Council Sewer and Water Committee to Approve Minutes.**
-

Regular City Council Meeting
7:00 P.M.

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF AGENDA**
- 5. AUDIENCE TO VISITORS**
- 6. CONSENT AGENDA**
 - A.** Approval of the Minutes for the Regular City Council Meeting of April 21, 2008.
 - B.** Approval of the Closed Session Meeting Minutes dated 4/7/08; 3/17/08; 2/18/08; 2/4/08; 1/21/08; 12/17/07; 12/3/07; 11/19/07; 11/5/07; 10/15/07.
 - C.** Release of Closed Session Meeting Minutes dated 10/15/07 and 9/4/07.
 - D.** Authorization for the destruction of Closed Session tapes dated from 5/1/06 through 9/18/06.
 - E.** Payment of the Bills for May 5, 2008.
- 7. PRESENTATION OF PETITIONS, COMMUNICATIONS, AND BILLS.**
 - A.** Recognition of MPA intern Adam Orton's promotion to the full-time permanent position of Accounting Supervisor.

- B. Introduction of Paid-On-Call firefighter Nick Young who has completed the three-year college intern program.
- C. Proclamation focusing attention on the 100th anniversary of the GFWC Sycamore Women’s Club during the week of May 5, 2008.
- D. Proclamation declaring the week of May 5 to May 9, 2008 as Public Employee Appreciation Week in the City of Sycamore, Illinois.

8. REPORTS OF OFFICERS

9. REPORTS OF STANDING COMMITTEES

10. PUBLIC HEARINGS--None

11. ORDINANCES

A. Ordinance No. 2008.01—An Ordinance Amending Title 1, “Administration,” Chapter 6, “City Council,” Section 1-6-5, “Committees” of the City Code of the City of Sycamore, Illinois. First and Second Reading.

Mayor Mundy has proposed a reorganization of the City Council committee structure to conform to the principal categories of service provided by the city organization in terms of personnel and overall resources. The new five-person committees would be:

- Finance
- Public Safety
- Public Works

These committees would replace the current four-person committees which are:

- Finance
- Fire and Police
- Ordinance
- Sewer and Water
- Streets and Walks

Pending Council approval of the new committee format, Mayor Mundy has recommended the following appointments:

- ✓ Finance: Bauer (chair); Kessler; Paulsen; Stowe and Taylor.
- ✓ Public Safety: Paulsen (chair); Adee; Bauer; Knuth and Neubauer.
- ✓ Public Works: Stowe (chair); Kessler; Knuth; Neubauer and Taylor.

City Council direction is requested.

12. RESOLUTIONS--None

13. CONSIDERATIONS

A. Consideration of a Contract Award for the Procurement of Certain Equipment Items for Phase One of the Solids Handling Improvements at the Wastewater Treatment Plant on North Cross Street.

Sealed bids were received until 2:00 p.m. on Friday, April 11 for the procurement of a variety of specialized equipment integral to planned Phase I improvements at the Wastewater Treatment Facility. The equipment includes a variety of new pumps, chemical feeds, rotary drums for thickening sludge, conveyors etc. that will later be installed as part of

the Phase I construction project. The timing of this equipment purchase will protect the City from future pricing increases and make integral components available as construction begins.

A bid tabulation for the various equipment purchases is presented below. The Council considered this list on April 21, but chose not to award any contracts on the recommendation of the City Manager, in view of the need for further staff review of the many bids that were submitted. The lowest responsible bids have been determined and are shown in **bold type** in the table below. For the three contracts highlighted in gray shading below, the bid recommendations follow the table:

Contract	Bidder & Base Bid	Bidder & Base Bid	Bidder & Base Bid	Bidder & Base Bid	Bidder & Base Bid
ATAD System S0702-970719-A	Thermo Process \$1,397,041				
Plant Drain Lift Station S0702-970719-B	Metro \$58,890	Energeneecs \$68,903			
Effluent Reuse System S0702-970719-C	Metro \$33,829	LAI \$29,500			
Chopper Pumps S0702-970719-D	Hayward/ Gorden \$29,430	Vaughn \$26,168	LAI \$24,800		
Rotary Lobe Pumps S0702-970719-E	Metro \$56,778	Gasvoda \$76,900	Thomas Pump \$105,083	Boerger \$49,000	Riley Fluid \$39,250
Polymer System S0702-970719-F	Fluid Dynamics \$43,900	LAI \$33,750			
Chemical Feed System S0702-970719-G	Pumping Solutions \$33,894	LAI \$17,500			
Rotary Drum Thickener S0702-970719-H	Parkson \$178,912	JDV Process \$190,000	Bacor \$259,970		
Shaftless Screw Conveyor S0702-970719-I	JDV Process \$48,000	Westech \$62,900	Spirac \$44,442		
Coarse Bubble Aeration Equipment S0702-970719-J	Aquarius Tech \$8,950	Sanataire \$9,075	EDI \$20,192		
Chemical Storage Tanks S0702-970719-K	Design Tanks \$59,958	LAI \$39,650			

For the contracts shaded in the table above, the following departures from the lowest qualified bids are recommended:

Contract S0702-970719-C, EFFLUENT REUSE SYSTEM. The LAI pumps did not meet specifications. They were deficient in pump efficiency and did not have replaceable wear sections in the pump body. The lowest responsible bidder is therefore **Metro @ \$33,829.**

Contract S0702-970719-G, CHEMICAL FEED SYSTEM. Both bidders failed to complete the total list of equipment needed. Both companies were contacted to resubmit their bids. After resubmitting, **LAI** was still lower, but the amount is now **\$28,342** compared to Pumping Solutions @ \$33,894.

Contract S0702-970719-K CHEMICAL STORAGE TANKS. LAI did not meet the specification for reinforced fiberglass tanks. Their bid was for a poly tank. Reinforced fiberglass was specified for operator safety. Ferric Chloride has been known to soften poly tanks, which could lead to a hazardous condition. The lowest responsible bidder is therefore **Design Tanks @ \$59,958.**

City Council approval of the aforementioned bid recommendations is requested.

B. Consideration of an Administration Recommendation to Revise the Local Bidder Preference Policy and to Adopt a Responsible Bidding Ordinance.

Since 1994 the City of Sycamore has followed a competitive bidding procedure that enforces a bias toward qualified local bidders, defined as companies located within the county that are not, at the time of bidding, receiving incentives or subsidies from the City and are current with all tax and City fee obligations. The preference policy allows a qualified local bidder that has submitted a bid within five percent (5%) of the lowest responsible bidder to match the lowest bid within ten days of the bid opening. The City may still reject any and all bids and award the contract to a firm that is not the lowest responsible local bidder, but must do so by a 2/3 vote of the City Council.

This competitive bidding procedure cannot be invoked on IDOT projects using motor fuel tax funds, or projects principally funded by IEPA loan funds, or other projects funded in whole or in part with state or federal funds. Where City building projects are concerned, this policy has generally been successful in allowing qualified local general contractors to win contracts for City construction projects. Recent examples include the new fire station and the Public Works facility off North Cross Street. The City staff support the present policy in this respect.

However, as the City prepares for annual street maintenance programs in the range of \$1.8 million and other large infrastructure projects, there is some concern that the local preference policy, as presently worded, might discourage outside bidders from participating in the competitive bidding process, even though they might use local laborers, operators, etc. Why is this so? The bidder's list which details the firms that have taken out plans is a public document. Prior to a bid opening, bidding firms send representatives to the City Clerk's

office to pick up plan sets and specifications and sign such a list. If a DeKalb County bidder is the only local firm on the list on the day of the opening, or even several days before, the bidder can add something to the bid on the hunch that such an eleventh hour change will work to the firm's advantage. For City building projects and street maintenance projects the bidding is usually close because the plans and specs are detailed and the City does not have a lot of public projects to let in any year. By being vigilant, the local bidder has a betting chance of getting within 5%, or may even outbid the others with a slightly higher increment included. It is not as certain that the larger infrastructure projects on the near horizon, including the new water tower and the treatment plant addition and upgrade, will offer the same possibility, but if a County general contractor approaches the process as described here, the 5% cushion could amount to several hundreds of thousands of dollars. A case in point: Phase One of the treatment plant upgrade is valued at almost \$7 million, and 5% is \$350,000.

One option is to keep the preference policy but to create a sliding scale that adjusts the level of preference by the size of the project. The table below illustrates the possible application of this alternative:

Amount of Bid	Preference Provision
Up to \$499,000	5%
\$500,000 to \$749,999	4%
\$750,000 to \$999,999	3%
\$1,000,000 to \$1,249,999	2%
\$1,250,000 to \$1,499,999	1%
Over \$1.5 million	No Preference Consideration

The intent of this staff proposal is to minimize the local taxpayer cost while continuing to favor local contractors and their employees. The prevailing wage policy would continue to apply in all cases. If costs are controlled, more projects of all types involving local labor might be funded.

City Council direction is requested.

C. Consideration of a Responsible Bidder Ordinance.

This consideration likewise touches upon the City's bidding practices. The City's preference policy and its standard form language in contract specifications refers to "responsible" bidders but does not define what the term "responsible" means in detail. In Illinois, as in other states, bipartisan coalitions have formed to better define the term in law so contractors—union and non-union alike—have a clear understanding and bid from a level-playing field in terms of prerequisites. State Representative Robert Pritchard recently mailed the attached letter to municipal officials urging them to consider responsible bidder ordinances. His interest is in setting a floor underneath the standards expected of bidders on public contracts, especially in light of budget cuts at state agencies charged with overseeing the public bidding process. The passage of such an ordinance would not impose higher local

enforcement responsibilities, but would provide a more detailed standard which must be met if a contract is to be awarded.

The typical responsible bidder ordinance asks that all bidders

- Comply with all laws pre-requisite to doing business in Illinois.
- Produce evidence of a federal employer tax number or social security number.
- Provide evidence of compliance with Equal Opportunity Employer requirements.
- Provide evidence of all specified insurance coverages.
- Comply with all provisions of the Illinois prevailing Wage Act.
- Show evidence of participation in a US Department of Labor-approved and registered apprenticeship program.

In brief, the passage of a responsible bidder ordinance would simply require that contractors and subcontractors demonstrate that they can comply with the specifications written into the City's bid documents. If they are not able to do so, their bids will not be considered or approved.

City Council direction is requested. If the Council supports such an ordinance, a draft can be prepared for the next regular Council meeting on May 19.

D. Consideration of an Administration Recommendation to Adopt the 2005 Edition of the National Electrical Code.

Lyle Doty, Building Commissioner, and Dennis Winclawski, Electrical Inspector, have recommended the adoption of the 2005 National Electrical Code to replace the 2002 edition presently enforced by the City of Sycamore. Their recommendation was made in mid-March (see the attached packet). At the City Manager's suggestion, all locally-licensed electrical contractors and interested parties were invited to a public meeting to hear a City review of the differences between the 2002 and 2005 editions. The meeting was well-attended. A compilation of the significant changes was prepared by Mr. Winclawski (see the attachment) and detailed discussion was held on each point. No suggestions for local amendment were made other than the revisions suggested by the Building department.

City Council support is recommended. If the Council concurs, an ordinance will be prepared for the May 19 agenda.

E. Consideration of an Employment Contract Between the City of Sycamore and Fire Chief Bill Riddle.

Fire Chief Riddle's employment contract expires on April 30, 2008. The attached employment contract has the following key features:

- A one-year term, retroactive to May 1, 2008, with the possibility of a one-year extension at the mutual consent of the parties.
- An FY2008-2009 salary of \$96,725—a 4% increase over his FY08 salary of \$93,000.
- A benefit package identical with Chief Riddle's contract terms from FY04 through FY08, including three weeks' paid vacation and a maximum accrual of sick leave at the rate of 9 days per year (up to a maximum of 120 days).

- Duties as defined by the Chief’s job description (see attached).

City Council approval is recommended.

F. Consideration of a Park District Request to Sell Alcoholic Beverages from a Beverage Cart During Special Permitted Events.

In behalf of the Sycamore Park District, Kirk Lundbeck has requested the Council’s consideration of a revision to the Class “E” golf course liquor license provisions to permit the sale of alcoholic liquors at special licensed events such as wedding receptions, banquets, and picnics. Mr. Lundbeck supervises the beverage cart operations as well as golf course operations.

Presently, the Park District’s Class “E” license permits the sale of alcoholic beverages on the 18-hole golf course and within the clubhouse and the clubhouse outdoor deck. Liquor may also be sold at several shelters within the community park on special occasions under the auspices of a Class G license for the benefit of not-for-profit applicants using the shelter for annual outings, etc. However, in such instances, the licensed firm providing the dramshop insurance, supervision, and alcoholic beverages profits from the sales. Mr. Lundbeck has requested a revision to the Class “E” provisions to permit the sales of alcoholic beverages from several beverage carts to allow the District to garner the revenue from such sales. He is not seeking permission to sell alcoholic beverages at organized sports events such as soft ball games, soccer tournaments, etc.

City Council direction is requested.

G. Consideration of an Administration Request for a Closed Session to Discuss Collective Bargaining.

14. **OTHER NEW BUSINESS**
15. **APPOINTMENTS**
16. **ADJOURNMENT**