



ST. CHARLES
SINCE 1834

AGENDA ITEM EXECUTIVE SUMMARY

Title:	Recommendation to Issue Notice of Intent to Award for Construction of the Biosolids Handling Building & Equipment Project
--------	---

Presenter:	John Lamb
------------	-----------

Please check appropriate box:

	Government Operations	X	Government Services 08.27.12
	Planning & Development		City Council
	Public Hearing		

Estimated Cost:	\$8,897,150.00	Budgeted:	YES	X	NO	
-----------------	----------------	-----------	-----	---	----	--

If NO, please explain how item will be funded:

Executive Summary:

Staff is requesting approval of a Notice of Intent to Award by the City Council for the Biosolids Building Project. Bids were opened on August 15th and have been reviewed by staff, Trotter & Associates and the City attorney. Attached are a Letter of Recommendation and Bid Summary. The apparent low bidder Lakeshore Toltest Corporation has been disqualified due to not meeting one of the bid specification requirements which is also a requirement for the IEPA Low Interest Loan.

Therefore the Notice of Intent to Award is for the second low bidder, Whittaker Construction & Excavating, Inc. at a cost of \$8,897,150. These documents are then forwarded to IEPA for review and approval. After IEPA approval of the documents staff will recommend a Notice to Award at the September committee meeting.

Staff has received a Reservation of Funds Letter from IEPA committing funding from the IEPA Revolving Low Interest Loan Program for this project. The approved amount for the loan is \$9.5 million and the interest rate is 2.295%.

Attachments: *(please list)*

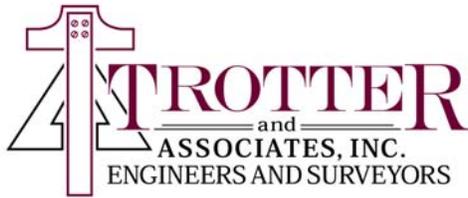
Engineering Letter of Recommendation
 Notice of Award form.
 Bid Summary

Recommendation / Suggested Action *(briefly explain):*

Staff recommends City Council to approve Notice of Intent to Award for Construction for the Biosolids Building Project to Whittaker Construction & Excavating Inc. in the amount of \$8,897,150.00.

For office use only:

Agenda Item Number: 6.b



August 22, 2012

Mr. John Lamb
Environmental Services Manager
City of St. Charles
Two East Main Street
St. Charles, Illinois 60174

**Subject: City of St. Charles – 2012 Main & Sludge Handling Building Improvements
Recommendation to Award**

Dear Mr. Lamb,

The City of St. Charles advertised the above referenced project in accordance with the IEPA guidelines on June 29, 2012. The City received bids until 10:00 a.m. on Wednesday, August 15, 2012 in accordance with the advertisement. Eleven bids were received for the project and these bids were opened and read aloud in Council Chambers. The following is a tabulation of the bids received:

<u>Company</u>	<u>Bid Amount</u>
Lakeshore Toltest Corp.	-\$8,580,000.00
Whittaker Construction	\$8,897,150.00
Manusos General Contracting	\$9,163,000.00
Williams Brothers Construction	\$9,260,000.00
Allan Mack & Sons, Inc.	\$9,349,000.00
Boller Construction Company, Inc.	\$9,474,000.00
River City Construction	\$9,760,000.00
John Burns Construction Co.	\$10,122,000.00
Maxim Construction Corp.	\$10,219,900.00
Osman Construction Corp.	\$10,575,000.00
James McHugh Construction, Inc.	\$10,607,800.00

Lakeshore Toltest Corporation of Detroit, Michigan was the apparent low bidder with a bid amount of \$8,580,000.00. We have reviewed the bidding documents, required certifications and disadvantaged business enterprise (DBE) documentation requirements of the Illinois EPA Loan Program. Lakeshore Toltest's DBE advertisement was placed in the Chicago Tribune on Wednesday, August 1, 2012 which is fourteen (14) days prior to the bid opening date of August 15, 2012.

The Illinois EPA requires that bidders place a one-day advertisement in the Chicago Tribune at least sixteen (16) days prior to the bid opening. The 16 day requirement for DBE advertising was identified in the City's published Invitation to Bid, Section 00030 – Advertisement of Bids, Section 00310 – Illinois EPA Guidelines and in Addendum No. 1.

The DBE advertising requirements is a condition of the Illinois EPA funding for this project. All other bidders were in compliance with this requirement. To waive this requirement would jeopardize the project funding as other bidders would have grounds to protest the award. Therefore, TAI recommends that the City declare Lakeshore Toltest's bid to be non-responsive and that the City award the project to the next lowest responsive bidder.

City of St. Charles – 2012 Main & Sludge Handling Building Improvements

Recommendation to Award

August 23, 2012

Page 2 of 2

Whittaker Construction and Excavating, Inc. submitted the next lowest bid in the amount of \$8,897,150.00. Trotter and Associates has reviewed the bid package from Whittaker Construction and verified that they have met all of the bidding requirements. Whittaker Construction is a midsized general contractor based out of Earlville, Illinois. While TAI has not worked with Whittaker Construction, they have completed numerous water and wastewater project for communities in northern Illinois, including Dixon, Princeton, Marseilles, Hampshire, Elgin and Batavia. The firm has a sound resume, self-performs a significant amount of the work and has a reputation for high quality workmanship.

Trotter and Associates has contacted references from previous construction projects completed by Whittaker Construction as well as spoken with representatives from Whittaker Construction to discuss their company profile and project approach. Based on this information we feel that Whittaker Construction is adequately qualified to complete this project. It is therefore our recommendation that the City of St. Charles elect to award the contract to Whittaker Construction and Excavating, Inc. for the base bid amount of \$8,897,150.00 contingent upon approval of the Illinois EPA and execution of the loan agreement for the project. If you should have any questions or wish to discuss this further please contact me at your earliest convenience.

Sincerely,



Mike Holland, P.E.
Project Engineer

City of St. Charles
2012 Main and Sludge Handling Building Improvements

10:00 A.M Wednesday, August 15, 2012

Company	Bid Amount	% of Low Bid
Lakeshore Toltest Corp.	\$8,580,000.00	-
Whittaker Construction	\$8,897,150.00	3.7%
Manusos General Contracting	\$9,163,000.00	6.8%
Williams Brothers Construction	\$9,260,000.00	7.9%
Allan Mack & Sons, Inc.	\$9,349,000.00	9.0%
Boller Construction Company, Inc.	\$9,474,000.00	10.4%
River City Construction	\$9,760,000.00	13.8%
John Burns Construction Co.	\$10,122,000.00	18.0%
Maxim Construction Corp.	\$10,219,900.00	19.1%
Osman Construction Corp.	\$10,575,000.00	23.3%
James McHugh Construction, Inc.	\$10,607,800.00	23.6%

SECTION 00505

NOTICE OF INTENT TO AWARD

Date: August 27, 2012

To: Whittaker Construction and Excavating, Inc.
105 Park Street
P.O. Box 21
Earlville, Illinois 60518

Project: City of St. Charles – 2012 Main and Sludge Handling Building Improvements

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids and Information for Bidders.

You are hereby notified that your BID will be accepted, contingent upon Illinois Environmental Protection Agency (IEPA) approval, for items in the amount of **Eight Million, Eight Hundred Ninety Seven Thousand, One Hundred and Fifty Dollars and zero cents (\$8,897,150.00)**.

You will be required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S PERFORMANCE BOND, PAYMENT BOND and CERTIFICATES OF INSURANCE within fifteen (15) calendar days of the final Notice of Award to be sent upon IEPA approval, to you.

Dated this 27th day of **August, 2012**.

Donald P. DeWitte, Mayor
St. Charles, IL

This Page Left Blank Intentionally