

**VILLAGE OF DOWNERS GROVE**  
**REPORT FOR THE VILLAGE COUNCIL WORKSHOP**  
**MARCH 24, 2009 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Bid: Washington Park Stormwater Improvements	✓ Resolution Ordinance Motion Discussion Only	Naneil Newlon, Director of Public Works

**SYNOPSIS**

A resolution has been prepared to award a contract for the Washington Park Stormwater Improvements to Copenhagen Construction, Inc. of Gilberts, Illinois in the amount of \$2,872,663.00.

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan and Goals for 2008-2013 identified *Top Quality Village Infrastructure and Facilities*. A supporting objective of this goal is *Improve Neighborhood Infrastructure Curbs, Gutters, Streets, Sidewalks, Stormwater and Drainage System*.

**FISCAL IMPACT**

The budget for all planned projects within the St. Joseph North, Subwatershed E (SW-042) is \$9,250,000 and spans three fiscal years (FY09, FY10 and FY11). The FY09 budget includes \$2,300,000 for the Washington Park project. The proceeds from the stormwater bond issuance of 2008 will be used to pay for this project. Per the terms of the Intergovernmental Agreement (IGA) with the Downers Grove Park District, the Village portion of the costs would be \$2,789,888 and the Park District portion of the costs would be \$82,775.

**RECOMMENDATION**

Approval on the April 7, 2009 consent agenda. The project is pending approval from the Park District Board, scheduled for Thursday, April 2, 2009.

**BACKGROUND**

The contract is to provide stormwater detention in the form of two separate detention facilities located within the northwest and southeast areas of Washington Park. The detention facilities, in conjunction with other projects proposed for the St. Joseph North E Subwatershed, will alleviate drainage issues and will allow many of the poorly-drained depressional areas to drain more efficiently.

In 2008 the Village and Park District executed an IGA that requires the Village to design and construct certain recreational improvements in exchange for the use of the land for stormwater improvements. The recreational improvements include new playgrounds, picnic area, fountain, new soccer and baseball fields with underdrain and irrigation systems, and various park amenities.

Bids were received on Friday, March 13, 2009. Several items in the Alternate Bid have been included in the proposed contract amount. Selection of these items is scheduled to be approved by the Park District Board on April 2, 2009. Dollar amounts shown for the Base Bid and Alternate Bid represent the Village's best estimate regarding Park-District-selected items. A synopsis of the bids is as follows:

<b>Contractor</b>	<b>Base Bid Amount</b>	<b>Alternate 2</b>	<b>Total Bid</b>
<b>Copenhaver Construction, Inc.</b>	<b>\$2,582,428.00</b>	<b>\$290,235.00</b>	<b>\$2,872,663.00</b>
<b>Earthwerks Land Imp &amp; Devel. Corp.</b>	<b>\$2,355,518.75</b>	<b>\$679,240.00</b>	<b>\$3,034,758.75</b>
<b>Hoppys Landscaping, Inc.</b>	<b>\$2,625,743.55</b>	<b>\$766,400.75</b>	<b>\$3,392,144.30</b>
<b>Schwartz Excavating, Inc</b>	<b>\$2,630,263.32</b>	<b>\$837,731.75</b>	<b>\$3,467,995.07</b>
<b>Berger Excavating Contractors, Inc</b>	<b>\$2,943,260.18</b>	<b>\$638,065.00</b>	<b>\$3,581,325.18</b>
<b>Martam</b>	<b>\$3,110,689.50</b>	<b>\$687,590.00</b>	<b>\$3,798,279.50</b>
<b>Schaeffges Brothers, Inc.</b>	<b>\$3,052,386.90</b>	<b>\$767,762.60</b>	<b>\$3,820,149.50</b>
<b>Everest Excavating, Inc</b>	<b>\$2,898,904.95</b>	<b>\$967,503.00</b>	<b>\$3,866,407.95</b>
<b>John Keno and Company, Inc</b>	<b>\$3,182,412.00</b>	<b>\$1,065,096.00</b>	<b>\$4,247,508.00</b>

The low bidder is Copenhaver Construction, Inc. This bidder has worked successfully for other Chicago suburban agencies such as the City of Naperville, the Village of South Barrington, and the Glenview Park District. The above-mentioned agencies provided positive comments regarding the proposed contractor's prior work experience.

**ATTACHMENTS**

- Resolution
- Bid Contract Form
- Campaign Disclosure Form
- Capital Project Sheet SW-042
- North St. Joseph Creek Watershed SJN-E Exhibit

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING EXECUTION OF AN  
AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE  
AND COPENHAVER CONSTRUCTION, INC.**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois,  
as follows:

1. That the form and substance of a certain Professional Services Agreement (the “Agreement”), between the Village of Downers Grove (the “Village”) and Copenhaver Construction, Inc. (the “Contractor”), for Washington Park Stormwater Improvements (SW-042) water distribution valve assessment services, as set forth in the form of the Agreement submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Village Manager and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Agreement, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

\_\_\_\_\_  
Mayor

Passed:

Attest: \_\_\_\_\_  
Village Clerk

**V. BID and CONTRACT FORM (Village)**

\*\*\*THIS BID WHEN ACCEPTED AND SIGNED BY AN AUTHORIZED SIGNATORY OF THE VILLAGE OF DOWNERS GROVE SHALL BECOME A CONTRACT BINDING UPON BOTH PARTIES.

**Entire Form Must Be Completed If a Submitted Bid Is To Be Considered For Award**

**BIDDER:**

Copenhaver Construction, Inc.  
Company Name

3-13-09  
Date

121 Center Drive  
Street Address of Company

Copenhaverinc@yahoo.com  
E-mail Address

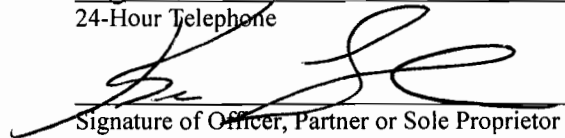
Gilberts, IL 60136  
City, State, Zip

Ken Copenhaver  
Contact Name (Print)

847-428-6696  
Business Phone

847-627-0080  
24-Hour Telephone

847-428-6798  
Business Fax

  
Signature of Officer, Partner or Sole Proprietor

Ken Copenhaver - President  
Print Name & Title

ATTEST: if a Corporation

Mary Cibauskas  
Signature of Corporation Secretary

We hereby agree to furnish the Village of Downers Grove all necessary materials, equipment, labor, etc. to complete the project within 240 calendar days from the date of the Notice to Proceed in accordance with the provisions, instructions and specifications for the unit prices shown on the Schedule of Prices.

**VILLAGE OF DOWNERS GROVE:**

**ATTEST:**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

In compliance with the specifications, the above-signed offers and agrees, if this Bid is accepted within 90 calendar days from the date of opening, to furnish any or all of the services upon which prices are quoted, at the price set opposite each item, delivered at the designated point within the time specified above.

**V. BID and CONTRACT FORM (Contractor)**

**\*\*\*THIS BID WHEN ACCEPTED AND SIGNED BY AN AUTHORIZED SIGNATORY OF THE VILLAGE OF DOWNERS GROVE SHALL BECOME A CONTRACT BINDING UPON BOTH PARTIES.**

**Entire Form Must Be Completed If a Submitted Bid Is To Be Considered For Award**

**BIDDER:**

Copenhaver Construction, Inc.  
Company Name

3-13-09  
Date

121 Center Drive  
Street Address of Company

copenhaverinc@yahoo.com  
E-mail Address

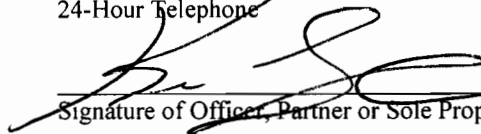
Gilberts, IL 60136  
City, State, Zip

Ken Copenhaver  
Contact Name (Print)

847-428-6696  
Business Phone

847-627-0080  
24-Hour Telephone

847-428-6798  
Business Fax

  
Signature of Officer, Partner or Sole Proprietor

Ken Copenhaver - President  
Print Name & Title

ATTEST: if a Corporation

Max E. Charles  
Signature of Corporation Secretary

We hereby agree to furnish the Village of Downers Grove all necessary materials, equipment, labor, etc. to complete the project within 240 calendar days from the date of the Notice to Proceed in accordance with the provisions, instructions and specifications for the unit prices shown on the Schedule of Prices.

**VILLAGE OF DOWNERS GROVE:**

**ATTEST:**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

In compliance with the specifications, the above-signed offers and agrees, if this Bid is accepted within 90 calendar days from the date of opening, to furnish any or all of the services upon which prices are quoted, at the price set opposite each item, delivered at the designated point within the time specified above.

**SCHEDULE OF PRICES:**


Village of Downers Grove

Non-Federal entities are prohibited from contracting with or making sub-awards under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement for goods or services equal to or in excess of \$100,000.00 contractors receiving individual awards for \$100,000.00 or more and all sub-recipients must certify that the organization and its principals are not suspended or debarred.

By submitting this offer and signing this certificate, the bidder certifies to the best of its knowledge and belief, that the company and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal, state or local governmental entity, department or agency.
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction, or convicted of or had a civil judgment against them for a violation of Federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2) of this certification: and
4. Have not within a three-year period preceding this application/proposal/contract had one or more public transactions (Federal, State or local) terminated for cause or default.

If the bidder is unable to certify to any of the statements in this certification, bidder shall attach an explanation to this certification.

Company Name: Copenhagen Construction, Inc  
Address: 121 Center Drive  
City: Gilberts, IL Zip Code: 60136  
Telephone: (847) 428-6696 Fax Number: (847) 428-6798  
E-mail Address: copenhageninc@yahoo.com  
Authorized Company Signature:   
Print Signature Name: Kent Copenhagen Title of Official: President  
Date: 3-13-09

**CAMPAIGN DISCLOSURE CERTIFICATE**

Any contractor, proposer, bidder or vendor who responds by submitting a bid or proposal to the Village of

Village of Downers Grove

Downers Grove shall be required to submit with its bid submission, an executed Campaign Disclosure Certificate, attached hereto.

The Campaign Disclosure Certificate is required pursuant to the Village of Downers Grove Council Policy on Ethical Standards and is applicable to those campaign contributions made to any member of the Village Council.

Said Campaign Disclosure Certificate requires any individual or entity bidding to disclose campaign contributions, as defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4), made to current members of the Village Council within the five (5) year period preceding the date of the bid or proposal release.

By signing the bid documents, contractor/proposer/bidder/vendor agrees to refrain from making any campaign contributions as defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4) to any Village Council member and any challengers seeking to serve as a member of the Downers Grove Village Council.

Copenhaver Construction, Inc

Under penalty of perjury, I declare:

- i. Bidder/vendor has not contributed to any elected Village position within the last five (5) years.

[Handwritten Signature]  
Signature

Ken Copenhaver  
Print Name

- ii. Bidder/vendor has contributed a campaign contribution to a current member of the Village Council within the last five (5) years.

Print the following information:

Name of Contributor: \_\_\_\_\_  
(company or individual)

To whom contribution was made: \_\_\_\_\_

Year contribution made: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name



# 2009-2013 Capital Project Sheet

Project # **SW-042**

## Project Description **Watershed Improvements, St. Joseph N. Br., Sub E**

Project summary, justification and alignment to Strategic Plan

Improvements are included in the Watershed Infrastructure Improvement Plan. This project involves bank stabilization of approximately 2,200 centerline feet of the North Branch of St. Joseph Creek (4,400 linear feet of stream bank) between Cumnor Road and Stanley Avenue (extended). Erosion in some areas of the project is threatening the loss of street and railroad right-of-way. The shear drop and unstable bank also cause concern over safety of pedestrians and automobiles. The Five Year Strategic Plan for 2009-2013 identifies a goal of top quality Village infrastructure and facilities. Supporting objectives include improving neighborhood infrastructure and upgrading the water system.

Cost Summary				FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Future Years	TOTAL
	New	Maintenance	Replacement							
Professional Services		x		100,000	200,000	75,000			415,000	<b>790,000</b>
Land Acquisition	x			350,000						<b>350,000</b>
Infrastructure		x		2,050,000	3,800,000	2,550,000			9,500,000	<b>17,900,000</b>
Building										-
Machinery/Equipment										-
Other/Miscellaneous										-
<b>TOTAL COST</b>				<b>2,500,000</b>	<b>4,000,000</b>	<b>2,625,000</b>	<b>-</b>	<b>-</b>	<b>9,915,000</b>	<b>19,040,000</b>

Funding Source(s)		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Future Years	TOTAL
<b>243-Stormwater Fund</b>	▼	2,500,000	4,000,000	2,625,000			9,915,000	<b>19,040,000</b>
	▼							-
	▼							-
	▼							-
<b>TOTAL FUNDING SOURCES</b>		<b>2,500,000</b>	<b>4,000,000</b>	<b>2,625,000</b>	<b>-</b>	<b>-</b>	<b>9,915,000</b>	<b>19,040,000</b>

**Project status and completed work**

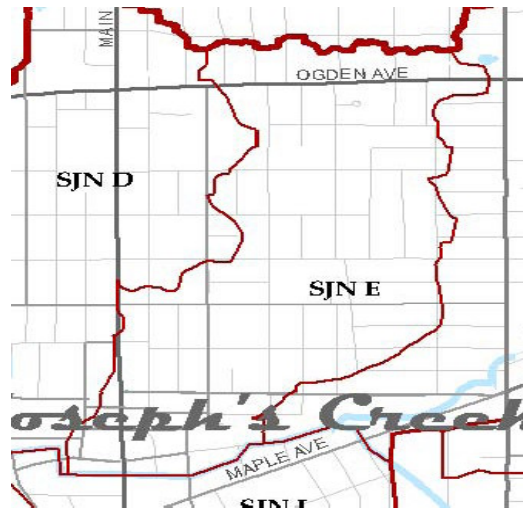
Detailed design began in 2008. Meetings with the Park District and affected residents were held. Construction is anticipated to begin in 2009.

**Grants (funded or applied for) related to the project.**

None

Impact-annual operating expenses	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Future Yrs	TOTAL
Projected Operating Expense Impact:							-

**Map/Pictures of Project**



Internal staff information:

Priority Score	1	Priority Setting Factor:	H/S/W	81	Project Manager:	Michael D. Millette
Priority Status:	High	Program:	347	Department:	Public Works	

**Legend**

- Subwatershed Boundary
- Existing Depressional Area With ID
- Proposed Depressional Area With ID
- Regrading
- Problem Areas With ID
- Subbasin Boundary
- Proposed Swale
- Existing Storm Sewer
- Proposed Storm Sewer
- Floodway
- 100 Year Floodplain
- 500 Year Floodplain
- Parks

0 255 510 1,020  
Feet  
1 inch equals 500 feet

**PROBLEMS:**  
 -BASEMENT FLOODING  
 -YARD FLOODING  
 -STREET FLOODING  
 -HOUSE FLOODING  
 -GARAGE FLOODING

**CAUSES:**  
 -DEPRESSIONAL AREAS WITH NO OUTLET  
 -INADEQUATE STORM SEWERS  
 -DEPRESSIONAL AREAS

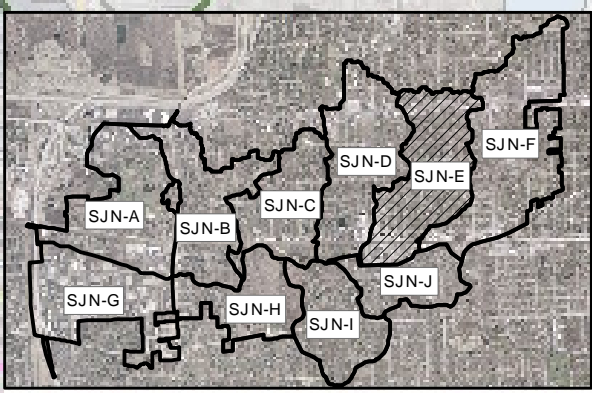
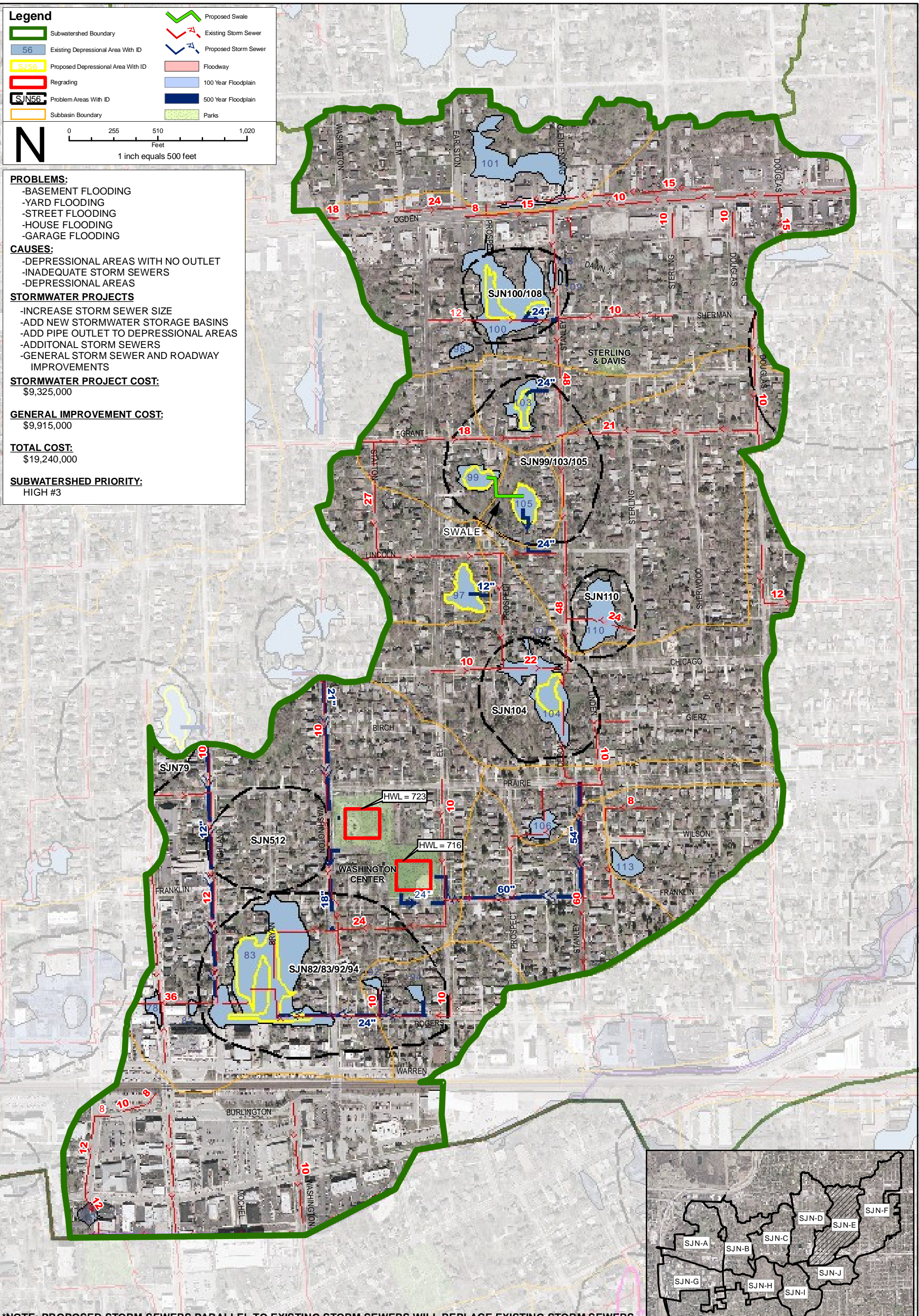
**STORMWATER PROJECTS**  
 -INCREASE STORM SEWER SIZE  
 -ADD NEW STORMWATER STORAGE BASINS  
 -ADD PIPE OUTLET TO DEPRESSIONAL AREAS  
 -ADDITIONAL STORM SEWERS  
 -GENERAL STORM SEWER AND ROADWAY IMPROVEMENTS

**STORMWATER PROJECT COST:**  
 \$9,325,000

**GENERAL IMPROVEMENT COST:**  
 \$9,915,000

**TOTAL COST:**  
 \$19,240,000

**SUBWATERSHED PRIORITY:**  
 HIGH #3



\*NOTE: PROPOSED STORM SEWERS PARALLEL TO EXISTING STORM SEWERS WILL REPLACE EXISTING STORM SEWERS.



**CHRISTOPHER B. BURKE ENGINEERING LTD.**  
 9575 West Higgins Road, Suite 600  
 Rosemont, Illinois 60018  
 (847) 823-0500

TITLE:  
**NORTH ST. JOSEPH CREEK WATERSHED  
 SJN-E SUBWATERSHED**

PROJ. NO.	070097
DATE:	
SHEET 0 OF 0	
DRAWING NO.	1.6.2.1