



VILLAGE OF BENSENVILLE

Village Board

President
Frank Soto

Trustees

Morris Bartlett
Robert "Bob" Jarecki
Martin O'Connell III
Oronzo Peconio
JoEllen Ridder
Henry Wesseler

Village Clerk

Susan Janowiak

Village Manager

Michael Cassady

Village of Bensenville, Illinois BOARD OF TRUSTEES MEETING AGENDA

6:30 P.M. Tuesday, January 22, 2013

Bensenville Village Hall, 12 S. Center Street, Bensenville IL 60106

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC COMMENT (3 minutes per person with a 30 minute meeting limitation)
- V. APPROVAL OF MINUTES
January 15, 2013
- VI. WARRANT – January 22, 2013 #13/02 \$676,539.23
- VII. **CONSENT AGENDA – CONSIDERATION OF AN “OMNIBUS VOTE”**
 1. *Resolution Authorizing the Approval of a Contract Extension to Lindahl Brothers, Inc. for Sand and Stone Delivery and Debris Hauling in the Not to Exceed Amount of \$82,000*
 2. *Resolution Authorizing the Execution of a Local Agency Agreement with the Illinois Department of Transportation for Grant Funding Associated with the Green Street LAPP Project and Green Street-York Road Watermain Replacement Project*
 3. *Resolution Authorizing the Execution of an Engineering Services Agreement with Bollinger, Lach & Associates, Inc. for the Green Street LAPP Project and Green Street-York Road Watermain Replacement Project in the Amount of \$244,528.74*
 4. *Resolution Authorizing the Approval of a Contract Extension to Precision Mechanical, Inc. for HVAC Maintenance in the Not to Exceed Amount of \$22,736.*
 5. *Resolution Authorizing Execution of an Agreement Between the Village of Bensenville and the State of Illinois for Approval of Cost Participation on Illinois Department of Transportation (IDOT) Project*

(Section #2012-0701) to Install LED Traffic Signal Upgrades Along IL 83 and IL 19 in the Amount of \$11,702.

6. *Resolution Authorizing Approval of a Contract Extension to Crystal Maintenance Services, Corp. For Janitorial Services in the Not to Exceed Amount of \$10,500.*
7. *Resolution Authorizing the Approval of a Contract to Clarke Environmental Mosquito Management for Mosquito Abatement Services in the Not to Exceed Amount of \$36,000.*
8. *Resolution Authorizing the Execution of a Design Engineering Services Contract with Robinson Engineering, LTD. for the Quiet Zone Implementation Project in the Amount of \$38,000.*
9. *Establishment of a Responsible Bidder Ordinance for the Village of Bensenville for Municipal Projects in excess of \$100,000*
10. *Ordinance Granting Approval of the Re-Subdivision of Vacant Land Commonly Known as 730 West Memorial Drive, Bensenville, Lisa Breiter*
11. *Ordinance Granting Approval of Certain Variances to Parking, Setbacks and Reduction in the Required Drive Aisles at the Property Commonly Identified as 130-154 West Irving Park Road, Bensenville, Mexico 2000 Center*

VIII. REPORTS OF STANDING COMMITTEES

- A. Community and Economic Development Committee – No Report
- B. Infrastructure and Environment Committee – No Report
- C. Administration, Finance and Legislation Committee
 1. *Ordinance Providing for the Submission to the Electors of the Village of Bensenville, DuPage and Cook Counties, the Question Whether Video Gaming Should be Allowed in the Village of Bensenville on the April 9, 2013 Ballot*
- D. Public Safety Committee – No Report
- E. Recreation and Community Building Committee – No Report
- F. Technology Committee – No Report

IX. REPORTS OF VILLAGE OFFICERS:

A. PRESIDENT'S REMARKS:

1. *Introduction of New Probationary Police Officer, Walter Labuz*
2. *Proclamation Honoring the Achievement of Eagle Scout, Zachary T. Zmorzynski*
3. *Proclamation Honoring Aviation Universe of Bensenville*

B. VILLAGE MANAGER'S REPORT:

1. *Announcement of TIF 4 Grand Avenue Tax Increment Financing District Extension*

C. VILLAGE ATTORNEY'S REPORT:

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. EXECUTIVE SESSION

- A. Review of Executive Session Minutes [5 ILCS 120/2 (C)(21)]
- B. Personnel [5 ILCS 120/2(C)(1)]
- C. Collective Bargaining [5 ILCS 120/2 (C)(2)]
- D. Property Acquisition [5 ILCS 120/2(C)(5)]
- E. Litigation [5 ILCS 120/2(C)(11)]

XIII. MATTERS REFERRED FROM EXECUTIVE SESSION

XIV. ADJOURNMENT

Village of Bensenville
Board Room
12 South Center Street
Bensenville, Illinois 60106
Counties of DuPage and Cook

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING
January 15, 2013

CALL TO ORDER: 1. President Soto called the meeting to order at 6:30p.m.

ROLL CALL: 2. Upon roll call by Deputy Village Clerk, Corey Williamsen, the following Board Members were present:

Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wesseler

Absent: Village Clerk, Susan Janowiak

A quorum was present.

PUBLIC COMMENT: There was no public comment.

APPROVAL OF MINUTES: 3. The December 11, 2012 Village Board Meeting minutes were presented.

Motion: Trustee Ridder made a motion to approve the minutes as presented. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

WARRANT NO. 13/01: 4. President Soto presented Warrant No. 13/01 in the amount of \$1,337,655.36.

Motion: Trustee O'Connell made a motion to approve the warrant as presented. Trustee Bartlett seconded the motion.

ROLL CALL: AYES: Bartlett, Jarecki, O'Connell, Peconio, Ridder, Wesseler
NAYS: None

All were in favor. Motion carried.

PRESIDENT'S REMARKS: President Soto thanked the Officer for their work during the Amber Alert in Bensenville last week.

**MANAGERS
REPORT:**

Ordinance No

_____ :

5. President Soto gave the summarization of the action contemplated in **Ordinance No. _____ entitled An Ordinance Submitting the Public Question on the April 9, 2013 Ballot Whether Video Gaming Should Be Prohibited in the Village of Bensenville.**

Village Manager, Michael Cassady, provided a presentation to the Village Board regarding video gambling throughout Illinois.

Concerned Business Owners and Video Gaming Representatives asked questions and made comments about the proposed ordinance.

Consensus from the Village Board was to place this item on the January 22, 2013 Village Board Meeting Agenda for further discussion and decision.

**VILLAGE ATTORNEY
REPORT:**

Village Attorney, Mary Dickson, had no report.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS:

There was no new business.

**EXECUTIVE
SESSION:**

Village Attorney, Mary Dickson, stated there was no need for Executive Session.

ADJOURNMENT:

Trustee Ridder made a motion to adjourn the meeting and go into executive session. Trustee O'Connell seconded the motion.

All were in favor. Motion carried.

President Soto adjourned the meeting at 7:04 p.m.

Susan Janowiak
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this _____ day, January, 2013

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Resolution to approve a 12 month contract extension with Lindahl Brothers, Inc. for sand and stone delivery and the hauling of municipal debris in the not to exceed amount of \$82,000

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: I & E (unanimous approval)

DATE: 01/15/2013

BACKGROUND: This service provides sand & stone delivery and the hauling of municipal debris on an as needed basis from the Public Works facility.

KEY ISSUES: Lindahl Brothers, Inc. of Bensenville, Illinois has provided sand & stone delivery and municipal debris hauling services reliably since the fall of 2010. This is a service contract extension for 2013 which holds prices agreed upon within the 2011 bid. The following prices were agreed upon in the 2011 bid:

Sand and Stone Delivery Service	5/1/2011 – 12/31/2012 price per ton	1/1/2013 – 12/31/2013 price per ton	Municipal Debris Hauling Service	5/1/2011 – 12/31/2012 price per load	1/1/2013 – 12/31/2013 price per load
CA 6 Stone:	\$10.75	\$11.40	Street Sweepings:	\$825.00	\$875.00
CA 1 Stone:	\$18.50	\$19.60	Asphalt:	\$250.00	\$275.00
Torpedo Sand:	\$16.00	\$17.00	Concrete:	\$200.00	\$210.00
CM-18 (3" PGE):	\$13.25	\$14.00	Dirt & Debris:	\$185.00	\$225.00
FA-6 Sand:	\$10.75	\$11.40	Snow Hauling: (hourly rate)	\$95.00 per hour	\$100.00 per hour

Staff is bringing forward to the Village Board contract renewal forms for multi-year contracts. Bids are obtained for multi-year programs to provide cost benefits and cost protection to the Village. Assuming satisfactory performance, staff will recommend extensions via Village Board approval.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Proceed with the automatic renewal for 2013 as agreed upon within the 2011 bid for Municipal Debris Hauling Service with Lindahl Brothers, Inc. of Bensenville, Illinois to provide sand & stone delivery and the hauling of municipal debris for the Village.

BUDGET IMPACT: \$82,000 was budgeted in the FY2013 Budget. (Account No. 11050420-552610, 11050420-579990, 11050430-579990, 51050540-552610, 51050540-579990)

ACTION REQUIRED: Resolution Authorizing the Approval of a Contract Extension to Lindahl Brothers, Inc. for Sand & Stone Delivery and Debris Hauling in the Not To Exceed Amount of \$82,000

**EXTENSION OF AGREEMENT FOR SAND & STONE DELIVERY AND THE HAULING OF
MUNICIPAL DEBRIS FOR THE VILLAGE OF BENSENVILLE, ILLINOIS**

THIS EXTENSION OF AGREEMENT is made on this ___ day of January, 2013, between the Village of Bensenville, Illinois (hereinafter "OWNER"), whose principal address, for the purposes of any notice required herein, is: Director of Public Works, 717 E. Jefferson Street, Bensenville, Illinois 60106, and Lindahl Brothers, Inc. (hereinafter "CONTRACTOR"), whose principal address, for the purposes of any notice required herein is: 622 E. Green Street, Bensenville, IL 60106

OWNER and CONTRACTOR acknowledge and mutually agree as follows:

1. OWNER and CONTRACTOR entered into a 20 month Agreement for Sand & Stone Delivery and Municipal Debris Hauling for the Village of Bensenville, Illinois dated March 22, 2011. This Agreement included a 12 month extension for services in 2013.
2. The OWNER hereby enacts the automatic extension term of the Agreement for 12-months from January 1, 2013 through and including December 31, 2013 for a total not to exceed cost of \$82,000.
3. Any and all other provisions of the Agreement (or subsequent Amendments) not otherwise amended herein shall remain applicable, governing and in full force and effect throughout the Extended Term of the Agreement.

Both parties indicate their approval of this Extension of Agreement by their signatures below.

Lindahl Brothers, Inc. By:

Authorized Signature

Printed Name

Title

Date

Village of Bensenville, By:

Authorized Signature

Printed Name

Title

Date

Resolution No.

**AUTHORIZING THE APPROVAL OF A CONTRACT EXTENSION
TO LINDAHL BROTHERS, INC.
FOR SAND & STONE DELIVERY AND DEBRIS HAULING
IN THE NOT TO EXCEED AMOUNT OF \$82,000**

WHEREAS the Village of Bensenville performs operations and maintenance projects that require the use of varying gradations of stone, and

WHEREAS the Village of Bensenville performs operations and maintenance projects that generate spoils and debris that must be removed from the Public Works Facility, and

WHEREAS the Village of Bensenville contracts out stone delivery and spoils removal, and

WHEREAS the Village of Bensenville entered into a contract with Lindahl Brothers, Inc. on March 22, 2011 (R-32-2011) that included an automatic renewal for the 2013 calendar year, and

WHEREAS, the Village of Bensenville desires to execute the automatic renewal for January 1, 2013 through December 31, 2013, and

WHEREAS, an "Agreement Extension Form" has been attached to this Resolution as Exhibit A.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Lindahl Brothers, Inc. of Bensenville, Illinois to provide Sand & Stone Delivery and Debris Hauling in the not to exceed amount of \$82,000.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2013.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Resolution to approve a Local Agency Agreement (LAA) with IDOT for grant funding associated with the Green Street LAPP Project and Green Street-York Road Watermain Replacement Project

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I&E (unanimous approval)

DATE: 01/15/2013

BACKGROUND: The Village applied and was awarded Federal Surface Transportation Program (STP) funding in the amount of \$770,000 (70% of estimated \$1,100,000 project) for the resurfacing of Green Street from York Road to the eastern Village limits. This funding was secured back in 2006 and was supposed to be used by the end of 2012. The Village requested a two-year extension on this project and was granted the extension through the DMMC Transportation technical Committee. We now must complete this resurfacing project by 2014 or lose the funding.

The Green Street-York Rd Watermain Replacement project will be combined with the LAPP project for ease of construction purposes. The water main portion of the project will be entirely paid for by the Utility Capital Funds.

KEY ISSUES: As part of the project implementation process, the Village needs to execute a Local Agency Agreement (LAA) with IDOT. IDOT will be the lead agency running the project on behalf of Federal Highway Administration (FHWA). This agreement establishes the division of project costs that will be paid for either by federal funds, state funds or by local community dollars. It also establishes the reimbursement method which will include IDOT managing the project and submitting reimbursement requests from the Village for our local share in normal pay estimate installments. The LAA is attached to this memorandum.

The engineer's estimate for this project is approximately \$3.2 million dollars of which \$924,000 will be paid for by the LAPP grant, \$576,312 by IDOT, and \$1,699,688 by the Village. \$1.2 million of the Village's portion is related to the watermain improvements while the remainder \$499,688 is the 30% of local participation on the LAPP grant. The scope of this project has changed in recent months which has led to an increase in construction costs from \$2.5 million to \$3.2 million.

Village Board approval is sought at this time to allow the Village President to execute the final document so that we can keep on schedule for the March 8, 2013 IDOT letting date. Construction is anticipated in Summer 2013.

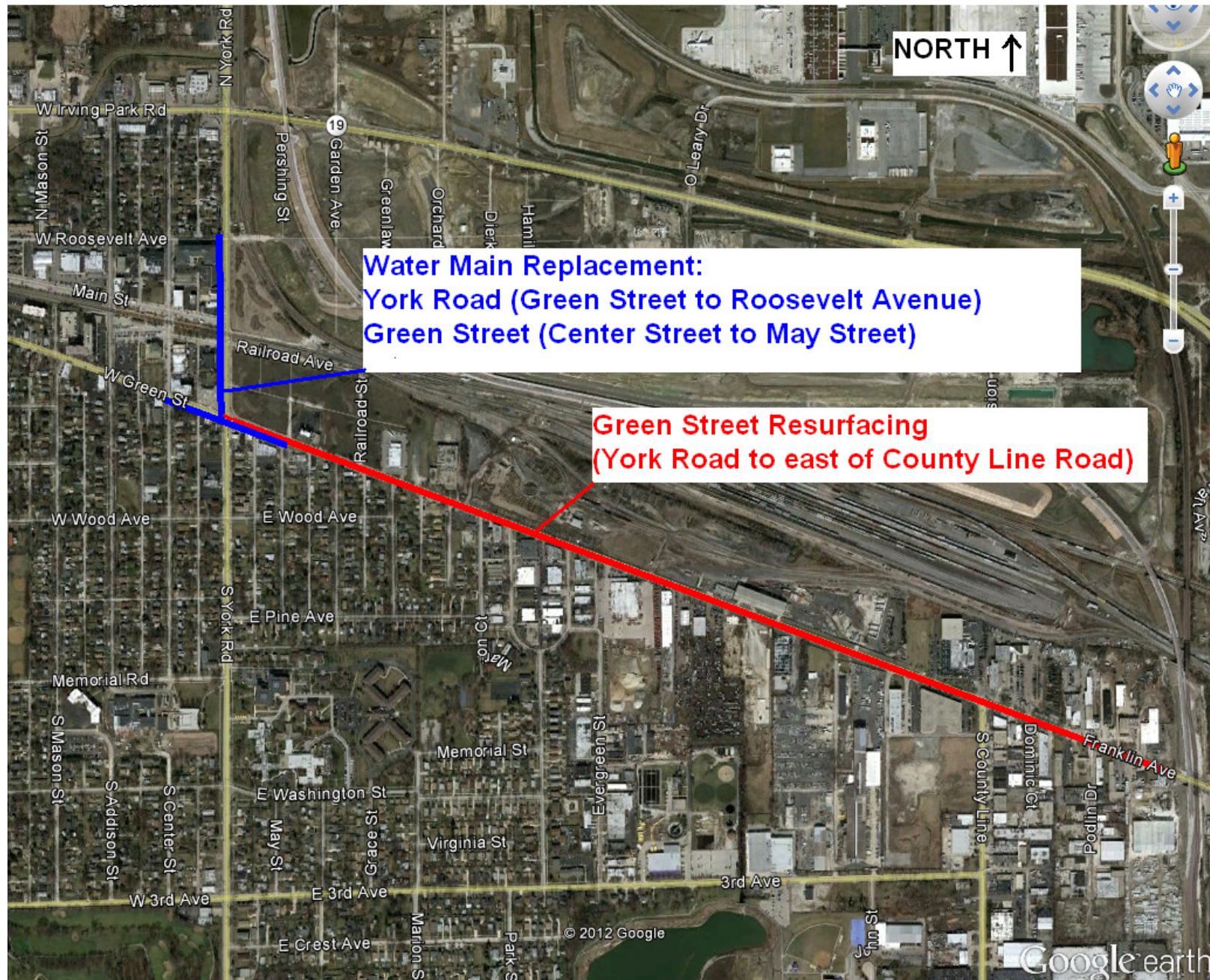
ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of the LAA

BUDGET IMPACT: Funds for this project are budgeted for in the CY-2013. (Account No. 31080810 596000 - \$1,400,000; Account No. 51080860 596000 - \$900,000). The scope of this project has changed in recent months which led to an increase in construction costs from \$2.5 million to \$3.2 million. The Village's responsibility for the construction is just under \$1.7 million. Resident Engineering will be the responsibility of the local agency (Village).

ACTION REQUIRED: Village Board approval of a Resolution Authorizing the Execution of a Local Agency Agreement with the Illinois Department of Transportation for Grant Funding Associated with the Green Street LAPP Project and Green Street-York Road Water Main Replacement Project

PROJECT LOCATION MAP
VILLAGE OF BENSENVILLE, ILLINOIS
GREEN STREET RESURFACING & YORK ROAD/GREEN STREET WATER MAIN REPLACEMENT





Illinois Department of Transportation

Local Agency Agreement for Federal Participation

 Illinois Department of Transportation Local Agency Agreement for Federal Participation	Local Agency Village of Bensenville		State Contract X	Day Labor	Local Contract	RR Force Account
	Section 10-00087-00-RS		Fund Type STP/STU	ITEP Number		

This Agreement is made and entered into between the above local agency hereinafter referred to as the "LA" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "FHWA".

Location

Local Name Green Street Route FAU 3533 Length 1.434 Miles

Termini Center Street to East of County Line Road (FAU 2685)

Current Jurisdiction Local Agency Existing Structure No

Project Description

Resurfacing, hot-mix asphalt surface removal, polymerized hot-mix asphalt surface and binder courses, adjustment of frames and lids, water main replacement, curb and gutter removal and replacement, sidewalk removal and replacement, thermoplastic pavement markings and other miscellaneous work to complete the improvements.

Division of Cost

Type of Work	FHWA	%	STATE	%	LA	%	Total
Participating Construction	924,000	()	576,312	()	499,688	()	2,000,000
Non-Participating Construction	()		()		1,200,000	()	1,200,000
Preliminary Engineering	()		()		()		
Construction Engineering	()		()		()		
Right of Way	()		()		()		
Railroads	()		()		()		
Utilities	()		()		()		
Materials							
TOTAL	\$ 924,000		\$ 576,312		\$ 1,699,688		\$ 3,200,000

Water Main replacement as non-participating construction. State Participation in HMA removal and resurfacing on Green St. from York Rd. to east of County Line Rd.

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

The Federal share of construction engineering may not exceed 15% of the Federal share of the final construction cost.

Local Agency Appropriation

By execution of this Agreement, the **LA** is indicating sufficient funds have been set aside to cover the local share of the project cost and additional funds will be appropriated, if required, to cover the **LA**'s total cost.

Method of Financing (State Contract Work)

METHOD A---Lump Sum (80% of **LA** Obligation)

METHOD B--- _____ Monthly Payments of _____

METHOD C---LA's Share Balance divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

Agreement Provisions

THE LA AGREES:

- (1) To acquire in its name, or in the name of the state if on the state highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established state policies and procedures. Prior to advertising for bids, the **LA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LA**, and **STATE** and the **FHWA**, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after the completion of the contract, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LA** agrees to cooperate fully with any audit conducted by the Auditor General and the department; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the **STATE** for the recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
 - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LA** will pay to the **STATE**, in lump sum, an amount equal to 80% of the **LA**'s estimated obligation incurred under this Agreement, and will pay to the **STATE** the remainder of the **LA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method B - Monthly Payments. Upon award of the contract for this improvement, the **LA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
 - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LA** will pay to the **STATE**, an amount equal to the **LA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.
- (11) (Day Labor or Local Contracts) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which this agreement is executed, the **LA** will repay the **STATE** any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which this Agreement is executed, the **LA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.

(14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.

Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.

The **LA** is responsible for the payment of the railroad related expenses in accordance with the **LA**/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.

Engineer's Payment Estimates in accordance with the Division of Cost on page one.

(15) And certifies to the best of its knowledge and belief its officials:

- are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
- have not within a three-year period preceding this Agreement 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; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
- are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
- have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.

(16) To include the certifications, listed in item 15 above and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.

(17) (State Contracts) That execution of this agreement constitutes the **LA**'s concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.

(18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the **LA**'s certification that:

- No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
- If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
- The **LA** shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(19) To regulate parking and traffic in accordance with the approved project report.

(20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.

(21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.

(22) That the **LA** may invoice the **STATE** monthly for the **FHWA** and/or **STATE** share of the costs incurred for this phase of the improvement. The **LA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets, vendor invoices, vendor receipts, and other documentation supporting the requested reimbursement amount.

(23) To complete this phase of the project within three years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).

(24) Upon completion of this phase of the improvement, the **LA** will submit to the **STATE** a complete and detailed final invoice with all applicable supporting documentation of all incurred costs, less previous payments, no later than one year from the date of completion of this phase of the improvement. If a final invoice is not received within one year of completion of this phase of the improvement, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

(25) (Single Audit Requirements) That if the **LA** expends \$500,000 or more a year in federal financial assistance they shall have an audit made in accordance with the Office of Management and Budget (OMB) Circular No. A-133. **LA**'s that expend less than \$500,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** with 30 days after the completion of the audit, but no later than one year after the end of the **LA**'s fiscal year. The CFDA number for all highway planning and construction activities is 20.205.

(26) That the **LA** is required to register with the Central Contractor Registration (CCR), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. If you do not have a CCR number, you must register at <https://www.bpn.gov/CCR>. If the **LA**, as a sub-recipient of a federal funding, receives an amount equal to or greater than \$25,000 (or which equals or exceeds that amount by addition of subsequent funds), this agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>.

THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LA**'s certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the **LA** to proceed with the construction of the improvement when Agreed Unit Prices are approved and to reimburse the **LA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) That for agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
 - (a) To reimburse the **LA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LA**;
 - (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation or the contract covering the construction work contemplated herein is not awarded within three years of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (3) For contracts awarded by the **LA**, the **LA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LA**'s DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.). In the absence of a USDOT – approved **LA** DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the **STATE**'s USDOT approved Disadvantaged Business Enterprise Program.
- (4) In cases where the **STATE** is reimbursing the **LA**, obligations of the **STATE** shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (5) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application

ADDENDA

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1 Location Map

(Insert addendum numbers and titles as applicable)

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

APPROVED

Local Agency

Frank Soto
Name of Official (Print or Type Name)

Village President

Title (County Board Chairperson/Mayor/Village President/etc.)

(Signature) Date

APPROVED

State of Illinois
Department of Transportation

Ann L. Schneider, Secretary of Transportation

Date

By:

(Delegate's Signature)

(Delegate's Name - Printed)

William R. Frey, Interim Director of Highways/Chief Engineer Date

Ellen J. Schanzle-Haskins, Chief Counsel

Date

Matthew R. Hughes, Director of Finance and Administration Date

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.

Resolution No.

**AUTHORIZING THE EXECUTION OF A LOCAL AGENCY AGREEMENT
WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR
GRANT FUNDING ASSOCIATED WITH THE
GREEN STREET LAPP PROJECT AND GREEN STREET-YORK ROAD
WATERMAIN REPLACEMENT PROJECT**

WHEREAS the Village of Bensenville has received Federal Surface Transportation Program (STP) funding for the Green Street LAPP project between York Road and eastern limits of the Village, and

WHEREAS the Illinois Department of Transportation (IDOT) has been identified as the lead agency managing the federal funding during construction, and

WHEREAS a Local Agency Agreement (LAA) is required to identify responsibilities of both the Local Agency (Village of Bensenville) and the State (IDOT) which includes funding responsibilities and reimbursement methods, and

WHEREAS the LAA has been included as an attachment to this Resolution.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the execution of a Local Agency Agreement with the Illinois Department of Transportation for grant funding associated with the Green Street LAPP and Green Street – York Road Water Main Replacement Project.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2013.

APPROVED:

Frank Soto
Village President

ATTEST:

Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Resolution to award a contract for resident engineering services for the Green Street LAPP and Green St-York Rd Watermain Replacement Project to Bollinger, Lach & Associates, Inc. in the amount of \$244,528.74

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I&E (unanimous approval)

DATE: 01/15/2013

BACKGROUND: The Village applied and was awarded Federal Surface Transportation Program (STP) funding in the amount of \$770,000 (70% of estimated \$1,100,000 project) for the resurfacing of Green Street from York Road to the eastern Village limits. This funding was secured back in 2006 and was supposed to be used by the end of 2012. The Village requested a two-year extension on this project and was granted the extension through the DMMC Transportation technical Committee. We now must complete this resurfacing project by 2014 or lose the funding. The Green Street-York Rd Watermain Replacement project will be combined with the LAPP project for ease of construction purposes.

KEY ISSUES: A Request for Proposal (RFP) was issued to four firms on our resident engineering short list for the Green Street LAPP and Green-York Watermain Replacement Project. The four firms were asked to submit a proposal for resident engineering services during construction. The evaluation team consisted of six members of staff and an outside individual. Based on the evaluations, Bollinger, Lach & Associates, Inc. (BLA) was considered the Most Qualified Firm (MQF).

Firm	Total	Average
Primera	4612.50	658.90
Ardmore Associates, Inc	4987.50	712.50
ESI Consultants, LTD.	5437.50	776.80
Bollinger, Lach & Associates, Inc. (BLA)	5687.50	812.50

BLA brings forth a very experienced project team that has successfully provided resident engineering on such projects in the past. The proposed assignment scope includes on-site inspections, construction layout, construction documentation, and preparation of record drawings.

BLA's original proposed work effort and fee total was in the amount of \$261,835.43. After successful negotiations, BLA reduced its proposed work effort and fee totals to \$244,528.74, resulting in savings of \$17,306.69. This not-to-exceed fee equates to 7.6% of the Engineer's estimated cost for the project. Construction engineering costs typically fall in the 7-10% range.

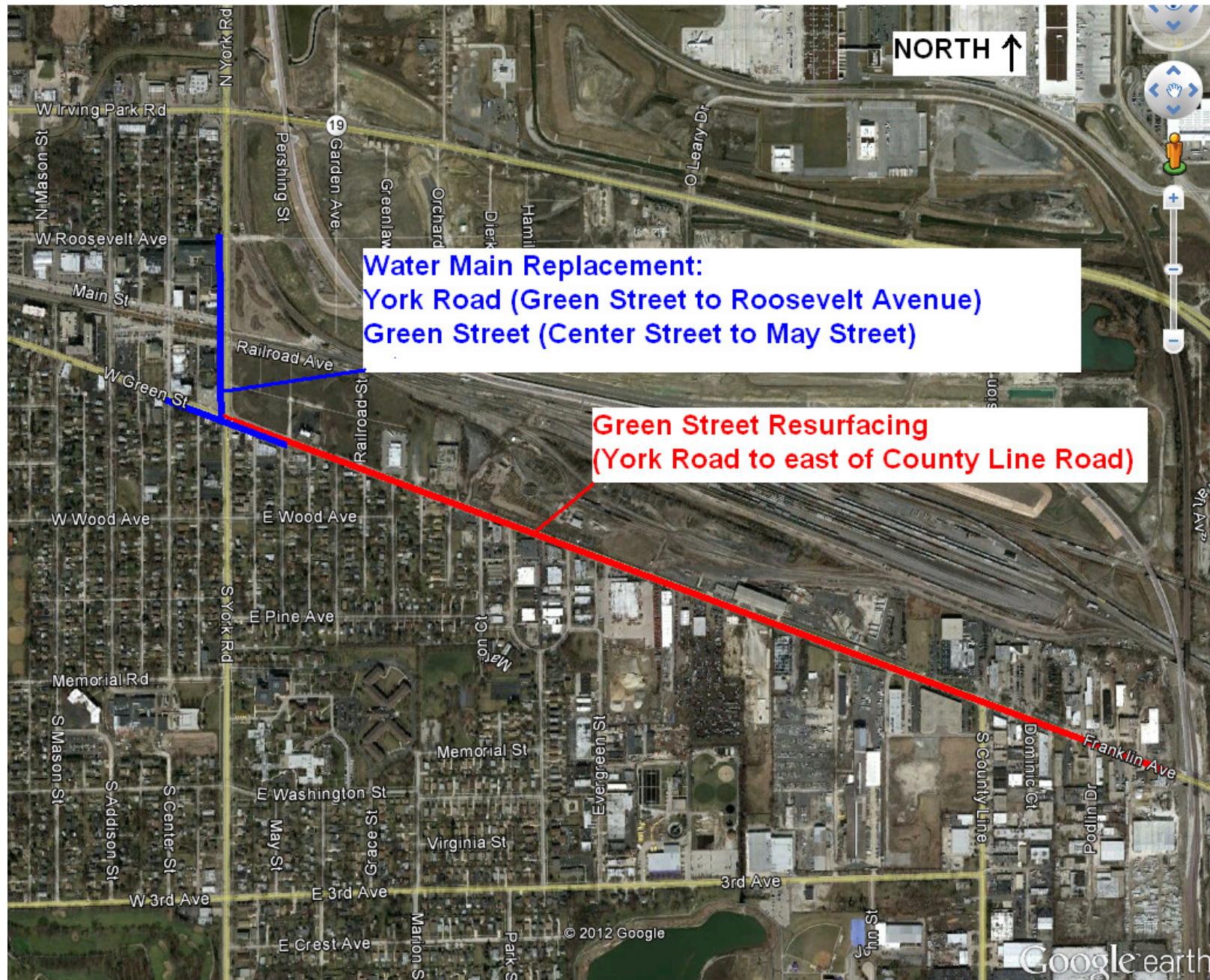
ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of the service agreement

BUDGET IMPACT: In CY-2013, we have budgeted \$70,000 (Account No. 51080860 596000) in resident engineering costs for the watermain replacement project and \$200,000 (Account No. 31080810 596000) for the LAPP project.

ACTION REQUIRED: Resolution authorizing the execution of an engineering services agreement for the Green Street LAPP and York-Green Watermain Project with Bollinger, Lach & Associates, Inc. in the amount of \$244,528.74.

PROJECT LOCATION MAP
VILLAGE OF BENSENVILLE, ILLINOIS
GREEN STREET RESURFACING & YORK ROAD/GREEN STREET WATER MAIN REPLACEMENT



Green Street LAPP and York-Green Watermain Replacement - Resident Engineering Evaluations

Firm Name	Radde	Anderson	Rubach	Patel	Caracci	Cassady	Outside Reviewer	Weighted Total	Weighted Average
ARDMORE ASSOCIATES, LLC	650	600	600	675	775	775	912.5	4987.5	712.5
PRIMERA	600	675	675	625	600	675	762.5	4612.5	658.9
BOLLINGER, LACH & ASSOCIATES (BLA)	775	825	812.5	800	800	850	825	5687.5	812.5
ESI CONSULTANTS	725	725	762.5	775	775	850	825	5437.5	776.8

Proposal

Resident Engineering

**Green Street (LAPP) Roadway Improvements &
York Road-Green Street Watermain Improvements**

CAPITAL PROJECTS # 12.1.02 & 12.2.03



Village of Bensenville

December 28, 2012

CONSULTING
ENGINEERS



Bollinger, Lach & Associates, Inc.

333 Pierce Road, Suite 200 - Itasca, Illinois 60143
Phone: 630-438-6400 Fax: 630-438-6444 www.bollingerlach.com



December 28, 2012

Joseph M. Caracci, P.E.
Director of Public Works
Village of Bensenville
717 E. Jefferson Street
Bensenville, Illinois 60106

Re: Proposal for Resident Engineering Services for Green Street (LAPP) Roadway Improvements & York Road-Green Street Watermain Improvements

Bollinger, Lach & Associates, Inc. (BLA) appreciates the opportunity to submit our proposal to provide Resident Engineering services to the Village of Bensenville. BLA has the specific experience and expertise necessary to service the Village since we have worked on very similar projects and have the local staff available for your project. BLA has demonstrated the ability to work with the community, contractors and municipal officials to accomplish projects on schedule and within budget.

For the above-mentioned project, we have visited the project sites and have the local experience to successfully complete the project. Our corporate office in Itasca is only 10 minutes from the project. Our mailing address and contact information is presented below:

Corporate Office:
333 Pierce Road, Suite 200
Itasca, Illinois 60143
Phone: 630-438-6400
Fax: 630-438-6444

Contact:
Michael Lach, P.E.
President/Owner
630-438-6400
mlach@bollingerlach.com

We sincerely appreciate the opportunity to submit our proposal and look forward to answering any questions you may have to further clarify our submittal.

Sincerely,
Bollinger, Lach & Associates, Inc.

Michael Lach, P.E.
President/Owner

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<u>Section</u>	<u>Description</u>
1.....	Introduction
2.....	Project Understanding
3.....	Scope of Work
4.....	Proposed Schedule
5.....	Project Team & Organization Chart
6.....	Resumes
7.....	Experience
8.....	Project Proposal Form

Introduction

Why Choose the BLA Team?

BLA is more than qualified to perform this work and we differentiate ourselves in the following ways:

- Our proposed resident engineer, Darren Frawley, has just completed a project very similar to this one involving intense public information, watermain and roadway work for the City of Highland Park and the City of Highwood.
- Our team understands that nothing can replace personal contact with businesses and residents along the route. We knock on peoples doors to introduce ourselves.
- Our team has extensive experience with web communications with the stake holders. Some of our project websites have had 25,000 visits.



Staff

Our team members bring a local element to the project and provide unmatched experience. Michael Lach, P.E. will be the Project Principal, Robert Rollings, P.E. the project manager and Darren Frawley, P.E. will be the Resident Engineer.

Mr. Rollings brings extensive construction experience to the project; he has solid contacts and relationships with IDOT personnel at all levels. Much of their top management has worked for Mr. Rollings when he was Bureau Chief of Construction at District 1. He understands IDOT procedures and how work is expected to proceed.

Darren has served as resident engineer in commercial and residential areas for the City of Highland Park, the City of Highwood, the Village of Lincolnshire and the Village of Schaumburg; Darren brings the experience necessary to assist Village staff endeavoring to ensure that the contractor completes a quality product on time and within budget.

Darren's most recent project included installation of new watermain, sanitary sewers and storm sewer along with the construction of new pavement. This project was constructed along the city limits of both the City of Highland Park and the City of Highwood, requiring close communications with

both agencies to administer the contract. The project involved changing from a shoulder section to a closed drainage section, requiring Darren to work closely with City officials and residents to ensure they were satisfied with the construction and the completed project.

Darren's close contact helped result in a high satisfaction level among the affected residents. Darren worked tirelessly to make sure that people got



the answers they were looking for and to keep City officials informed of issues as they came up. He worked closely with the contractor to avoid or resolve issues before they became critical to the project schedule.

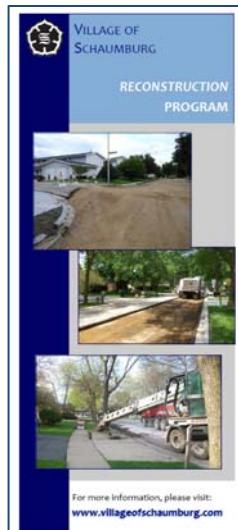


Mr. Brendan Daly has completed watermain design and resident engineering in commercial and residential areas for the City of North Chicago, the City of Zion, the City of Highwood, the Village of Bolingbrook, the Village of Woodridge, the Village of Grayslake and DuPage County; Brendan brings the experience necessary to assist Village staff in proposing cost-effective and minimally-disruptive design modifications, as well as the resident engineering expertise. Mr. Daly has also worked for the Village on the Jefferson Street sidewalk project, serving as Project Manager.

Mr. Ed Lebbos will serve as Field Engineer to assist Darren and brings the expertise necessary for watermain construction observation and documentation. While at Lake Zurich as Assistant Village Engineer, Ed was responsible for resident engineering all private

development projects in the Village. These included miles of watermains, sewers and roads.

Ms. Ashley Newton will be on the project team to assist with public relations, working with the Village to coordinate the details of any public relations requested and cooperation with the residents and commercial businesses. Ashley has extensive successful public relations experience with Schaumburg, Palatine, Highland Park, Highwood and McHenry County.



Experience Counts

It is important for the Village to select a consultant that has done this kind of work before. We will not send a recent college graduate to manage your construction project. BLA has performed resident engineering on projects exactly like this one and can advise staff of major concerns well ahead of time; we know what can delay the project and how it ultimately affects the schedule, inconvenience to the public and the overall cost.



We will do a constructability review of the final plans in order to provide the Village with options that can be considered prior to starting construction. BLA does plenty of watermain work and encourages you to contact our clients and ask them how we performed. We have done recent watermain resident engineering for the City of Highwood, the City of Zion on two different projects (both with IDOT permitting) and Illinois American Water Company - all within the past two years.

We have worked for DuPage County Public Works Department in the Oak Brook area for a major watermain project that we designed. BLA was also assigned to oversee a second consultant resident engineer on the project to ensure smooth project administration.

Project Understanding

BLA proposes to provide Phase III Construction Engineering services for Green Street (LAPP) Roadway improvements (from Center Street to the eastern Village limits) and York Road (Green Street to Roosevelt Avenue) – Green Street (Center Street to May Street) watermain improvements in the Village of Bensenville.



Project Description

The project will be let by the State of Illinois and field engineering duties will be performed by the firm selected on behalf of the Village of Bensenville. BLA is very familiar with administering local agency projects with IDOT; we have completed a number of similar projects. We have established strong working relationships with FAUS Construction Supervisor, Mary Ellen Mack and FAUS Area Engineers: Jeff Mysliwiec, Scott Soderstrom, Chris Brazas, as well as Bureau Chief of Construction, Ann Berube.

Completing watermain construction and roadway restoration as quickly as possible is a major priority for the Village, because of the volume of traffic on Green Street and York Road, to minimize the impact on commercial and industrial traffic. BLA understands that a major concern on this project is the motoring traffic.

Traffic control in and around the construction zone will be important for both the contractor's and businesses' vehicles. In addition to the motorists, there are many businesses along the project that have truck deliveries/shipments. Coordination will be an important issue where access will be affected by curb and driveway work. Coordination with the day care on Green Street will be necessary to keep the delivery of students on time. Coordination with the post office along the route will also be important to minimize disruption to mail carriers and patrons; along with continuous emergency access.



The Illinois Department of Transportation (IDOT) will be constructing a major intersection and bridge project at York Road and Irving Park Road that will be ongoing. Timely completion of this project will be in the best interests of the community. Bob Rollings of our team is familiar with IDOT procedures (former Construction Bureau Chief, District 1) and personnel; we will be able to properly coordinate our work with personnel on the IDOT project.

Key Elements

Business Coordination

With construction, there are times when the business operations will be impacted. In the case of roadway and watermain work, streets will be cut open for trenches, roads may be cut across and the water may be temporarily shut off; these are inevitabilities. Even though these situations are unavoidable, ***we can help prepare the businesses ahead of time with good information and public relations.*** We will work with the contractor and businesses to coordinate the best times for restrictions of access to minimize the impact on the businesses and contractor.

BLA has unmatched experience when it comes to public relations and dealing with businesses.

Businesses will be notified ahead of time, even if the driveway itself will be unaffected. Access to businesses across the trench will need to be coordinated and each drive should be inaccessible for no more than one hour during construction with backfilling operations. The same coordination will occur during paving.

BLA will attend public information meetings as requested to inform the businesses about the project and answer any questions. We will go door-to-door and introduce ourselves while inviting people to the open house meeting. BLA proposes creating brochures for distribution at the public meeting and any door-to-door meetings. Coordinating with businesses will help accomplish a successful project; it will inform the public that workers will be in the area and empower the businesses by making them feel part of the process.

Additionally, there are businesses that need their water services reconnected once the main is tested and approved. We will be sure to check work schedules and operations to ensure we do not disconnect a water service during water intensive operations in the day.

A brochure prior to construction will have a strong impact for the Village and help prepare the businesses for service interruptions. It will inform the workers of the upcoming construction - the watermains will be replaced in the streets, driveways will be maintained as best as possible, grass will be restored after the water services are changed over and the streets will be patched. Contact information will be in the brochure and everyone will be informed early in the process. This brochure can also be posted on the Village website. BLA has performed this type of work in Schaumburg, Palatine and McHenry County and we encourage the Village to contact those agencies for references and feedback on the process.

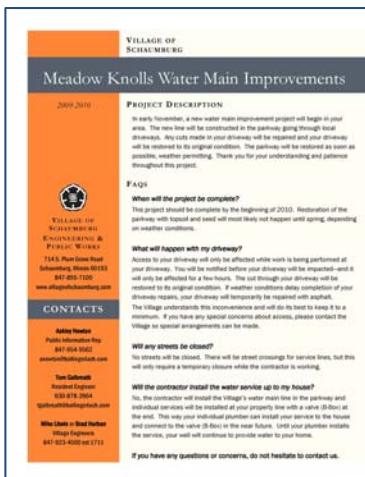


Traffic and pedestrian safety will be critical during construction. The resident engineer will carefully review each work location to ensure that traffic and pedestrians have a clearly defined path to follow. Informing the public of construction activities is critical to the success of the project. Construction projects can have a serious impact on local residences and businesses. It is important to keep affected businesses informed about the schedule and status of the project.

Public Open House: BLA recommends that an open house be conducted at the beginning of the project, inviting businesses and other interested parties to a briefing. These types of meetings have been beneficial on a number of our projects, allowing the affected community to be more a part of the project. For a business community, we propose a time as close to business hours as possible to guarantee as much attendance as possible. This would be an informal gathering designed to introduce the public to the project plans and team.



Project Flyers: Periodic project flyers can also be prepared and distributed to affected community members informing them of the project schedule and providing contact information.



As necessary, BLA will attend public meetings to brief local groups on the project status. The resident engineer will personally contact local business managers in advance of the start of work to introduce the project and establish communications links. The public needs to be informed of construction operations that will affect their lives in advance of the operations to minimize the impacts of the work.

Emergency Agency Coordination: It is also required that police and fire personnel be kept informed of the construction schedule and completion status to ensure rapid, efficient responses to emergencies within the general construction area.



Post Office: A post office is located on the project; we will contact the post master and coordinate work operations in the area to ensure that the mail goes through.



Day Care Center: A day care center is located along the project; BLA will establish contact with the principal and coordinate access to enable the smooth pickup and delivery of students to the facility.

Utility Coordination

Utility coordination and traffic control are two major components to this project that must be planned and executed properly to ensure quality outcomes. The utility coordination is critical because we will be installing an underground pipeline in right-of-way and pavement that is occupied by other utilities as well.



The project will start with a joint meeting to walk the project with the utilities and to schedule layout and locating activities. Contact information will be exchanged among all parties so the utility representatives can be called prior to excavation adjacent to their facilities. The utilities will also be invited to all scheduled progress meetings to keep them updated on weekly work plans. Metra will also be notified and included in these efforts.

Maintenance of Traffic

York Road and Green Street are heavily traveled with both auto and truck traffic. Limiting lane closures will be critical to the smooth flow of traffic on the routes. Both roads have a mix of residential and commercial, but are predominately industrialized. Where possible, lanes should be open when construction operations do not require closure.



Changeable message signs and static signing will be used to notify motorists of upcoming traffic concerns, as well as email notices posted on the website. Where driveway access may be affected, our team will contact the businesses and coordinate the work to minimize the impact on their operations.

The plans should provide a staging plan to ensure that the contractor is bidding staging that is in line with what the Village of Bensenville wishes for the

project. Plans should address number of lanes during watermain operations and how the work will be performed – especially at the intersections. BLA recommends that the work in the intersections be done at night and opened back to traffic the next morning.

Watermain work at the intersections of Green Street at Center Street, and Green Street at York Road will have significant impacts on traffic flow by crossing through the middle of the intersection. This work should be done at night with provisions that the work be backfilled, patched or plated by morning rush hour. BLA recommends that provisions be placed in the contract plans prior to bidding for this kind of operation to minimize costs to the project.



Traffic signal operations will likely be affected by the work at County Line Road and York Road. It will likely be necessary for the contractor to assume traffic signal maintenance and replace loops affected by the milling and resurfacing of the roadway. We will work with Cook County to tweak signal timing to optimize the flow of traffic during construction.

At night, all trenches will be backfilled or protected as appropriate. The water services will have to be connected once the mains are tested, but paving may not occur for some time.

Other Concerns

CCDD: CCDD testing should be provided for in the plans, if not, BLA can provide this service for an additional fee. The location of gas stations at the intersection of Green Street and York Road, as well as a host of industries, increases the chances of encountering non-special or special waste along the project. We have had experience working with these issues before and will work with the contractor to obtain an environmental consultant to perform the needed testing if it arises.

Traffic Control Issues: Staging plans should be provided for the watermain work along with requirements for the watermain work in the intersections.

Patching: Patching limits for the watermain trench should be delineated on the plans to control the contractor's excavation operations. Limits should indicate that no additional pavement patching will be paid for unless authorized in advance. Requirements should also be placed on how long the patch may be left open without patching and opening to traffic.



Railroad Coordination: Railroad coordination is required to jack watermain under the railroad right-of-way and to accomplish the milling and resurfacing of the roadway. Our team has experience with coordination with railroads and Metra. We have performed a number of projects for Metra in the past and are aware of their procedures. It is noted that a right-of-entry permit is required in the specs, but we did not see a pay item or provision for railroad liability insurance; this is usually a separate pay item that should be included in the bid documents prior to letting to avoid a costly project extra.

ADA Sidewalks and Driveways: New regulations have had a significant effect on the installation of sidewalks and driveways making it far more complicated than in the past. Federal guidelines dictate that 2% is the maximum cross slope on sidewalks in all cases. This can present challenges especially at driveway locations where the sidewalk goes through a driveway.

On this project there are a number of areas where the right-of-way is so tight that the sidewalk is placed at the back of curb and the right-of-way line is just behind the sidewalk. Many of these spots appear to have a

slope that exceeds the maximum allowable slope requiring lowering the driveway beyond the right-of-way. BLA recommends that this be addressed in the plans and additional driveway quantities be provided to address these locations. A temporary access permit should also be obtained. If this cannot be accomplished, BLA will work with the Village to obtain access permission and address these issues as necessary.

Timely Problem Resolution

Construction schedules are often delayed due to delays in decision-making on critical issues that arise during construction.

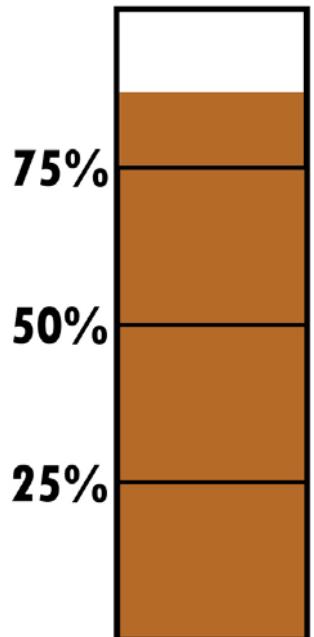
Project Progress Meetings: Regularly scheduled progress meetings will be held to keep project stakeholders updated on the construction status and to assist with the timely resolution of critical issues affecting the schedule. Attendees would include IDOT, Village of Bensenville officials, Cook County Highway Department officials, utilities, engineers, contractors, subcontractors and any other involved parties. The agenda will include a section on critical items and a thorough discussion of what issues are delaying the project. Open issues are tracked until resolved. This process identifies the individual having the responsibility to resolve the issue and a timeframe for the action to take place. A review of requests for information, submittal and change order status is also a part of the meeting format. Due to close proximity to the Bensenville Public Works facility, we suggest these meetings occur at 717 Jefferson Street.

Progress Schedule: Schedule is critical to the success of any project. It is important that the project be completed on or ahead of schedule. In order to accomplish a successful project, it will be necessary for the resident engineer to monitor the construction progress and ensure that all potential delays are identified and resolved in advance of construction operations that will be impacted by the potential delays. This is especially important with the utility companies, as they are usually the source of large delays due to other utility conflicts.

Shop Drawing, Requests for Information and Submittal Review: Timely response to all submittals is critical to maintaining a project schedule. BLA will review and respond to all submittals, working with agency officials and the designer of record where appropriate to ensure a timely turn around on all submittals.

Utility Delays: Utility delays are historically the single most common source of construction delays. Utility companies often incur delays for internal reasons as well. If selected, the first thing that BLA will do after the preliminary meeting is work with Village of Bensenville officials to arrange a utility coordination meeting. The purpose of the meeting would be to ensure that all other utility companies are aware of the contractor's schedule and that the utilities are accurately marked prior to construction.

This will be particularly important at the southwest corner of Green Street and County Line Road because of the traffic signal control box located there; as well as a 20-inch gas main, electric, communications and existing watermains. No utilities are proposed to be relocated, but the utilities can be very protective about work around their facilities.



Scope of Engineering Construction Services

The scope of work to provide construction observation will be performed in accordance with the general scope of services outlined in the request for proposal documents. The proposed scope of services is to include construction management and observation to ensure quality in the constructed product, measure in place quantities, keep accurate quantity books, prepare timely progress estimates or change orders. Water main testing will also be coordinated to ensure a safe and quality product for the Village.

General Scope of Work Items

BLA shall furnish a qualified Resident Engineer and Field Engineer (as needed) to perform the following services including, but not limited to, the following tasks:

1. Attend a pre-construction conference with the contractor, IDOT, Metra, Cook County Highway Department, Village of Bensenville and other parties.
2. Prepare and distribute project flyers.
3. Provide personal communications with the concerned business managers with face-to-face, email and phone contacts as appropriate.
4. Obtain from the contractor a list of proposed suppliers and subcontractors. Make recommendations to Village of Bensenville regarding the suitability of the subcontractors for the proposed work.
5. Review the construction schedule submitted by the contractor for compliance with the contract.
6. Approve or reject and request re-submittal of any submittals made by the contractor for compliance with the contract documents.
 - Observe the progress and quality of the executed work through a full-time Resident Engineer on site
 - Determine if the work is preceding in accordance with the contract documents.
 - Report to Village of Bensenville on the progress of the work.
 - Endeavor to guard Village of Bensenville against defects and deficiencies.
 - Advise Village of Bensenville of all observed deficiencies of the work and disapprove or reject all work failing to conform to the contract documents.
7. Provide extensive on-site observations of the work in progress and field checks of materials and equipment through a Resident Engineer who shall:
 - Serve as Village of Bensenville's liaison with the contractor working principally through the contractor's field superintendent.
 - Be present whenever the contractor is performing work on the project, especially water main testing and traffic control set up.
 - Cooperate with the contractor in dealing with the various local agencies with jurisdiction on the project in order to complete service connections to public utilities and facilities.

- Attend all construction conferences. Arrange a schedule of progress meetings and other job conferences as required.
 - Maintain and circulate copies of records of the meetings.
- Review contractor's progress on a regularly scheduled basis (weekly or other appropriate interval) and update the progress schedule.
 - Compare actual progress to the contractor has approved schedule.
 - If the project falls behind schedule, work with the contractor to determine appropriate courses of action to re-establish the schedule.
- Arrange for any required on site concrete and asphalt QA material testing (testing by others).
- Perform daily traffic control checks. The checks shall be made between sunset and sunrise. A weekly barricade check report shall be completed and delivered to the Village of Bensenville Construction Engineer. Notify the contractor and take appropriate steps to correct any deficiencies noted.
- Maintain orderly files for correspondence, reports of job conferences, shop drawings and other submissions, reproductions or original contract documents including all addenda, change orders and additional drawings issued subsequent to the award of the contract.
- Record names, addresses and telephone numbers of all contractors, subcontractors and major material suppliers.
- Prepare payment requisitions and change orders. Review applications for payment with the contractor for compliance with established submission procedure and forward them with recommendations to Village of Bensenville.
- Prior to final payment, submit to the contractor a list of observed items requiring correction and verify that each correction has been made.
- Conduct final walk through with Village of Bensenville and prepare a final list of items to be corrected.
- Verify that all items on the final list have been corrected and make recommendations to Village of Bensenville concerning acceptance.
- Conduct weekly status meetings with the general contractor.
- Prepare and distribute after Village of Bensenville approval, a weekly/bi-weekly/monthly newsletter for distribution to residents and businesses.

8. Keep a resident engineer's daily report book in Village of Bensenville's or other required format appropriate for the project, recording:

<ul style="list-style-type: none">• Hours on the job site• Weather conditions• General and specific observations• Daily activities	<ul style="list-style-type: none">• Quantities placed• Observations• Decisions• List of visiting officials
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9. Determine if the project has been completed in accordance with the contract document and if the contractor has fulfilled all obligations. Except upon written instructions from the Village of Bensenville, the Resident Engineer or Field Engineer shall not authorize any deviation from the contract documents.
10. Be present for all testing and review the data to ensure all pressure testing and bacterial sampling satisfactorily pass.
11. Shop drawings and contractor submittals:
 - Record data received, maintain a file of drawings and submissions and check construction for compliance.
 - Review contractor's submittals for compliance with contract documents.
 - Notify Village of Bensenville of any deviations or substitutions.
 - With the notification, provide Village of Bensenville a recommendation for acceptance or denial, and request direction from Village of Bensenville regarding the deviation or substitution.
 - Alert the contractor's field superintendent when materials or equipment are being installed before approval of shop drawings or samples, where such are required, and advise Village of Bensenville when it is necessary to disapprove work as failing to conform to the contract documents.
12. Record drawings:
 - Maintain a set of record drawings on which all changes are noted, deliver a reproducible set and AutoCAD drawing file(s) of them to Village of Bensenville at the completion of the Project.

Schedule

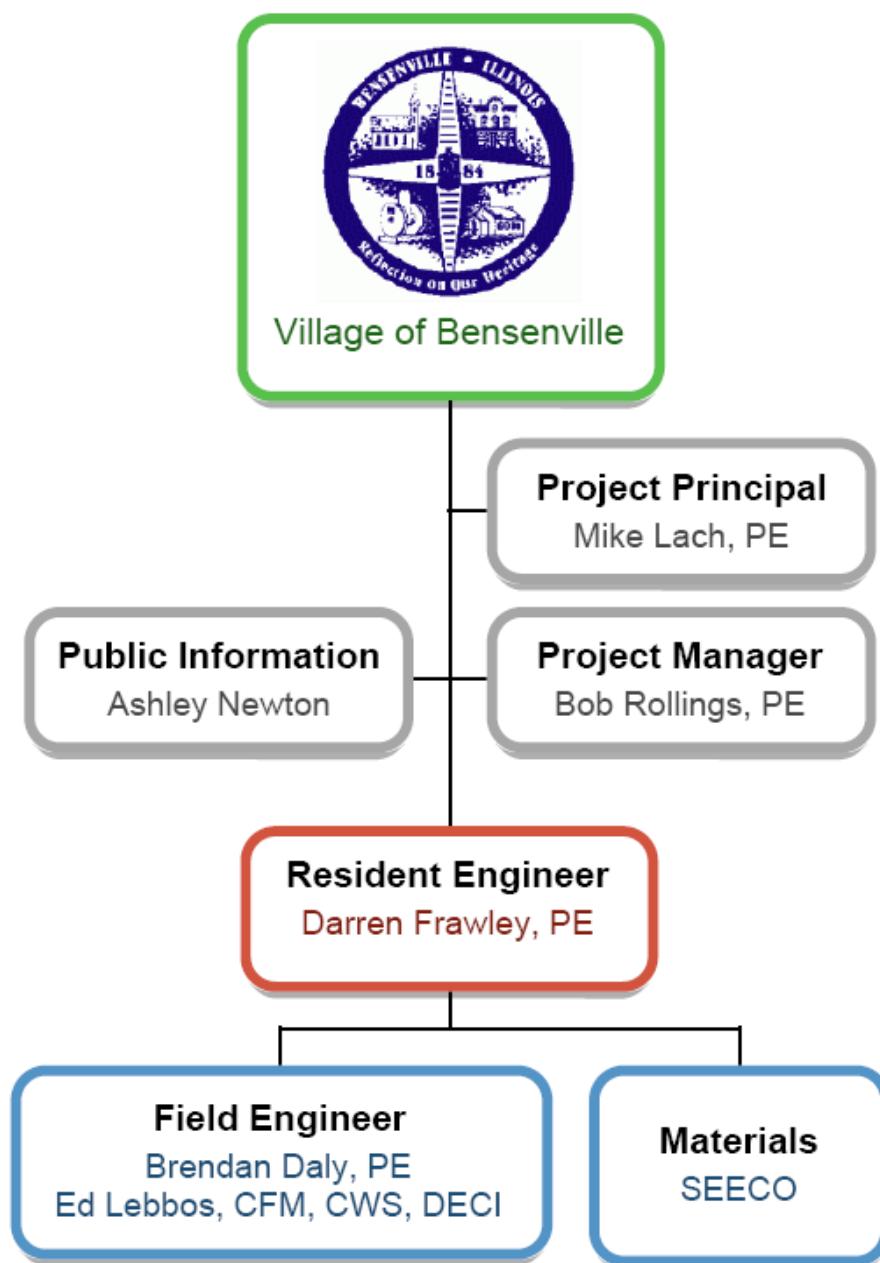
**Project Schedule for
Green Street (LAPP) Roadway Improvements and York Road-Green Street Watermain Improvements**

	2013											
	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		
Project Bidding												
Preconstruction Meeting												
Notice to Proceed												
Watermain Construction												
Roadway Construction												
Substantial Completion												
Punch List												
Project Closeout & Record Drawings												

Project Team

All of the proposed staff in the Organization Chart are available to serve the Village of Bensenville. BLA is giving Bensenville its “A Team.” These are our most qualified staff for each of the required disciplines. The personnel shown are the staff that will be assigned to project based on the requirements and need for their engineering expertise.

Organization Chart



Staff Qualifications

Name/Registration/ Title	Years of Exp./ @Firm	Municipal Project Experience
Michael Lach, P.E. <i>Project Principal</i>	39/34	Project Principal for municipal and county projects. Responsible for design and construction services for many watermain infrastructure improvement projects. A sample list of construction service projects includes: 7,000 LF 16" and 12" watermain for DuPage County; 4,500 LF 12" watermain in Bolingbrook for the Kling Corporation; 10,000 LF 12" and 8" watermain for Manheim Business Park; 8" and 12" watermain extensions for two 40 acre commercial retail centers; constructability review of 1.5 miles of 12" watermain replacement; principal in charge of numerous corporate campus watermain and infrastructure retro-fitted reconstruction projects. Funding sources range from SSA, SAA, TIF, grants, IEPA loans and private sources.
Bob Rollings, P.E. <i>Project Manager</i>	37/10	Professional experience in construction engineering since 1975. Served as IDOT Bureau Chief of Construction for 12 years, overseeing all local agency project construction in District 1 (Schaumburg). Project Manager for BLA on a wide variety of Local Agency projects for the Villages of Schaumburg, Palatine and Lisle; Cities of Elgin, Highland Park, Highwood, Bolingbrook as well as the Counties of McHenry, Kane, Cook and DuPage.
Darren Frawley, P.E. <i>Resident Engineer</i>	10/4	Project construction engineer for a variety of projects, including IDOT and Local Agencies, including Highland Park, Highwood, Schaumburg and Palatine. IDOT documentation certified, familiar with hot mix asphalt and concrete paving, watermain, sanitary sewer, storm sewer, excavation, curb and gutter, drainage, traffic signals and electrical work.
Brendan Daly, P.E. <i>Field Engineer</i>	16/5	Experience includes design and resident engineering for municipal projects such as watermains, storm sewer and sanitary sewer. Involvement includes construction management, topographic surveying, utility coordination, plans, specifications and permitting. Water projects include design and resident engineering for 7,000 LF 16" and 12" watermain for DuPage County; 4,500 LF 12" watermain in Bolingbrook for the Kling Corporation and Illinois American Water; 8" and 10" watermain extensions for the City of Zion including two bores under State routes; recent roadway inspection includes Zion 2012 MFT where he served as resident engineer.
Ed Lebbos, CFM, CWS, DECI <i>Field Engineer</i>	20/2	More than 19 years as municipal engineer for the Village of Lake Zurich, conducting inspections for over 1,700 residential, commercial, industrial and institutional developments. Oversaw construction and ensured implementations according to the approved engineering plans, specifications and local, State/Federal requirements. Also performed municipal engineering, prepared public and private improvement plans for roadways and utilities, reviewed permitting, conducted watershed engineering analysis, acted as floodplain manager, performed wetland investigations, worked with public works, performed general engineering and has contract management experience.
Ashley Newton <i>Public Information</i>	5/3	Professional experience since 2007 in all aspects of communications. Ashley is the Public Information Representative/Marketing Coordinator for BLA. She is responsible for coordination, development and production of all marketing materials. Ashley is in charge of website development and maintenance of any project websites along with creation of project-specific brochures and flyers. Ashley has handled public relations and information for the following clients: Lake County DOT (multiple projects), Highland Park, Highwood, Schaumburg (multiple projects), McHenry County DOT (multiple projects) and Palatine.

All the above will be available for this project.

MICHAEL W. LACH, P.E.

President

Education

*University of Illinois, Urbana – B.S.
Civil Engineering, 1972*

Professional Registration

*Professional Engineer
State of Illinois: #062-035732, 1977
State of Wisconsin: #17725-6, 1978
State of Indiana: #60017796, 1978
State of Michigan: #6201025552,
1978*

Professional Societies

*Member – National Society of Professional Engineers (NSPE);
American Council of Consulting Engineers (ACEC); Illinois Society of Professional Engineers (ISPE);
American Society of Civil Engineers (ASCE)*

Industry Activities

Served 2 years as an appointee to the Storm Water Advisory Special Task Force in DuPage County regarding a Utility Fee Based Program

Served on the Renew Abbey Springs (RAS) Committee, an 8 million dollar capital renewal of the facilities

Served as a liaison to the Architectural Review Committee for the Abbey Springs Development for the past 10 years

Organized, managed and instructed engineering seminars for engineering, construction and office staffs of various organizations including McDonald's Corporation, U.S. Postal Service, etc.

Experience Summary

Over 34 years as owner/partner at Bollinger, Lach & Associates, Inc.

Experience since 1973 in design, plans and specifications for: highways, subdivisions, roads, lighting, storm sewers, water distribution systems, wells and storage/ treatment facilities; sanitary sewer systems, lift stations and treatment facilities, hydrologic and hydraulic studies, mass and finish grading and earthwork; stormwater management including dams, reservoirs, lakes, rivers, etc., wetlands mitigation, urban renewal projects, airports, construction supervision, soil erosion and sedimentation control and government submittals, permits and approvals.

Principal in charge of numerous roadway design projects for Illinois Department of Transportation, Illinois State Toll Highway Authority, municipalities and developers. Some projects worked on are Roosevelt Road in Glen Ellyn and Wheaton, West Street and Naper Boulevard both in Naperville and the northern most portion of the North-South Tollway.

Representative Projects

Project Principal for York Township Watermain Improvements; DuPage County – Work involved a major Lake Michigan water transmission main in unincorporated Oak Brook Terrace to replace an existing failing watermain/well system. The new 7,000 LF 16" and 12" transmission is to serve two newly formed special service areas. Work includes routings, easements, designs, permitting, construction through environmentally protected areas, estimates of cost and coordination with multiple government agencies.

Project Principal for utility extensions; Kling Corporation – Design, permitting and construction for the extension of 3,000 feet of sanitary sewer and 4,500 feet of 12-inch water main to serve 12 acres of commercial properties. Work included permitting through IDOT and IEPA as well as Illinois American Water Company and the Villages of Woodridge and Bolingbrook.

Project Principal for Manheim Business Park; Shaw Company – A 900-acre business park development requiring a master backbone infrastructure improvement. Design and construction services included 10,000 feet of 12 inch water main as well as sanitary and storm sewer and stormwater management.

Project Principal for Fountain Square of Lombard and Fountain Square of Waukegan Shopping Centers – Both projects were approximately 40 acres of retail shopping centers requiring design and construction of significant infrastructure improvements including eight and 12-inch water mains. Funding for the infrastructure was SSA grants, TIF and private sources.

Project Review Consultant; Abbey Springs – Provided review and construction consulting for 1.5 miles of a 12 inch water main replacement of an old break-prone system through existing development, special management areas and roadways.

Project Principal for Village of Hainesville Municipal Engineering – Work involved Village of Engineering Services including review, planning and studies of roadways, watermains, sanitary sewers, storm sewers, stormwater management, residential subdivision design reviews, retail/commercial/industrial development design reviews, infrastructure evaluations, public hearings and general reporting to elected officials.

ROBERT R. ROLLINGS, P.E.

Director of Construction Engineering

Education

University of Missouri-Rolla – B.S. Civil Engineering, 1975

Professional Registration

Professional Engineer

State of Illinois: #062-041841, 1984

State of Wisconsin: #39584-6, 2008

Certifications

IDOT Documentation #07-0075

Value Engineering NHI 82-19, 12/9/83

Professional Societies

President – American Public Works Association (APWA) Fox Valley Branch; Illinois Association of Highway Engineers (IAHE); Illinois Road & Transportation Builders Association (IRTBA); American Council of Engineering Companies (ACEC-IL)

Specialized Training

ALPS (Accelerated Leadership Proficiency Series)

ELDS (Executive Leadership Development Training)

Industry Activities

Past President of APWA, Fox Valley Branch; Member of Fox Valley Branch Education Committee

Served as District 1 Champion for Construction Partnering

Served 12 years on the IRTBA and IDOT District 1 Forum

Member of ACEC Committee with Cook County and IDOT District 1

Past Chairman of the APWA, Fox Valley Branch Education Committee

Experience Summary

Experience since 1975. Director of Construction Engineering managing a variety of construction projects for IDOT, ISTHA and various counties and municipalities.

Over 27 years of service in the District 1, Bureau of Construction at the Illinois Department of Transportation (IDOT) ranging from construction layout, inspection and documentation to Area Construction Supervisor and Bureau Chief of Construction. Extensive experience with MFT, STP and CMAQ funding sources.

Representative Projects

Project Manager for Short Street Bridge; Village of Lisle – The project received an APWA award for project of the year. The project was built utilizing STP and BRP funding. The scope included complete removal and replacement of the existing bridge, a new storm sewer, HMA bike path, curb and gutter, sidewalk and landscaping restoration. Coordinated the project with the local officials to minimize public issues. Worked with the Village of Lisle to minimize major delays due to a ComEd line running through the bridge.

Project Manager for Palatine Road and Plum Grove Road; Village of Palatine – Work included widening and reconstruction of the existing roadways and intersection in a suburban community utilizing STP and CMAQ funding sources. Also included reconstruction of two railroad crossing widening and replacements with the UPRR. A project website was utilized to ensure solid communications with interested parties. A project kick off meeting was held with the public to explain the construction schedule and process. Job information flyers were prepared and distributed along with door to door resident contact.

Project Manager for Wright Boulevard; Village of Schaumburg – Work included widening and reconstruction of the existing roadway with new storm sewer, traffic signals and street lighting in a suburban community utilizing STP and CMAQ funding sources. Work also included construction of a new bike path along the west side of the roadway. A project website was utilized to ensure solid communications with interested parties. A project kick off meeting was held with the public to explain the construction schedule and process. Job information flyers were prepared and distributed along with door to door resident contact.

Project Manager for IL 22 at IL 21; IDOT – Work included widening and reconstruction of the existing roadway with new concrete pavement including storm sewer and traffic signals. Also included the installation of a new bike path along the south side of the roadway.

Project Manager for Crystal Lake Avenue; City of Crystal Lake – Work included widening and reconstruction of the existing roadway in a suburban community utilizing STP and CMAQ funding sources. Work also included construction of a new bike path along the north side of the roadway. A project website was utilized to ensure solid communications with interested parties. Door to door introductions along with a project kick off meeting were held with the public to explain the construction schedule and process. Job information flyers were prepared and distributed along with door to door resident contact.

Project Manager for Pingree Road; City of Crystal Lake – This work involved the lowering of Pingree Road and extensive coordination with IDOT for intersection of US 14. This project was funded through IDOT with STP and CMAQ funding. Construction value: \$2 million.

DARREN C. FRAWLEY, P.E.

Resident Engineer

Education

Marquette University – B.S. Civil Engineering, 2002

Professional Registration

Professional Engineer:

State of Illinois: #062-064515, 2012

Certifications

IDOT Documentation

IDOT ICORS (Illinois Construction Records System)

IDOT Soils Field Testing & Inspection

WISDOT ARRA (American Recovery Reinvestment Act) Construction Project Requirement & Reporting

WISDOT Construction Standards

WISDOT Erosion Control

WISDOT Material Quality Control

WISDOT Signing, Marking & Signal Monotubes

APWA Certified Public Infrastructure Inspector

Specialized Training

Experienced with the use of total stations, data collectors, laser levels, performing level loops and GPS surveying software/equipment.

Specialized Software

Microsoft Office, Microsoft Project, AutoCAD, Primavera, Heavy Construction Systems Specialists (HCSS) Software, Timberline, Agtek and Internet proficient.

Experience Summary

Experience since 1998 in surveying, estimating, project management, field inspection and resident engineering. Experience as a construction engineer with responsibilities of resident engineer on transportation projects. Project experience includes HMA and concrete roadways, erosion control, storm sewers, box culverts, retaining walls, pavement reconstruction, electrical work on traffic signals and lighting, high voltage underground cables and monitoring utilities relocation. Experience as a construction manager with responsibilities of project manager/estimator on site work projects. Project experience includes planning, estimating, scheduling, GPS system management, invoicing, cost control and fleet management. Managed projects implemented by IDOT, Village of Glenview, City of Aurora, City of Chicago, City of Highwood, City of Highland Park, Village of Tinley Park and Village of Rolling Meadows.

Representative Projects

Project Engineer for a \$3.5-million project to reconstruct Western Avenue from Half Day Road to Washington Avenue, City of Highwood and City of Highland Park – The project included extensive public relations, sanitary sewer, watermain, storm sewer, pavement removal, earth excavation, aggregate base course, curb and gutter, HMA paving and thermoplastic striping. Performed inspection activities, oversaw utility relocations, inspected erosion control and managed contract schedule.

Project Engineer for a \$0.9-million project to widen IL Route 137 (Buckley Road) at O'Plaine Road in Green Oaks, IDOT Contract – The project included a concrete retaining wall, storm sewer, earth excavation, aggregate base course, curb and gutter, PCC pavement, pavement milling, HMA Paving, and traffic signals. Performed inspection activities and solved onsite issues.

Project Engineer for a \$1.7-million pavement-patching project in Lake County, IDOT Contract – The project included layout and inspection of pavement patches and traffic control for various locations throughout Lake County, IL.

Project Engineer for a \$1.7-million project to resurface Midlothian Road from IL Route 176 to Old McHenry Road, IDOT Contract – The project included curb and gutter removal and replacement, utility adjustments, full depth HMA patching, aggregate shoulders, guardrail, pavement milling, HMA paving, detector loop installation, thermoplastic striping, and reflectors. Performed inspection activities, performed QA concrete testing, oversaw QC testing, and solved onsite issues.

Project Engineer for a \$1.1-million project to resurface IL Route 43 (Waukegan Road) from Pulaski Drive to Martin Luther King Drive, IDOT Contract – The project included curb and gutter removal and replacement, utility adjustments, full depth HMA patching, HMA shoulders, pavement milling, HMA paving, detector loop installation, thermoplastic striping, and reflectors. Performed all inspection activities, performed QA concrete testing, oversaw QC testing and solved onsite issues.

Project Engineer for a \$5-million project to reconstruct IL Route 22 (Half Day Road) and IL Route 21 (Milwaukee Avenue) Intersection, IDOT Contract – The project included installation of a new storm sewer system, PCC pavement reconstruction, curb and gutter, sidewalk and bike path, roadway lighting and traffic signals, and a cast-in-place box culvert. Redesigned storm sewer to avoid conflicts, and aided in the restaging of the project and other issues resulting from multiple utility conflicts. Lead inspection activities, solved onsite issues, coordinated the QC/QA program and documented all plan revisions.

BRENDAN P. DALY, P.E.

Project Manager

Education

University of Illinois - B.S. Civil Engineering, 1995

Elmhurst College - MBA Candidate, 2011-present

Professional Registration

Professional Engineer:

State of Illinois: #062-054900, 2001

State of Indiana: #10200422, 2002

Professional Societies

Past President– American Public Works Association (Chicago Metro-Suburban Branch)

Past President- Illinois Society of Professional Engineers (Champaign Chapter)

Member- Project Management Institute

Specialized Software

WaterCAD

StormNet

StormCAD

AutoCAD Civil 3D

AutoTurn

MicroStation

TR 20

Experience Summary

Experience since 1996. Civil engineering experience includes design and construction engineering for municipal projects such as roadways, water mains, storm sewer mains and sanitary sewer mains, sidewalks and bike paths. Involvement in these projects includes construction observation, construction management, topographic surveying, utility coordination, preparation of plans and specifications, permitting and bidding assistance.

Representative Projects

Project Manager for Zion 2012 MFT; City of Zion – Work included the design, permitting and resident engineering for Zion's 2102 road program. The project included full depth reclamation (FDR) and was the first to be approved for MFT funding in IDOT District 1. Resident engineering included contractor coordination, quantity measurement, pay application processing and on-site pavement observation. The project was delivered on-time and under budget. The FDR process conservatively saved the City \$100,000 compared to traditional mill and resurfacing.

Project Manager for York Township Water Main; DuPage County - Design of 7,000 lineal feet of 16-inch water main to reinforce the DuPage County water system in York Township from Butterfield Road to 15th Street and Michigan Avenue. Special management areas were encountered and permits were secured to let the work. Design also included boring under some existing wetlands and routing the watermain to avoid others where possible. Served as assistant to Fred Page as Resident Engineer and worked on water main testing and project paperwork.

Project Manager and Resident Engineer for Utility Extensions; Kling Corporation - Design and permitting for the extension of 3,000 feet of sanitary sewer and 4,500 feet of 12-inch diameter water main to serve 12 acres of commercial properties. Work included permitting through IDOT and IEPA as well as Illinois American Water Company and the Villages of Woodridge and Bolingbrook. Served as Resident Engineer for construction.

Project Manager for 21st Street Water Main; City of Zion - Phase II design of water main extensions/replacements in four locations in Zion to replace old mains and reinforce the grid. Project includes a trenchless crossing of IDOT right-of-way on Sheridan Road and the length of the complete project is 2,100 feet.

Project Manager for Water Main Extensions; City of Zion - Phase II design of water main extension in Zion to loop the City of Zion water main on Green Bay Road south of Russell Road north to Trumpet Park Subdivision. Project includes a trenchless crossing of IDOT right-of-way on Green Bay Road and the length of the project is 3,700 feet.

Project and Resident Engineer for 16" diameter water mains in North Chicago (Phases 1 and 2) –Project included engineering design of 8,000 lineal feet of 16" mains, specification writing and permitting with IEPA. Also served as Resident Engineer for Phase I which included observation of 3,500 feet.

Project Manager for Jefferson Street Sidewalk; Village of Bensenville - Design of 3,500 feet of sidewalk to fill in the gaps on Jefferson east of York Road. The project was funded with CMAQ money and the plans specifications and cost estimates were prepared in accordance with IDOT standards.

EDMOND LEBBOS, CFM, CWS, DECI

Environmental Engineer

Education

University of Illinois – B.S. Civil Engineering, 1988

Professional Registration

Certified Floodplain Manager

Certified Wetland Specialist

Continuing Education / Certifications

Army Corps of Engineers – Wetland Delineation and Management Training Program

Professional Affiliation

Member – American Public Works Association (APWA); American Society of Civil Engineers (ASCE); Structural Engineering Institute (SEI); Illinois Association for Floodplain and Stormwater Management (IAFSM); Society of Wetland Scientist (SWS); Lake County Technical Advisory Committee (TAC); Lake County Municipal Advisory Committee (MAC)

Awards

1990 – Outstanding Village Employee given by the Lake Zurich Chamber of Commerce

1997 – Local Government Initiative Annual Award given by the Lake County Stormwater Management Commission

1999 – Outstanding Government Employee given by Lake Zurich Area Chamber of Commerce Nomination

2000 – Outstanding Government Employee given by Lake Zurich Chamber of Commerce Nomination

2006 – Outstanding Village Employee given by Lake Zurich Chamber of Commerce Nomination

Experience Summary

More than 22 years of contract management experience, resident engineering, municipal engineering, public and private improvement plans reviewing permitting process, watershed engineering analysis, floodplain manager, wetland investigation, public works.

Representative Projects

Field Engineer for Utility Extensions; Kling Corporation – Field engineer for the extension of 3,000 feet of sanitary sewer and 4,500 feet of 12-inch diameter water main to serve 12 acres of commercial properties. Duties included observation, documentation and oversight of the contractor. Reported to the Resident Engineer, Brendan Daly.

Assistant Village Engineer for the Village of Lake Zurich – Responsible for a department of five employees with an annual budget of around \$1 m. Also, provides engineering assistance and expertise regarding compliance with floodplain, Stormwater management, zoning, subdivision ordinances, review plans, specifications and engineering estimates. This position provides engineering expertise on construction projects; oversees construction and ensures that the contract is implemented according to specifications.

Old Rand Road, Midlothian Road and Downtown Lake Zurich Sanitary Sewer and Watermain System Improvement Projects, Village of Lake Zurich – Reviewed plans for and performed construction observation for approximately 19,000 feet of sanitary sewer and 24,000 feet of water main improvements, prepared a grant application through the State Agency (STP), (WPCLP) and (PWSP) Grants and Loan Programs, and administered the construction activities in accordance to the standard requirements. Inspected the construction improvements and soil erosion and sediment control practices, reviewed the quantities and cost estimate. Coordinated with the USACE, IEPA and IDOT.

Route 22 Road Roadway Improvements Project, Village of Lake Zurich – reviewed engineering plans and performed construction observation for 700 feet of 12" water main. Duties included observation, documentation and oversight of the contractor.

Midlothian Road Improvements Project, Village of Lake Zurich reviewed engineering plans and performed construction observation for 2,600 feet of 12" water main. Duties included observation, documentation and oversight of the contractor.

Lake Zurich Industrial Center Phases 1 and 2 Project, Village of Lake Zurich – reviewed engineering plans and performed construction observation for 2,500 feet of 8" water main in each phase for a total of 5,000 feet.

Lake Zurich Downtown, Village of Lake Zurich – replacement of 1,000 feet of 12" water main. Duties included observation, documentation and oversight of the contractor.

Deerpath Road Roadway Improvements Project, Village of Lake Zurich – prepared plans for and inspected 3,500 feet of Roadway Improvement, prepared a grant application through the State Agency (LAPP) and administered the construction activities in accordance to the standard requirements. Inspected the construction improvements and soil erosion and sediment control practices, reviewed the quantities and cost estimate. Coordinated with the USACE, IEPA and IDOT.

Experience

Western Avenue

Construction Cost	\$3.5 million
Resident Engineering Cost	\$332,000
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Darren Frawley, P.E.

BLA completed design plans and construction for the reconstruction of Western Avenue between Half Day Road/Prairie Avenue and Old Trail/Washington Avenue, approximately 2,600 feet, for the Cities of Highland Park and Highwood. The project included the complete replacement of the existing watermain and services, the construction of new pavement, new curb and gutter, storm sewer and the replacement or abandonment of the existing sanitary sewers, such that there is only one sanitary sewer serving the Western Avenue residences. Work also included the implementation of green practices such as pervious pavers and infiltration basins. The schedule for this project was challenging. The construction needed to be scheduled around little league games and provide parking for the ball fields located on Western Avenue; parking is already restrictive even without the construction. BLA developed a website and prepared flyers to keep the residents and the little league aware of all of the construction activities occurring and possible alternative locations for parking, etc.



BLA completed design plans and construction for the reconstruction of Western Avenue between Half Day Road/Prairie Avenue and Old Trail/Washington Avenue, approximately 2,600 feet, for the Cities of Highland Park and Highwood. The project included the complete replacement of the existing watermain and services, the construction of new pavement, new curb and gutter, storm sewer and the replacement or abandonment of the existing sanitary sewers, such that there is only one sanitary sewer serving the Western Avenue residences. Work also included the implementation of green practices such as pervious pavers and infiltration basins. The schedule for this project was challenging. The construction needed to be scheduled around little league games and provide parking for the ball fields located on Western Avenue; parking is already restrictive even without the construction. BLA developed a website and prepared flyers to keep the residents and the little league aware of all of the construction activities occurring and possible alternative locations for parking, etc.

IL Route 22 (Half Day Road) at IL Route 21/US Route 45 (Milwaukee Avenue)

Construction Cost	\$4.9 million
Resident Engineering Cost	\$550,000
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Darren Frawley, P.E.

Construction engineers representing the Illinois Department of Transportation to widen and reconstruct the intersection at IL Route 22 (Half Day Road) and IL Route 21/US Route 45 (Milwaukee Avenue). Scope of services included utility coordination and full-time observation and monitoring for the widening and reconstruction of the existing facility. The project involved adding one additional left turn lane on each leg of Half Day Road and right turn lanes on all legs of the intersection, as well as reconstruction of the Indian Creek Tributary box culvert. Due to nearby waterways, erosion control was taken very seriously, including a diversion channel for the Indian Creek Tributary. BLA coordinated the erosion control and diversion channel with the Army Corps of Engineers. Improvements included pavement removal, earth excavation, storm sewer installation, cast-in-place box culvert, finished concrete pavement, curb and gutter, steel guardrail and bicycle railing, new traffic signals and lighting, erosion control and landscaping.



Wise Road

Construction Cost	\$6.3 million
Resident Engineering Cost	\$625,000
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Mark Gemmel, P.E.

BLA construction engineers representing the Village of Schaumburg Engineering and Public Works Department on a \$6.3 million FAUS roadway reconstruction project utilizing STP and CMAQ funding sources. The project was located in a residential area within the Village, requiring constant and regular communications with the residents and businesses. Effective communication was accomplished by the preparation and distribution of a project information pamphlet at the beginning of the project, specific event



information flyers and door-to-door visits to the businesses and residents. A public information open house was held prior to beginning the work and a project website was created and maintained to provide constant full-time information. Scope of services included utility coordination and full-time observation and monitoring for the replacement of the existing roadway facility. Improvements also included pavement removal, earth excavation and embankment, storm sewer, full-depth HMA pavement, curb and gutter, HMA surface overlay, erosion control, landscaping and installation of traffic signals and street lighting.

Wright Boulevard

Construction Cost	\$3.6 million
Resident Engineering Cost	\$625,000
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Mark Gemmel, P.E.

Construction engineers representing the Village of Schaumburg Engineering and Public Works Department on a \$3.6 million FAUS roadway reconstruction project utilizing STP and CMAQ funding sources. The project is located in an industrial area within the Village of Schaumburg requiring constant and regular communications with the businesses near the project. Effective communication was accomplished by the preparation and distribution of a project information pamphlet at the beginning of the project, specific event information flyers, and door-to-door visits to the businesses. A public information open house was held prior to beginning the work and a project website was created and maintained to provide constant full-time information. Scope of services includes utility coordination, full-time observation and monitoring for the replacement of the existing roadway facility. Improvements included pavement removal, earth excavation and embankment, storm sewer, cast-in-place wall construction, finished concrete pavement, curb and gutter, hot mix surface overlay, erosion control, landscaping and installation of traffic signals and street lighting. Work also included construction of a new bike path along the west side of the roadway for the length of the project.



York Township Watermain Improvements

Construction Cost	\$1.1 million
Resident Engineering Cost	\$130,000
Project Team	Project Manager – Brendan Daly, P.E. Resident Engineer – Brendan Daly, P.E.

DuPage County has created two Special Service Areas (SSA) for the purposes of providing Lake Michigan water to unincorporated residential portions of York Township. The project included design and permitting of water transmission mains, distribution mains, coordination with other consultants on an elevated storage tank and additional distribution mains designed in another phase of the project.

The design of the over 7,000 feet of watermain incorporated directional drilling of 16-inch and 8-inch mains HDPE mains, open cutting of 16-inch, 12-inch and 8-inch ductile iron mains, residential neighborhood restoration, working around and under trees and utility coordination (DuPage County, Oak Brook, Oakbrook Terrace, DuPage Water Commission, NICOR, ComEd, etc.).

Challenges met on the project included working in special management areas, coordinating with multiple municipalities and private landowners, permitting through the State and County and bidding assistance on a job that grew in scope after award. There has been extensive Client contact on this project and we have worked within the budget framework as set by the SSA.



Zion Watermain Improvements

Construction Cost	\$333,000
Resident Engineering Cost	\$27,000
Project Team	Project Manager – Brendan Daly, P.E. Resident Engineer – Brendan Daly, P.E.



BLA completed design and construction of a water transmission main extension in Zion. This main loops the watermain on Green Bay Road south of Russell Road north to the Trumpet Park Subdivision. The project included a trenchless crossing of IDOT right-of-way on Green Bay Road and the length of the project was 3,700 feet of 10-inch watermain. 1,000 feet of the project was horizontally directional drilled to preserve trees in easements. The City had a strict budget to construct the project and we not only gave them a quality project, but the bids came in low enough that we were able to take the saved money and design another project. The work was completed on time and within budget.

Palatine Road

Construction Cost	\$9 million
Resident Engineering Cost	\$813,000
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Fred Page, P.E.

Public relations and construction management for the Village of Palatine Engineering and Public Works Department on a \$9 million Local Roads reconstruction project. The project is located in a commercial sales area within the heart of the Village of Palatine, requiring constant and regular communication with the businesses, commuters and residents. Keeping the local businesses and residents informed of construction issues before and during the project was of critical importance to the Village of Palatine.

Services included performing a plan constructability review for the project. The review focused on identification of common construction issues that may occur and ensure that the plans addressed these issues. BLA identified numerous issues, including areas where the proposed staging would not work according to plans and reviewed grade issues at driveway and street returns.

Effective public communication was achieved by the preparation and distribution of a project information pamphlet prior to the beginning of construction. Additionally, two public information meetings were conducted; specific event information flyers and door-to-door visits to the businesses during construction were required. These visits supplied firsthand updates on the construction, imparted the traffic control effects, addressed access issues and helped find best options for patron parking.

In conjunction with the Village Engineering Department, a public information open house was held prior to beginning the work to brief the public on the project and possible impacts. A project website was created, regularly updated and maintained to provide constant full-time information for the people directly impacted by construction activities. The Resident Engineer was also available full-time by mobile phone to residents and business owners.



Scope of services included utility coordination, full-time construction engineering for the replacement of the existing roadway facility and coordination of two commuter rail crossings with rehabilitation. Improvements included pavement removal, earth excavation and embankment, storm sewer, mechanically stabilized earth wall, aggregate subgrade with bituminous base course, hot mix binder and surface overlay, curb and gutter, erosion control, landscaping, sidewalks and installation of traffic signals and street lighting.

21st Street Watermain Improvements

Construction Cost	\$350,000
Resident Engineering Cost	\$22,500
Project Team	Project Manager – Brendan Daly, P.E. Resident Engineer – Brendan Daly, P.E.



This project consisted of design of watermain extensions/replacements in four locations within the City of Zion to replace old mains and reinforce their grid. Included in this project was a trenchless crossing of IDOT right-of-way on Sheridan Road and the length of the complete project was 2,100 feet of 8-inch watermain. This project included having both the old and new mains in service at once for the domestic service switch over. Multiple connections and hookups were designed with input from the City to maintain service while keeping the construction cost down.

Rakow Road

Construction Cost	\$26.6 million
Resident Engineering Cost	\$3.5 million
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Jim Stahlecker, P.E.

Construction engineers representing the McHenry County Division of Transportation on a 3.1 mile roadway widening and reconstruction project of Rakow Road from Ackman Road to IL Route 31. The project extends through the City of Crystal Lake and the Village of Lake in the Hills. Scope of services included constructability review, utility coordination, public information program and full-time observation and monitoring for the widening and reconstruction of the existing two lane facility into a six and four lane facility with medians and dedicated turn lanes. Services included performing a plan constructability review that focused on identification of common construction issues that may occur and ensure that the plans addressed these issues. BLA identified numerous issues where the proposed staging would not work and reviewed grade issues at driveway and street returns. Services included performing advanced utility coordination efforts to ensure that the utility companies relocated known conflicted facilities in advance of construction. This included checking that the utilities were being installed at the correct location within the right-of-way and at the proper depth to ensure that the utility would not be in conflict.



Implementation of a full public information program was provided including creation of a project website and an extensive personal community outreach program to inform local residents and businesses of the project. Improvements included pavement removal, earth excavation and embankment, storm sewer, bike path bridge, noise wall and MSE wall construction, PCC base course, curb and gutter, bituminous binder and surface overlay, erosion control, landscaping, six new traffic signal installations and street lighting. Coordination with the nearby Lake in the Hills Airport and the FAA for acceptance of street light, traffic signals bridge and equipment elevations.

Short Street Bridge

Construction Cost	\$1.5 million
Resident Engineering Cost	\$310,000
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Mark Gemmel, P.E.

BLA provided complete Phase III services for the reconstruction of the bridge. Coordination was provided for utility relocation prior to the start of construction. Work included removal of the existing structure and



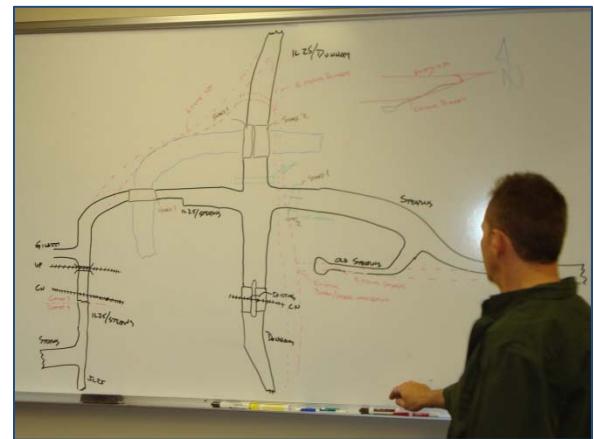
placement of a new substructure, superstructure and approaches. Phase III activities included inspection of the contractor's operations for compliance with the project documents, review of the erosion control procedures used in the sensitive area of the East Branch of the DuPage River, tracking contractor quantities for payment, overseeing the contractor's QC program for the asphalt and concrete materials, management of the required documentation for materials inspection, and preparation of the required IDOT paperwork and required inspection.

Stearns Road/IL Route 25/Dunham Road

Construction Cost	\$17 million
Resident Engineering Cost	\$2.2 million
Project Team	Project Manager – Bob Rollings, P.E. Resident Engineer – Jim Stahlecker, P.E.

Construction engineers representing the Kane County Division of Transportation on a 2.2 mile roadway reconstruction and intersection realignment project of IL Route 25, Stearns Road and Dunham Road intersections. The project extends through the Villages of South Elgin and Bartlett. Scope of services included full-time observation and monitoring for the widening and reconstruction of the existing two lane facilities into four lane facilities with medians and dedicated turn lanes. Improvements included pavement removal, pedestrian bridge removal, earth excavation and embankment, storm sewer, bridge construction, pedestrian underpass construction, PCC base course, full depth PCC and HMA pavement, curb and gutter, bituminous binder and surface overlay, erosion control, landscaping and installation of two traffic signals. Structural work included construction of a new structure for IL 25 over Brewster Creek, relocation of pedestrian bridges and two pedestrian underpasses.

Challenges included keeping the Prairie Path bicycle path open during construction after it was scheduled to be closed. ***BLA created an alternate maintenance of traffic plan with no impact to the contract schedule.*** This project included significant environmental resources requiring protection during construction. BLA coordinated all environmental and erosion control on the project with the Army Corps of Engineers and IDNR. The Brewster Creek meandered through the project and its water quality was monitored closely due to the extensive earthwork and embankment work performed on the job.



VILLAGE OF BENSENVILLE SHORT-LIST PROJECT PROPOSAL FORM

We hereby agree to furnish to the VILLAGE, services as outlined in the accompanying proposal in accordance with provisions, instructions, and specifications of the VILLAGE. This form must be signed by an authorized agent of the ENGINEER. If the ENGINEER is a corporation, the corporate seal must be affixed.

The successful ENGINEER will be required to agree to sign the VILLAGE contract and appendices (sexual harassment policy, tax liability, and CDL testing). They are provided for the ENGINEER'S information in Appendices 1 and 2.

The proposal shall be binding for ninety (90) days following the proposal due date. My signature certifies that the Proposal as submitted complies with all terms and conditions as set forth inn the Notice of Request for Proposals for GREEN STREET (LAPP) ROADWAY IMPROVEMENTS & YORK RD- GREEN ST WATERMAIN IMPROVEMENTS – RESIDENT ENGINEERING.

I/We certify that I/We am/are authorized to sign as an agent(s) of the firm:

PLACE CORPORATE SEAL HERE

By.....



Print Name.....: Michael W. Lach
Position / Title.....: President/Owner
Company Name.....: Bollinger, Lach & Assoc., Inc.
Address Line 1.....: 333 Pierce Road, Suite 200
Address Line 2.....: Itasca, Illinois 60143
Telephone.....: 630-438-6400

CONSULTING
ENGINEERS



Bollinger, Lach & Associates, Inc.

Office Locations

Corporate Office

333 Pierce Road
Suite 200
Itasca, IL 60143
(630) 438-6400
Fax (630) 438-6444

Chicago Office

8770 West Bryn Mawr
Suite 1300
Chicago, IL 60631
(773) 714-2840
Fax (773) 714-4910

Lake Geneva Office

N 1977 Schaitel Road
Unit 300
Lake Geneva, WI 53147
(262) 249-0900
Fax (262) 249-5670

South Bend Office

2422 Viridian Drive
Suite 104
South Bend, IN 46628
(574) 243-5700
Fax (574) 387-4584

Indianapolis Office

8720 Castle Creek Parkway
Suite 329
Indianapolis, IN 46250
(317) 842-4500
Fax (317) 842-4506

Green Street (LAPP) Roadway Improvements (Center St. to Eastern Village Limits) & York Road (Green St. to Roosevelt Rd.)-Green St. (Center St. to May St.) Watermain Improvements Resident Engineering

Village of Bensenville

Request for Proposal

Bollinger, Lach & Associates, Inc.
Projected Monthly Manpower Schedule

Month Number			1	2	3	4	5	6	7	8	9	10		Total Hours
Bollinger, Lach & Associates, Inc.	Month of	01/01/13	02/01/13	03/01/13	04/01/13	05/01/13	06/01/13	07/01/13	08/01/13	09/01/13	10/01/13	11/01/13	12/01/13	
Principal		4	4	4	4	4	4	4	4	4	4	4	4	24
Director of Construction Engineering		8	8	8	8	8	8	8	8	8	4	4	4	68
Resident Engineer I		20	60	194	194	194	194	194	174	174	120	40		1364
Field Engineer II														260
Public Info Officer		16	80	40	16	16	16	16	16	16	16	16		200
														0
														0
Totals		0	0	44	148	242	306	306	198	178	124	44		1916
Cumulative Manhours		0	0	44	192	434	740	1046	1348	1546	1724	1848		1892
Vehicle Days			5	8	22	22	22	22	20	20	15	5		161
DIRECT COSTS														Vehicle Days
Vehicle Costs				Days	Total	Days								
Phone/Ra dio				\$45.00 /Day	161	Days								\$7,245.00
Brochure Printing				1	\$ 70.00 /Mo	10 Mo								700.00
				100	\$ 1.00									100.00
														\$8,045.00
														Premium Portion of Overtime

ORIGINAL PROPOSAL



Illinois Department of Transportation

Cost Estimate of Consultant Services (Direct Labor Multiple)

Firm	Bollinger, Lach & Associates, Inc.
Route	Green St-York Road
Section	Capitol Project #12.2.02
County	DuPage
Job No.	
PTB & Item	Green St-York Road

VILLAGE OF BENENVILLE

DBE 0,00%

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Page 3

BDE 027 (Rev. 2/06)



Route Green St-York Road

Section

Capitol Project #12.2

County DuPage

Job No. _____

PTB/Item Green St-York Road

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verage Hourly Project Rates



January 9, 2013

Joseph M. Caracci, P.E.
Director of Public Works
Village of Bensenville
717 E. Jefferson Street
Bensenville, Illinois 60106

Attn: Mehul Patel

Re: Revised Cost Estimate for Resident Engineering Services for Green Street (LAPP)
Roadway Improvements and York Road-Green Street Watermain Improvements

Thank you for selecting Bollinger, Lach & Associates, Inc. to assist you with phase III engineering services on the York Road-Green Street improvement. We are very excited to be working with you on this project.

Enclosed please find the revised cost estimate per our telephone negotiation meeting today. Our revised estimate is to provide 1,752 man-hours at a cost NOT-TO-EXCEED \$244,528.74.

As we discussed at our negotiation meeting, phase III resident engineering is a function of time required to complete the project. BLA works to manage our time on the project as closely as we manage other aspects of the project.

The majority of our projects are able to be completed within the allowed budget. Unfortunately, some issues affecting the project duration are beyond the engineer's control. Unanticipated utility delays and delays by IDOT processing contract documents can significantly affect the time required to perform the phase III engineering services for the project. If any of these situations occur, we would work with the Village of Bensenville for extra compensation to cover the unanticipated delay expenses.

We sincerely appreciate the opportunity to submit our proposal and look forward to answering any questions you may have to further clarify our submittal.

Sincerely,
Bollinger, Lach & Associates, Inc.

Michael Lach, P.E.
President/Owner

Green Street (LAPP) Roadway Improvements (Center St. to Eastern Village Limits) & York Road (Green St. to Roosevelt Rd.)-Green St. (Center St. to May St.) Watermain Improvements Resident Engineering

**Village of Bensenville
Request for Proposal
Bollinger, Lach & Associates, Inc.
Projected Monthly Manpower Schedule**

Month Number			1	2	3	4	5	6	7	8	9	10		Total Hours
Pre-Construction Construction Activities Punch List Project Close Out														
Bollinger, Lach & Associates, Inc	<i>Month of</i>	<i>01/01/13</i>	<i>02/01/13</i>	<i>03/01/13</i>	<i>04/01/13</i>	<i>05/01/13</i>	<i>06/01/13</i>	<i>07/01/13</i>	<i>08/01/13</i>	<i>09/01/13</i>	<i>10/01/13</i>	<i>11/01/13</i>	<i>12/01/13</i>	
Principal				4	4	4	4	4	4	4	4	4	4	24
Director of Construction Engineering				8	8	8	8	8	8	8	4	4	4	68
Resident Engineer I			20	60	194	194	194	194	174	174	120	16		1340
Field Engineer II					88	32								120
Public Info Officer			16	80	40	16	16	16	16					200
														0
														0
														0
Totals	0	0	44	148	242	306	250	218	198	178	124	20		1752
Cummulative Manhours	0	0	44	192	434	740	990	1208	1406	1584	1708	1728		
Vehicle Days			5	8	22	22	22	22	20	20	15	5		161
DIRECT COSTS														Vehicle Days
Vehicle Costs		Days	Total	Days										
	\$45.00 /Day	161	Days											\$7,245.00
Phone/Ra dio	1	\$ 70.00 /Mo	10	Mo										\$700.00
Brochure Printing	100	\$ 1.00												\$100.00
														\$8,045.00
														Premium Portion of Overtime



Illinois Department of Transportation

Cost Estimate of Consultant Services

Firm	Bollinger, Lach & Associates, Inc.
Route	Green St-York Road
Section	Capitol Project #12.2.02
County	DuPage
Job No.	
PTB & Item	Green St-York Road

Date 01/10/13
d Rate _____
Factor _____

VILLAGE OF BENSENVILLE

DBE 0.00%

BDE 027 (Rev. 2/06)



Route	Green St-York Road
Section	Capitol Project #12.2.02
County	DuPage
Job No.	
PTB/Item	Green St-York Road

Consultant Bollinger, Lach & Associates, Inc.

Date 01/10/13

Sheet 1 OF 1



Illinois Department of Transportation

Payroll Rates

FIRM NAME	<u>Bollinger, Lach & Associates, In</u>	DATE	<u>01/10/13</u>
PRIME/SUPPLEMENT	<u>Prime</u>		
PTB NO.	<u>Green St-York Road</u>		
	ESCALATION FACTOR		0.00%

Construction Monitoring &
Observations
Construction Materials Testing
Tunnels and Underground Openings
Geotechnical Engineering &
Evaluation

Subsurface Explorations
Foundation Analysis & Design
Structural Rehabilitation
Condition Surveys
Dams and Drainage Studies

SEECO Consultants Inc.

CONSULTING ENGINEERS

December 18, 2012

Mr. Robert Rollings, P.E.
Bollinger Lach & Associates
333 Pierce Rd., Ste. 200
Itasca, IL 60143

PROPOSAL

Construction Materials Testing Services
Green Street and York Road, Bensenville, IL
Sec. No. 12.1.02 & 12.2.03

Dear Mr. Rollings:

SEECO Consultants, Inc. is pleased to submit our proposal for the above referenced project. In preparing our proposal, we have reviewed the quantities provided, discussed the project particulars with you and have incorporated the same within. Plans and quantities reviewed were as available on December 18, 2012. Proposal anticipates 14 days of inspection for HMA paving and patching and 11 days of inspection for PCC items.

As part of the IEPA requirements for Source Site Certification and Demolition Debris/ Uncontaminated Soil Fill Operation, SEECO proposes to perform source/site specific services. As part of the criteria for SEECO to provide a Professional Engineer's Certification of Commercial or Industrial sites (including on ROW sites) on IEPA LPC-633 Form, the following services will be applicable:

Due diligence will be performed utilizing available IEPA databases to determine the location of any Potentially Impacted Properties on or near the site. For proposal purposes, a total of 5 locations will be sampled and screened.

Representative soil samples will be collected and field screened for the presence of volatile organic vapors using a photo ionization detector (PID). Visual and olfactory senses will also be used to screen the soil samples for the presence of petroleum hydrocarbons. If no samples display an elevated PID reading, then the soil will be assumed to be, to the best of our knowledge, clean, uncontaminated fill material. Due to the commercialized area five (5) representative discrete soil samples determined by field observations to be the most conducive to transmitting potential contamination will be chemically analyzed by an Environmental Laboratory for the following parameters: 8260 – VOCs, 8270- SVOCs, 8081/8082 - Pesticides and PCBs, 6010 (8 RCRA Metals only - Ar, Ba, Cd, Cr, Pb, Se, Ag), 7470 - Mercury (Hg) and pH. This information will be documented on the IEPA LPC-663 form. The soil probes utilized to obtain the samples will extend to approximately 3-5 feet below the existing ground surface and will be performed in the non-paved areas of the site. If chemical analysis results indicate no contamination above TACO Tier 1 objectives, then the soils tested will be assumed to be, to the best of our knowledge, clean, uncontaminated fill material. This information will be documented on the IEPA LPC-663 form. If test results indicate that the soils are contaminated above said objectives, we will consult with you regarding alternate means of disposal.

Note: Above scenarios assume that materials are not from locations listed or adjacent to sites with known, or high potential for, soil contaminant issues. Screening or pre-screening of samples at job site is no guarantee that landfill facility will accept/not reject materials. Nor is it a determination that the site is entirely clean of contaminants per IEPA standards.

The construction estimated inspection and testing frequencies are as follows:

PROPOSAL AND CONTRACT

Construction Materials Testing Services
Green Street and York Road, Bensenville, IL
Sec. No. 12.1.02 & 12.2.03

December 18, 2012

Page 2

Bituminous and PCC**Field Inspection**

Estimate 200 hours @ \$127.53/hr \$ 25,506.00

Project Engineer (Coordination, Meetings and Report Review)

Estimate 20 hours @ \$144.27/hr \$ 2,885.40

Compressive Strength Tests on Concrete Cylinders

Estimate 52 cyls @ \$21.00/cyl \$ 1,092.00

Extraction/Gradation

Estimate 3 tests @ \$190.00/test \$ 570.00

Bituminous Core Density

Estimate 30 tests @ \$45.00/test \$ 1,350.00

Vehicle Charge

Estimate 28 days @ \$45.00/day \$ 1,260.00

CCDD Services**Environmental Geologist**

Estimate 16 hours @ \$99.00/hr \$ 1,584.00

PID

Estimate 2 days @ \$80.00/day \$ 160.00

CCDD Sample Analysis (above stated parameters, 5-7 day TAT)

Estimate 5 samples @ \$898.00/ea \$ 4,490.00

Project Engineer

Estimate 6 hours @ \$144.27/hr \$ 865.62

ESTIMATED PROJECT TOTAL: \$39,763.02

PROPOSAL AND CONTRACT

Construction Materials Testing Services
Green Street and York Road, Bensenville, IL
Sec. No. 12.1.02 & 12.2.03

December 18, 2012

Page 3

Overtime rates of 1.3 times the base rate will be charged for hours in excess of eight hours (before 7:00 and after 3:30) per day and weekend hours. All field charges are portal to portal with a four hour minimum. Rates valid for 2013 construction season. Negotiated increases required if prevailing wage rates increase. If this proposal is acceptable, along with the attached general conditions please prepare a subconsultant agreement for this work.

SEECO's field representatives are represented by Local 150 of the Operating Engineers. Onsite cancellations are subject to an eight hour minimum charge. Telephone cancellations after travel commences are subject to a minimum charge of three hours.

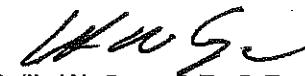
If there are any questions with regards to this proposal, I would be glad to discuss them with you. We are very interested in providing you with our services on this project and assure you of our utmost cooperation.

Respectfully submitted,

SEECO Consultants, Inc.



Donald C. Cassier
Director of Field Services



Collin W. Gray, S.E., P.E.
President

DCC:arm

O:\Proposals\QC\BLA 121812.doc

RESOLUTION NO. _____

**AUTHORIZING THE EXECUTION OF AN ENGINEERING SERVICES
AGREEMENT WITH BOLLINGER, LACH & ASSOCIATES, INC. FOR THE
GREEN STREET LAPP PROJECT
AND
GREEN ST- YORK ROAD WATER MAIN REPLACEMENT PROJECT
IN THE AMOUNT OF \$244,528.74**

WHEREAS the Village of Bensenville applied and was awarded Federal Surface Transportation Program funding in the amount of \$770,000 (70% of the estimated \$1,100,000 project) for the Green Street LAPP project; and

WHEREAS the funding has been extended for two years through 2016; and

WHEREAS prior to performing the LAPP project, the Village should perform a water main upgrade project along Green Street and York Road to provide adequate pipe size for fire flow protection and distribution system looping; and

WHEREAS this two projects combined into one project will appear on the IDOT letting schedule on March 8, 2013 and

WHEREAS the Village is responsible for securing construction management services; and

WHEREAS the Village requested proposals from four firms on our Resident Engineering Shortlist to perform the necessary construction management services; and

WHEREAS Bollinger, Lach & Associates, Inc. of Itasca, IL was considered the Most Qualified Firm (MQF) based on result from the Evaluation Team; and

WHEREAS the “Engineering Services Agreement,” which defines the scope of work necessary to complete this project, is attached to this Resolution.

NOW THEREFORE BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute the necessary documents to Bollinger, Lach & Associates, Inc. of Itasca, IL for an engineering services agreement for the Green Street LAPP and Green St-York Rd Watermain Replacement Project in an amount of \$244,528.74.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, on this _____ day of _____, 2013.

APPROVED:

Frank Soto

Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Resolution to approve a 12 month contract extension for HVAC maintenance with Precision Mechanical for an amount not to exceed \$22,736.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/> <i>Financially Sound Village</i>	<input type="checkbox"/> <i>Enrich the lives of Residents</i>
<input type="checkbox"/> <i>Quality Customer Oriented Services</i>	<input type="checkbox"/> <i>Major Business/Corporate Center</i>
<input type="checkbox"/> <i>Safe and Beautiful Village</i>	<input type="checkbox"/> <i>Vibrant Major Corridors</i>

COMMITTEE ACTION: I & E (unanimous approval)

DATE: 01/15/2013

BACKGROUND: This service contract maintains HVAC systems throughout the Village and provides routine inspections of multiple facilities.

KEY ISSUES: Precision Mechanical Inc. of Franklin Park, Illinois has provided this service for the Village reliably in the past. This is a service contract extension for 2013 which holds prices agreed upon within the 2011 bid. This service contract maintains HVAC systems at the following Village locations:

Wastewater Treatment Plant – 711 E. Jefferson St.
Public Works Building – 717 E. Jefferson St.
Edge I – 545 John St.
Edge II – 735 E. Jefferson St.
Police station – 100 N. Church Rd.
Sundaes Too Ice Cream Shop – 9-15 S. Center St.
Theater – 9 S. Center St.
Village Hall – 12 S. Center St.

Work performed includes 90 hours of inspection time in the spring and 90 hours of inspection time in the fall. The following prices were agreed upon in the 2011 bid:

Company:	5/1/2011 – 12/31/2012 (20 Month Price)	1/1/2013 – 12/31/2013 (12 Month Price)	32 Month Total:
Precision Mechanical Inc.	\$42,968	\$22,736	\$65,704

Staff is bringing forward to the Village Board contract renewal forms for multi-year contracts. Bids are obtained for multi-year programs to provide cost benefits and cost protection to the Village. Assuming satisfactory performance, staff will recommend extensions via Village Board approval.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Proceed with the automatic renewal for 2013 as agreed upon within the 2011 bid for HVAC service with Precision Mechanical, Inc. of Franklin Park, Illinois to provide HVAC maintenance service for Village buildings.

BUDGET IMPACT: \$23,000 was budgeted in the FY2013 Budget. (Account No. 11050440 549990)

ACTION REQUIRED: Resolution Authorizing the Approval of a Contract Extension to Precision Mechanical Inc. for HVAC Maintenance in the Not To Exceed Amount of \$22,736.

**EXTENSION OF AGREEMENT FOR HVAC MAINTENANCE SERVICES FOR THE
VILLAGE OF BENSENVILLE, ILLINOIS**

THIS EXTENSION OF AGREEMENT is made on this ___ day of January, 2012, between the Village of Bensenville, Illinois (hereinafter "OWNER"), whose principal address, for the purposes of any notice required herein, is: Director of Public Works, 717 E. Jefferson Street, Bensenville, Illinois 60106, and Precision Mechanical Inc. (hereinafter "CONTRACTOR"), whose principal addresses, for the purposes of any notice required herein are: 9915 W. Pacific Avenue, Franklin Park, IL 60131

OWNER and CONTRACTOR acknowledge and mutually agree as follows:

1. OWNER and CONTRACTOR entered into a 20 month Agreement for HVAC Maintenance Services for the Village of Bensenville, Illinois dated April 26, 2011. This Agreement included a 12 month extension for services in 2013.
2. The OWNER hereby enacts the automatic extension term of the Agreement for 12-months from January 1, 2013 through and including December 31, 2013 for a total cost of \$22,736.
3. Any and all other provisions of the Agreement (or subsequent Amendments) not otherwise amended herein shall remain applicable, governing and in full force and effect throughout the Extended Term of the Agreement.

Both parties indicate their approval of this Extension of Agreement by their signatures below.

Precision Mechanical Inc. By:

Authorized Signature

Printed Name

Title

Date

Village of Bensenville, By:

Authorized Signature

Printed Name

Title

Date

Resolution No.

**AUTHORIZING THE APPROVAL OF A CONTRACT EXTENSION
TO PRECISION MECHANICAL, INC.
FOR HVAC MAINTENANCE
IN THE NOT TO EXCEED AMOUNT OF \$22,736**

WHEREAS the Village of Bensenville owns various HVAC systems within Village properties, and

WHEREAS the Village of Bensenville contracts out the routine and inspectional maintenance on each HVAC system annually, and

WHEREAS the Village of Bensenville entered into a contract with Precision Mechanical, Inc. on April 26, 2011 (R-42-2011) that included an automatic renewal for the 2013 calendar year, and

WHEREAS, the Village of Bensenville desires to execute the automatic renewal for January 1, 2013 through December 31, 2013, and

WHEREAS, an "Agreement Extension Form" has been attached to this Resolution as Exhibit A.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Precision Mechanical, Inc. of Franklin Park, Illinois to provide HVAC maintenance service in the not to exceed amount of \$22,736.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2013.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 1/16/2013

DESCRIPTION: Resolution to approve cost participation on IDOT project (section # 2012-070 I) for LED Traffic Signal upgrades along IL 83 and IL 19 in the amount of \$11,702

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>		<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I & E (unanimous approval)

DATE: 1/15/2013

BACKGROUND: Illinois Department of Transportation (IDOT) is proposing to install LED upgrades at all traffic signals along state routes within DuPage County. IL-19 and IL-83 are the two state routes going through our community. There are a total of seven (7) traffic signals along state routes within Bensenville.

Installation of LED lights at the traffic signal is becoming a more common practice around the nation for the last 10 years. The two biggest advantages of the LED signals over conventional signals are lower power consumption (10 W to 22 W) and longer life span (7 to 10 years). When compared with the typical energy needs of an incandescent bulb, which is 135 Watts, the savings resulting from the low energy usage of LED signals can be as high as 93%. In addition to the low energy usage, the long life of LED signals means low maintenance costs, which makes LED signals a worthwhile investment and also environment- friendly.

The Village initiated its own upgrades last year by installing LED lights at the traffic signal on York Road at Memorial Road. The Village will continue to upgrade the rest of the traffic signals along York Road with LED in the year 2013.

Based on the estimated costs for the upgrades, IDOT will be responsible for a payment \$428,605 while the Village will be responsible for a payment of \$11,701.25.

IDOT has prepared an agreement for cost participation that must be executed and returned prior to February 1, 2013 in order to participate and take advantage of these low-cost upgrades.

KEY ISSUES: This project will be managed by IDOT and the only action required by the Village is approval of the Agreement.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends execution of the Agreement prepared by IDOT

BUDGET IMPACT: This is a non-budgeted item in CY-2013 as the Village was not aware of such projects coming through from IDOT. We propose to utilize Account No. 11050420 549990 as \$15,000 was budgeted for traffic signal modernization. Utilizing these funds may cause the Village to push out our own traffic signal modernization, look for alternate funding (grants), or sacrifice another initiative to perform this work.

ACTION REQUIRED: A motion to approve a Resolution authorizing the execution of an Agreement between the Village and State of Illinois for approval of cost participation on IDOT project (Section # 2012-070 I) to install LED Traffic Signal upgrades along IL 83 and IL 19 in the amount of \$11,702.



Village of Bensenville

Department of Public Works

717 E. Jefferson Street
Bensenville, IL 60106
Phone (630) 350-3435 Fax (630) 594-1148

MEMORENDUM

Date: January 4, 2013

To: Joseph Caracci, P.E. - Director of Public Works

From: Mehul T. Patel, P.E., CFM - Civil Engineer

Copy: Michael Cassady, Village Manager

Subject: **LED Traffic Signal Upgrades (IL-83 and IL-19)**

The Engineering Division within Public Works Department received the following material for review on January 3, 2013:

- Proposed Highway Plans for Light Emitting Diode (LED) Installation prepared by Gewalt Hamilton Associates, Inc. for Illinois Department of Transportation (IDOT) dated December 20, 2012 (Section # 2012-070 I/ Contract # 60V80)
- Letter of Correspondence for cost participation dated December 26, 2012
- Three (3) copies of blank agreement to between IDOT and the Village stating the terms of cost participation and maintenance

IDOT is proposing to install LED upgrades at all traffic signals along state routes within DuPage County. IL-19 and IL-83 are the two state routes going through our community. There are a total of seven (7) traffic signals along state routes within Bensenville.

The cost participation is similar to the federal Highway Safety Improvement Program (HSIP). State funds will be used for 90% of the upgrades with the remaining 10% split based on the proportionate share of approach leg jurisdiction. Based on the estimate provided, the Village's share is approximately \$11,701.25. Please note this amount can change based on the actual cost of the project. The Village will have to pay 80% of its share in a lump sum upon the award of the project while the remainder of the 20% will be paid in a lump sum upon completion based on the final project costs. It should be noted, the Village was not aware of such projects coming through from IDOT; hence, we had not budgeted for it in 2013.

Installation of LED lights at the traffic signal is becoming a more common practice around the nation for the last 10 years. The two biggest advantages of the LED signals over Conventional signals are lower power consumption (10 W to 22 W) and longer life span (7 to 10 years). When compared with the typical energy needs of an incandescent

bulb, which is 135 Watts, the savings resulting from the low energy usage of LED signals can be as high as 93%. In addition to the low energy usage, the long life of LED signals means low maintenance costs, which makes LED signals a worthwhile investment and also environment- friendly.

The main disadvantage of the LEDs is their initial cost which can range from \$57.00 for a red display to \$127.00 for a pedestrian display. An incandescent bulb used for traffic signals typically costs about \$2.75 per bulb.

The Village initiated its own upgrades last year by installing LED lights at the traffic signal on York Road at Memorial Road. The Village will continue to upgrade the rest of the traffic signals along York Road with LED in the year 2013. This work was and will be performed in house by the Public Works staff.

Upon review of the aforementioned material, the Engineering Division recommends the Village to accept the terms listed in the agreement and take advantage of this low participation cost opportunity to upgrade our traffic signals. Should the Village decide to participate, the aforementioned agreement must be executed and returned to IDOT prior to February 1, 2013.

Please let me know if and how you would like to proceed.



Illinois Department of Transportation

Division of Highways/Region One / District One
201 West Center Court/Schaumburg, Illinois 60196-1096

RT 1 (D) IL 19 and IL 83 at various-Contract 60V80

January 8, 2013

The Honorable Frank Soto
Mayor
Village of Bensenville
12 South Center Street
Bensenville, IL 60106

Dear Mayor Soto:

The Illinois Department of Transportation is proposing to upgrade the traffic signals on state highways with Light-Emitting-Diode (LED) modules. This program is meant to complete the transformation in the State from incandescent traffic signal optics to low energy consuming, reduced maintenance and enhanced visibility LED type signals. Battery back-up is also included in the program to allow the traffic signal to operate during temporary short term power outages.

The LED upgrade program will require cost participation similar to the federal Highway Safety Improvement Program (HSIP). State funds will be used for 90% of the traffic signal upgrade costs with the remaining 10% split based on the proportionate share of approach leg jurisdiction. This represents lower local cost participation than any previous LED upgrade program. Funds for this program are limited so we are targeting traffic signals on state routes in DuPage County by preparing an LED installation contract scheduled for March 2013 and then proceeding to other counties in IDOT District One as additional funds become available.

	Improvement Cost	State Cost	Bensenville Cost	Centerpoint Cost	Wood Dale Cost
IL 19 at Marshall Rd	\$38,000.00 (Signal upgrades)	\$38,000.00 (90% + 10%)	\$0 (-%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$5,700.00	\$0	\$0	\$0
IL 19 at Spruce Av	\$44,000.00 (Signal upgrades)	\$44,000.00 (90% + 10%)	\$0 (-%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$6,600.00	\$0	\$0	\$0
IL 19 at Church Rd	\$43,000.00 (Signal upgrades)	\$40,850.00 (90% +5%)	\$2,150.00 (5%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$6,127.50	\$322.50	\$0	\$0
IL 83 at Mark St	\$50,000.00 (Signal upgrades)	\$47,500.00 (90% + 5%)	\$1,250.00 (2.5%)	\$1,250.00 (2.5%)	\$0 (-%)
Engineering (15%)		\$7,125.00	\$187.50	\$187.50	\$0
IL 83 at Foster Av	\$64,000.00 (Signal upgrades)	\$60,800.00 (90% +5%)	\$3,200.00 (5%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$9,120.00	\$480.00	\$0	\$0

	Improvement Cost	State Cost	Bensenville Cost	Centerpoint Cost	Wood Dale Cost
IL 83 at Hillside Dr	\$58,000.00 (Signal upgrades)	\$55,100.00 (90% + 5%)	\$2,900.00 (5%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$8,265.00	\$435.00	\$0	\$0
IL 83 at Grove/ Sherwood Dr	\$27,000.00 (Signal upgrades)	\$25,650.00 (90% + 5%)	\$675.00 (2.5%)	\$0 (-%)	\$675.00 (2.5%)
Engineering (15%)		\$3,847.50	\$101.25	\$0	\$101.25
TOTAL		\$428,605.00	\$11,701.25	\$1,437.50	\$776.25

Enclosed for your signature are three (3) counterparts of the Agreement for LED upgrades.

Also enclosed is one (1) set of plans for this improvement. Please review them and send a written approval to our office as required per Item 2 of the Agreement.

Please return the three (3) partially executed Agreements to our office for final processing. We will send you a completed Agreement upon its execution by our Springfield Office. It is of the utmost importance that you forward the Agreements to:

Mr. Stephen M. Travia, P.E.
Bureau Chief of Traffic Operations
Illinois Department of Transportation
201 West Center Court
Schaumburg, IL 60196

Please be advised that the Agreement and Plan Approval should be executed and mailed to us by February 01, 2013. Any delay will automatically drop the project from the program.

If you have any questions or need additional information, please contact Ms. Brenda Kanthaphixay, Traffic Operation Agreement Specialist, at (847) 705-4175.

Very truly yours,

John Fortmann, P.E.
Acting Deputy Director of Highways,
Region One Engineer

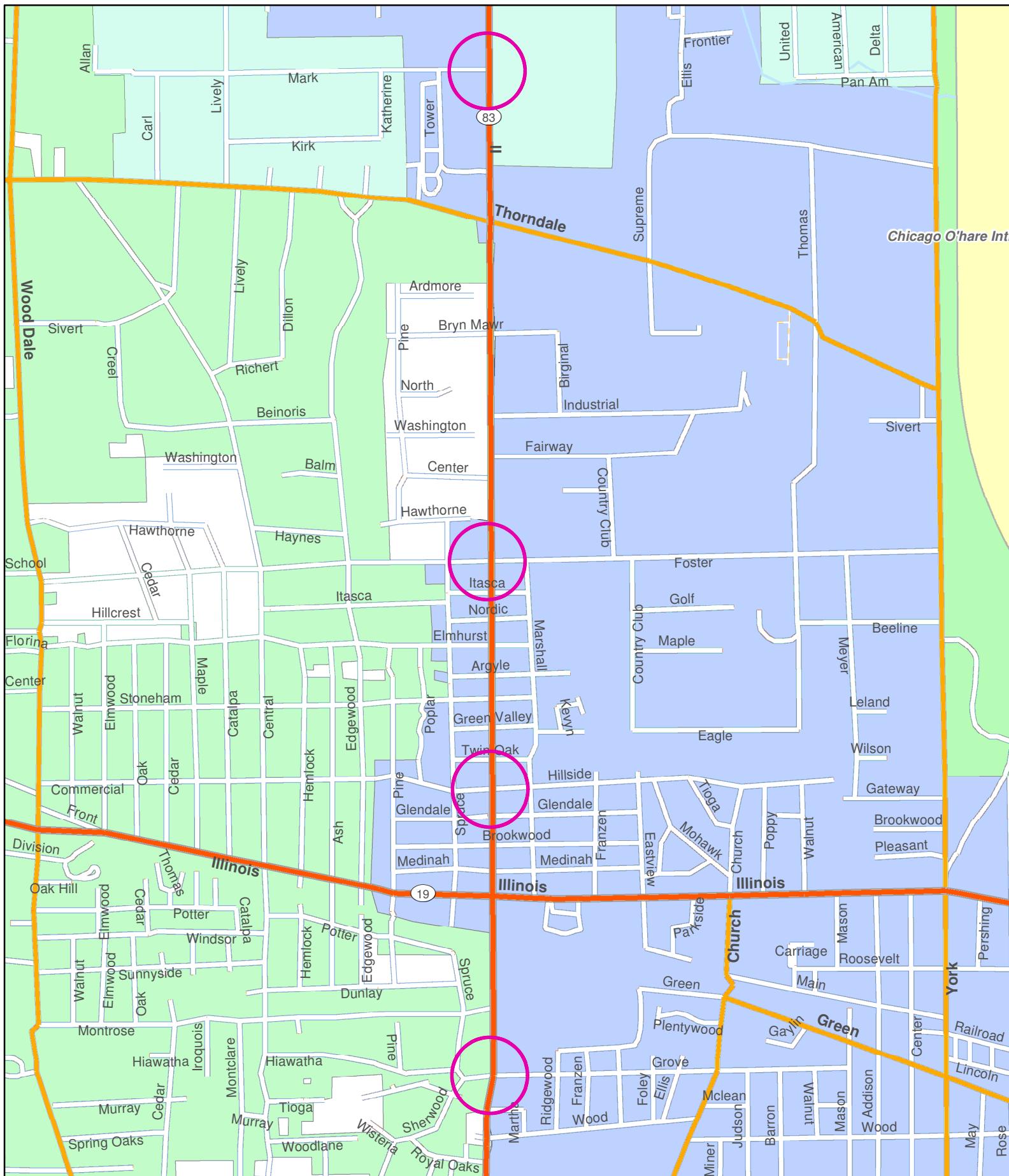
By:

Stephen M. Travia, P.E.
Bureau Chief of Traffic Operations



Village of Bensenville

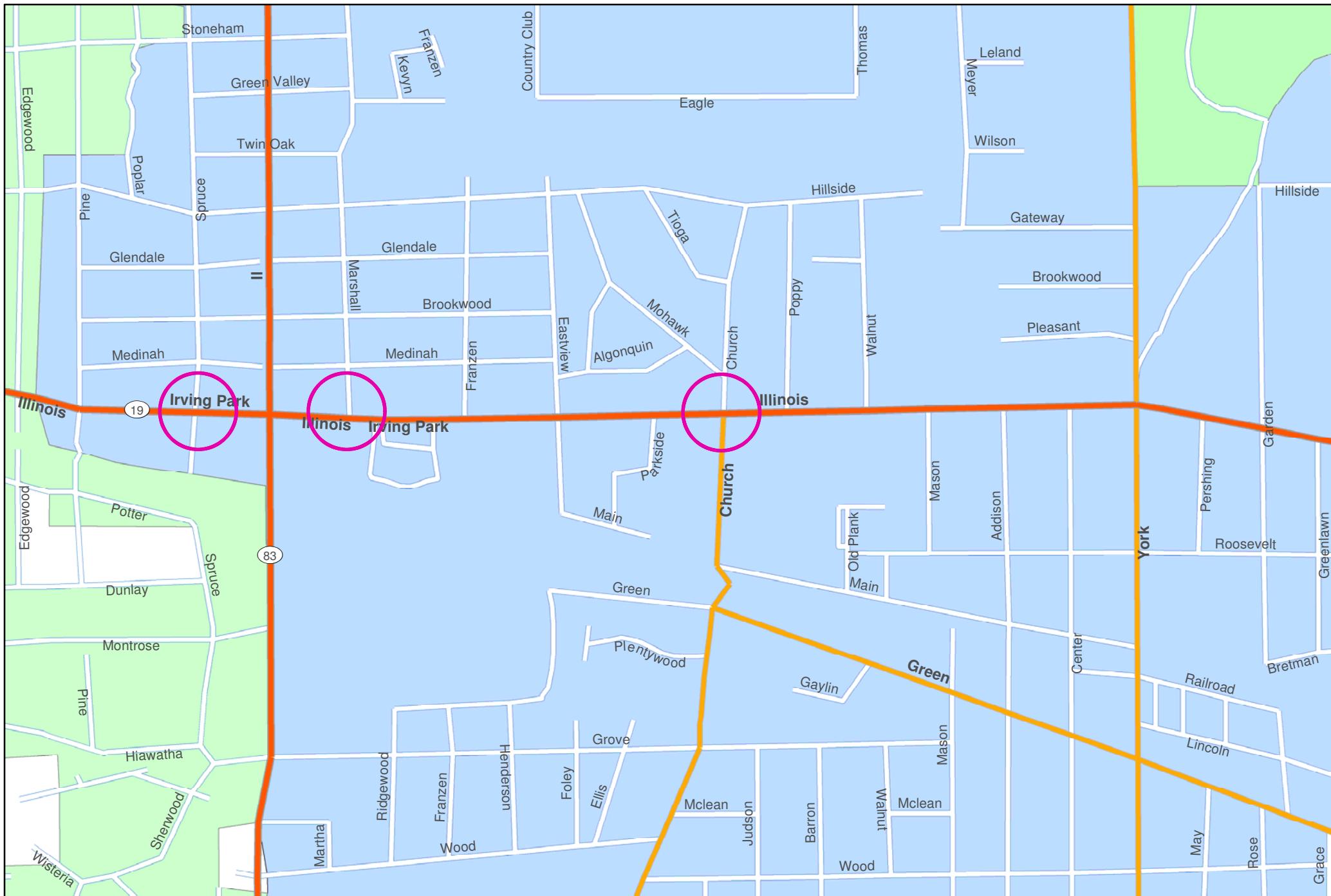
Illinois Rt. 83 LED Stoplight Upgrades





Village of Bensenville

Illinois Rt. 19 LED Stoplight Upgrades



AGREEMENT

THIS AGREEMENT entered into this _____ day of _____ A.D., by and between the STATE OF ILLINOIS, acting by and through its Department of Transportation, hereinafter called the STATE, and the Village of Bensenville, of the State of Illinois, hereinafter called the VILLAGE.

WITNESSETH

WHEREAS, the STATE is proposing to upgrade the traffic signals on the state highways with Light-Emitting-Diode (LED) modules, Uninterruptible Power Supply (UPS) and Countdown Pedestrian Signals (CD Ped) at the intersections of IL 19 at Marshall Rd; IL 19 at Spruce Av; IL 19 at Church Rd; IL 83 at Mark St; IL 83 at Foster Av; IL 83 at Hillside Dr and IL 83 at Grove/Sherwood Dr (to be known as STATE Section 2012-070 I and Contract No. 60V80-Job No. D-91-079-13). This LED upgrade project will require cost participation similar to the federal Highway Safety Improvement Program (HSIP). State funds will be used for 90% of the traffic signal upgrade costs with the remaining 10% split based on the proportionate share of approach leg jurisdiction.

WHEREAS, the VILLAGE is desirous of said improvement in that same will be of immediate benefit to the VILLAGE, and permanent in nature; and,

WHEREAS, the intersections of IL 19 at Church Rd; IL 83 at Mark St; IL 83 at Foster Av; IL 83 at Hillside Dr and IL 83 at Grove/Sherwood Dr., lies within the corporate limits of the VILLAGE.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The STATE agrees to prepare plans and specifications, receive bids, award the contract, furnish engineering inspection during construction, and cause the improvement to be built in accordance with the plans, specifications, and contract. The STATE also agrees to pay all construction and engineering costs subject to reimbursement by the VILLAGE as hereinafter stipulated.
2. The VILLAGE agrees to approve the plans and specifications by letter or resolution prior to the STATE advertising for the work to be performed hereunder.
3. It is mutually agreed that the proportional participation for the construction costs and engineering costs of this improvement shall be as follows:

	Improvement Cost	State Cost	Bensenville Cost	Centerpoint Cost	Wood Dale Cost
IL 19 at Marshall Rd	\$38,000.00 (Signal upgrades)	\$38,000.00 (90% + 10%)	\$0 (-%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$5,700.00	\$0	\$0	\$0
IL 19 at Spruce Av	\$44,000.00 (Signal upgrades)	\$44,000.00 (90% + 10%)	\$0 (-%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$6,600.00	\$0	\$0	\$0
IL 19 at Church Rd	\$43,000.00 (Signal upgrades)	\$40,850.00 (90% + 5%)	\$2,150.00 (5%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$6,127.50	\$322.50	\$0	\$0
IL 83 at Mark St	\$50,000.00 (Signal upgrades)	\$47,500.00 (90% + 5%)	\$1,250.00 (2.5%)	\$1,250.00 (2.5%)	\$0 (-%)
Engineering (15%)		\$7,125.00	\$187.50	\$187.50	\$0
IL 83 at Foster Av	\$64,000.00 (Signal upgrades)	\$60,800.00 (90% + 5%)	\$3,200.00 (5%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$9,120.00	\$480.00	\$0	\$0

	Improvement Cost	State Cost	Bensenville Cost	Centerpoint Cost	Wood Dale Cost
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Engineering (15%)		\$8,265.00	\$435.00	\$0	\$0
IL 83 at Grove/ Sherwood Dr	\$27,000.00 (Signal upgrades)	\$25,650.00 (90% + 5%)	\$675.00 (2.5%)	\$0 (-%)	\$675.00 (2.5%)
Engineering (15%)		\$3,847.50	\$101.25	\$0	\$101.25
TOTAL		\$428,605.00	\$11,701.25	\$1,437.50	\$776.25

4. It is mutually agreed that the VILLAGE will reimburse the STATE in an amount equal to the VILLAGE'S share of the actual cost as determined in accordance with Item #3 above. It is mutually agreed that upon award of the contract for this improvement, the VILLAGE will pay to the Department of Transportation of the State of Illinois, in a lump sum from any funds allotted to the VILLAGE. An amount equal to 80% of its obligation incurred under this Agreement, and will pay to the said Department the remainder of its obligation (including any non-participating costs for FA projects) in a lump sum, upon completion of the project based upon final costs.
5. Upon acceptance by the Department of Transportation of the traffic signal improvement included herein, the financial responsibility for maintenance and electrical energy for the operation of the traffic signals shall remain as outlined in the Master Agreement executed between the Village of Bensenville and the Department of Transportation on July 1, 2006.
6. The actual maintenance will be performed by the STATE with its own forces or through an ongoing contractual agreement.
7. Payment by the STATE of any or all of its share of maintenance and energy costs is contingent upon the STATE receiving adequate funds in its annual appropriation.
8. The STATE retains the right to control the sequence of timing on the traffic signals.
9. This agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

Remainder of Page is Intentionally Blank.

VILLAGE OF BENSENVILLE

By: _____
Mayor

Date: _____

ATTEST:

CLERK

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____
(Signature)

By: John Fortmann
(Print)

Title: Acting Deputy Director of Highways,
Region One Engineer

Date: _____

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement at the intersections of IL 19 at Church Rd; IL 83 at Mark St; IL 83 at Foster Av; IL 83 at Hillside Dr and IL 83 at Grove/Sherwood Dr., VILLAGE OF BENSENVILLE, hereby approves the plans and specifications for the proposed traffic signal improvements at the said intersections above.

APPROVED:

By: _____
VILLAGE ENGINEER

Date: _____

ATTEST:

Clerk

SEAL

RESOLUTION NO. _____

**AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE
VILLAGE OF BENSENVILLE AND THE STATE OF ILLINOIS FOR
APPROVAL OF COST PARTICIPATION ON ILLINOIS DEPARTMENT OF
TRANSPORTATION (IDOT) PROJECT (SECTION # 2012-070 I) TO
INSTALL LED TRAFFIC SIGNAL UPGRADES ALONG IL 83 AND IL 19 IN
THE AMOUNT OF \$11,702.**

WHEREAS, IDOT is proposing to install LED upgrades at all traffic signals along state routes within DuPage County, and

WHEREAS, there are two state routes IL-19 and IL-83 in the Village of Bensenville; and

WHEREAS, there are a total of seven (7) traffic signals along these routes in the Village which will be upgraded as part of this project; and,

WHEREAS, the Village has initiated its own LED installation upgrades at traffic signals due to its lower energy consumption and longer life expectancy; and

WHEREAS, the Village's portion for these cost of improvements in the amount of \$11,702 will provide significant benefits and savings in the long term; and

WHEREAS, the Village President is authorized to execute such agreements on behalf of the Village; and

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BENSENVILLE, COOK AND DUPAGE COUNTIES, ILLINOIS, as follows:

THAT the Village Board recommends the Village President to execute the necessary agreements on behalf of the Village with State of Illinois for cost participation on IDOT project (Section # 2012-070 I) to install LED Traffic Signal upgrades along IL 83 and IL 19

in the amount of \$11,702.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2013.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Resolution to approve a 12 month contract extension for Janitorial Services at the Police Department with Crystal Maintenance for an amount not to exceed \$10,500

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/> <i>Financially Sound Village</i>	<input type="checkbox"/> <i>Enrich the lives of Residents</i>
<input type="checkbox"/> <i>Quality Customer Oriented Services</i>	<input type="checkbox"/> <i>Major Business/Corporate Center</i>
<input type="checkbox"/> <i>Safe and Beautiful Village</i>	<input type="checkbox"/> <i>Vibrant Major Corridors</i>

COMMITTEE ACTION: I & E (unanimous approval)

DATE: 01/15/2013

BACKGROUND: This service provides janitorial cleaning and maintenance for the Village's Police Department.

KEY ISSUES: The Village Police Department is a facility that is in operations year-round for 24 hours a day, therefore frequent cleaning is needed. This is a service contract extension for 2013 which holds prices agreed upon within the 2011 bid. The following prices were agreed upon in the 2011 bid:

Company:	5/1/2011 – 12/31/2012 (20 Month Price)	1/1/2013 – 12/31/2013 (12 Month Price)	32 Month Total:
Crystal Maintenance	\$17,500	\$10,500	\$28,000

Staff is bringing forward to the Village Board contract renewal forms for multi-year contracts. Bids are obtained for multi-year programs to provide cost benefits and cost protection to the Village. Assuming satisfactory performance, staff will recommend extensions via Village Board approval.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Proceed with the automatic renewal for 2013 as agreed upon within the 2011 bid for Janitorial service with Crystal Maintenance Services Corp. of Mt. Prospect, Illinois to provide Janitorial service for the Police Department.

BUDGET IMPACT: \$11,000 was budgeted in the FY2013 Budget. (Account No. 11050440 549990)

ACTION REQUIRED: Resolution Authorizing the Approval of a Contract Extension to Crystal Maintenance Services Corp. for Janitorial Services in the Not To Exceed Amount of \$10,500.

**EXTENSION OF AGREEMENT FOR JANITORIAL SERVICES FOR THE
VILLAGE OF BENSENVILLE, ILLINOIS**

THIS EXTENSION OF AGREEMENT is made on this ___ day of January, 2012, between the Village of Bensenville, Illinois (hereinafter "OWNER"), whose principal address, for the purposes of any notice required herein, is: Director of Public Works, 717 E. Jefferson Street, Bensenville, Illinois 60106, and Crystal Maintenance Services Corp. (hereinafter "CONTRACTOR"), whose principal addresses, for the purposes of any notice required herein are: 1699 Wall Street, Suite 504, Mt. Prospect, IL 60056.

OWNER and CONTRACTOR acknowledge and mutually agree as follows:

1. OWNER and CONTRACTOR entered into a 20 month Agreement for Janitorial Maintenance Services for the Village of Bensenville, Illinois dated April 26, 2011. This Agreement included a 12 month extension for services in 2013.
2. The OWNER hereby enacts the automatic extension term of the Agreement for 12-months from January 1, 2013 through and including December 31, 2013 for a total cost of \$10,500.
3. Any and all other provisions of the Agreement (or subsequent Amendments) not otherwise amended herein shall remain applicable, governing and in full force and effect throughout the Extended Term of the Agreement.

Both parties indicate their approval of this Extension of Agreement by their signatures below.

Crystal Maintenance Services Corp. By:

Authorized Signature

Printed Name

Title

Date

Village of Bensenville, By:

Authorized Signature

Printed Name

Title

Date

Resolution No.

**AUTHORIZING THE APPROVAL OF A CONTRACT EXTENSION
TO CRYSTAL MAINTENANCE SERVICES, CORP.
FOR JANITORIAL SERVICES
IN THE NOT TO EXCEED AMOUNT OF \$10,500**

WHEREAS the Village of Bensenville owns AND MAINTAINS A Public Safety Building, and

WHEREAS the Village of Bensenville contracts out the janitorial services required at the Public Safety Building, and

WHEREAS the Village of Bensenville entered into a contract with Crystal Maintenance Services, Corp. on April 26, 2011 (R-44-2011) that included an automatic renewal for the 2013 calendar year, and

WHEREAS, the Village of Bensenville desires to execute the automatic renewal for January 1, 2013 through December 31, 2013, and

WHEREAS, an "Agreement Extension Form" has been attached to this Resolution as Exhibit A.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Crystal Maintenance Services Corp. of Mt. Prospect, Illinois to provide Janitorial Services in the not to exceed amount of \$10,500.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2013.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak

Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Resolution to approve a one year contract extension for Village Mosquito Abatement Service with Clarke Environmental Mosquito Management for an amount not to exceed \$36,000

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I&E (unanimous approval)

DATE: 01/15/2013

BACKGROUND: This service provides mosquito abatement service, surveillance and monitoring, larval control, and adult mosquito management throughout the Village.

KEY ISSUES: Clarke Environmental Mosquito Management has performed mosquito abatement services for the Village for over twenty years. Larval treatments have been applied to catch basins for Culex mosquito control by trained Village staff for the past five years; the process works well, and saves the Village annually. The Culex mosquito is responsible for the spread of West Nile Virus and these treatments have shown to be successful in reducing the number of human cases. Clarke has agreed once again to train Village staff to provide larval treatments to catch basins.

Clarke Environmental Mosquito Management provided a proposal to perform mosquito abatement services for \$35,195.40, this price includes the same program rate as last year as well as the cost for Altosid XR briquettes used to control the mosquito population throughout the Village by way of placement in storm sewer catch basins.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends the approval of a resolution for a one year contract extension with Clarke Environmental Mosquito Management of Roselle, Illinois to provide mosquito abatement services for the Village. Clarke Mosquito Control has agreed to the extension of their proposal which will continue to meet the needs of mosquito abatement services at a low cost to the Village.

BUDGET IMPACT: \$36,000 was budgeted in the FY2013 Budget. (Account No. 11050430 549990)

ACTION REQUIRED: Resolution Authorizing the Approval of a Contract to Clarke Environmental Mosquito Management for Mosquito Abatement Services in the Not To Exceed Amount of \$36,000.



Clarke Environmental Mosquito Management, Inc. Professional Services Contract Outline For The 2013 Village of Bensenville Environmental Mosquito Management (EMM™) Program

Part I. General Services

- A. Survey and Mapping – available for review by the Village staff
- B. Computer System
- C. Public Relations
- D. Mosquito Hotline Citizen Response (800-942-2555)
- E. Insurance Coverage
- F. Program Reports
- G. **NPDES Permit:** An NPDES (National Pollutant Discharge Elimination System) permit may be necessary for the execution of the work for mosquito control. Any costs associated with such a permit are not included in this proposal

Part II. Surveillance and Monitoring

- A. Mosquito-Borne Disease Surveillance
- B. Floodwater Mosquito Brood Prediction
- C. New Jersey Light Trap Network:
- D. Clarke New Jersey Light Trap Network: Data from the area New Jersey Light Trap Network to monitor and evaluate adult mosquito activity.
- E. Weather Monitoring - Operational Forecasts

Part III. Larval Control¹

- A. Targeted Mosquito Management System (TMMS™) computer database and site management.
- B. Larval Site Monitoring:
 1. Three (3) complete inspections of up to 77 sites
 2. Five (5) targeted inspections of up to 62 sites
- C. Prescription Larval Control with Vectobac (*Bt*), Vectolex (*Bs*), 5% Abate pellets, or Altosid briquettes. Stocking of 2,000 mosquitofish (*Gambusia affinis*) for biological control of mosquito larvae.
- D. Catch Basin Control: The Village of Bensenville Public Works Department performs treatments of Village street and backyard catch basins. Clarke will provide a staff training program in accordance with Illinois Department of Agriculture regulations, and be the source of Altosid larval control products.
- E. Source Reduction Recommendations.



Proposal

Clarke Environmental Mosquito Management, Inc. Professional Services Contract Outline For The 2013 Village of Bensenville Environmental Mosquito Management (EMM™) Program (cont.)

Part IV. Adult Mosquito Management²

- A. Adulticiding in Village Residential Areas.
 - 1. Four (4) Village-wide truck Ultra Low Volume (ULV) applications of up to 68.3 miles of streets with Biomist®, or a comparable substitute insecticide, when migratory adult mosquito monitoring thresholds are exceeded, or a mosquito-borne disease alert is issued.
 - 2. Six (6) backpack barrier applications on a 0.4-mile route with a Flit (permethrin) 0.5% emulsion for residual control of adult mosquitoes in backyards in the Mohawk Terrace subdivision.
 - 3. Band concerts, Village festivals, and 4th of July special event truck ULV applications for adult mosquito control.
- B. Adulticiding Operational Procedures
 - 1. Notification of community contact & residents on call list
 - 2. Weather limit monitoring and compliance.
 - 3. Community resident notification.
 - 4. ULV particle size evaluation.
 - 5. Insecticide dosage and quality control analysis.
 - 6. ULV touch-ups based on citizen complaints.

**Village of Bensenville 2013 EMM™ Program Total Cost
For Parts I, II, III, and IV**

\$29,196.00

Village of Bensenville EMM™ Payment Plan:

Four (4) invoices for \$7,299.00 will be due on May 1, June 1, July 1, and August 1, 2013

2013 Catch Basin Product Prices:

**Altosid XR (9 cases @ \$666.60 each)
Product Total \$ 5,999.40**

2013 EMM™ Program & Product Total Costs

\$35,195.40

Core Program Footnotes:

- 1. **Larval Control.** The 2013 EMM™ core program services package includes up to 54.2 acres of hand or backpack equipment larvicide with prescription larvicides (the 3-year average of acreage treated). In addition, helicopter larvicide of any approved large and inaccessible sites would be billed, in addition to the core program, at the rate of \$109.00 per acre, as authorized by the Village.
- 2. **Adult Mosquito Management.** The 2013 EMM™ core program services package includes up to four (4) truck ULV applications of 68.3 miles of routed streets with Anvil, or a comparable substitute insecticide. Any truck ULV applications authorized and performed after the fourth treatment will be billed at \$3,686.00



Proposal

Clarke Environmental Mosquito Management, Inc. Service Agreement For The 2013 Village of Bensenville Environmental Mosquito Management (EMM™) Program

I. Term and Termination. This Agreement has an automatic Renewal

Clause. The term of the Agreement shall commence on the date when both parties have executed this Agreement and shall continue for a period ending on December 31, 2013 (the "Initial Term"). Unless either party hereto provides the other party with written notice at least Sixty (60) days prior to the end of the Initial Term or any subsequent renewal term, this Agreement shall automatically continue to renew for additional term, each term having a duration equal to the Initial Agreement. If a party hereto fails to comply with a provision of this Agreement, then the other party shall have the right to terminate this Agreement if it gives written notice of the default to the defaulting party and the defaulting party fails to cure the default within sixty days of receipt of said notice.

II. Price Increases. The price for the services rendered hereunder may be increased by Clarke Environmental Mosquito Management, Inc. ("Clarke") by a percentage which shall not exceed the locally established consumer price index based on the Village of Bensenville fiscal year (March previous year of agreement to March current year of agreement). Clarke Environmental Mosquito Management, Inc. may petition the Village of Bensenville at any time for an additional rate adjustment on the basis of extraordinary and unusual changes in the cost of operations that could not be reasonably foreseen by a prudent operator. New areas to be covered will be pro-rated to the program cost at the rates in effect at the time.

III. Program Payment Plan. For Parts I, II, III, and IV as specified in the 2013 Professional Services Cost Outline, the total for the 2013 program is \$29,196.00. The payments will be due on the dates according to the payment schedule below. Any additional treatments beyond for authorized services beyond the core program will be invoiced upon completion.

PROGRAM PAYMENT PLAN

Installment Due Date	2011	2012	2013
May 1	\$7,299.00	\$7,299.00	\$7,299.00
June 1	\$7,299.00	\$7,299.00	\$7,299.00
July 1	\$7,299.00	\$7,299.00	\$7,299.00
August 1	\$7,299.00	\$7,299.00	\$7,299.00
TOTAL	\$29,196.00	\$29,196.00	\$29,196.00

For The Village of Bensenville:

Name: _____ Title: _____ Date: _____

For Clarke Environmental Mosquito Management, Inc.:

Name: Tom Kessler Title: Control Consultant Date: 1-9-13
Tom Kessler Service Operations



**Clarke Environmental Mosquito Management, Inc.
Administrative Information For
The 2013 Village of Bensenville
Environmental Mosquito Management (EMM™) Program**

Invoices should be sent to:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Purchase Order Number (if applicable): _____

Contact Person for The Village of Bensenville:

Name: _____ Title: _____

Office #: (____) _____ Fax #: _____ E-Mail: _____

Home #: (____) _____ Cell # (____) _____ Pager: _____

Alternate Contact Person for The Village of Bensenville:

Name: _____ Title: _____

Office #: (____) _____ Fax #: _____ E-Mail: _____

Home #: (____) _____ Cell # (____) _____ Pager: _____

Resolution No.

**AUTHORIZING THE APPROVAL OF A CONTRACT
TO CLARKE ENVIRONMENTAL MOSQUITO MANAGEMENT
FOR MOSQUITO ABATEMENT SERVICES
IN THE NOT TO EXCEED AMOUNT OF \$36,000**

WHEREAS the Village of Bensenville is responsible for Mosquito Abatement Services, and

WHEREAS the Village of Bensenville contracts out mosquito abatement service, surveillance and monitoring, larval control, and adult mosquito management throughout the Village, and

WHEREAS, the Village of Bensenville desires to execute a twelve month contractual services agreement for January 1, 2013 through December 31, 2013, and

WHEREAS, the “2013 Mosquito Management Proposal Form” has been attached to this Resolution as Exhibit A.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Clarke Environmental Mosquito Management, Inc. of Roselle, Illinois to provide mosquito abatement service in the not to exceed amount of \$36,000 for a twelve month term; and

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2013.

APPROVED:

Frank Soto
Village President

ATTEST:

Susan Janowiak
Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Resolution **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Resolution authorizing the execution of a Design Engineering Services Contract for the Quiet Zone Project with Robinson Engineering, Inc. in the amount of \$38,000

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input checked="" type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>		<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input checked="" type="checkbox"/>	<i>Vibrant Major Corridors</i>

ASSIGNED COMMITTEE: I&E (unanimous approval)

DATE: 01/15/2013

BACKGROUND: The Village has been working with Robinson Engineering the past year on Phase I engineering work associated with establishing a Quiet Zone along the Metra Tracks (CPRR line) in Bensenville. Robinson Engineering has presented options to the Village Board that would potentially satisfy the stringent requirements for establishing a Quiet Zone. We have performed all the preliminary evaluations necessary to move forward with a formal submittal and eventual design and construction of improvements that will make this designation a reality. We now look to enter into a new contract with Robinson Engineering to perform Phase II – Design Engineering work that will take us through 2013.

KEY ISSUES: Robinson Engineering was asked to provide a proposal to perform Phase II Engineering. The proposal includes four (4) tasks: Notice of Intent and FRA Application Submittal, Engineering Design and Safety Improvements, Construction Engineering & Inspection, and Railroad Coordination and Project Management. These tasks will get to a point where we complete all application requirements, design all the necessary safety improvements except the quad gate at York Road (design and construction which will need to be performed by Metra), provide construction engineering services, and serve as our liaison with Metra and the ICC in pushing the design and construction of the quad gates.

The proposed schedule includes the completion of the application process (45 days). While the FRA considers the application (which can take up to nine months), Robinson will design the other safety improvements and push for the quad gate design with Metra. Construction is not recommended until we get full approval and authority from the FRA. Therefore, we can expect the bulk of the work to be shovel ready by October. As soon as the FRA grants approval, we can start with construction.

To be conservative, I would estimate the completion of all work associated with the Quiet Zone Implementation will extend through 2014.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION: Staff recommends approval of the new engineering services agreement with Robinson Engineering. During the I&E Committee meeting on January 15, 2013, the Committee unanimously recommended approval of this Resolution and came to consensus to locate the median barriers at Addison Street to satisfy the Quiet Zone requirements.

BUDGET IMPACT: Funding for this project was included in the FY2013 budget in the amount of \$50,000 (Account No. 3108080 53613)

ACTION REQUIRED: Approval of Resolution authorizing the execution of an Engineering Services Agreement with Robinson Engineering, Ltd for the Quiet Zone Implementation Project in the amount of \$38,000.



January 8, 2013

Project 11-349.01

Mr. Joseph M. Caracci, PE
Director of Public Works
Village of Bensenville
717 E. Jefferson Street
Bensenville, Illinois 60106

RE: Engineering Services Proposal for Railroad Quiet Zone Implementation

Dear Mr. Caracci,

Per your request, we are providing this proposal for professional engineering services for the implementation of a 24-hour quiet zone of the four at-grade crossings along the Metra Milwaukee District – West Line Corridor within the Village of Bensenville. The implementation process involves submitting both a Notice of Intent and an application to the Federal Railroad Administration (FRA) requesting risk reduction for safety improvements that do not meet the federal guidelines. The engineering design will be completed during the application review process and when approved, the safety improvements will be implemented. The following tasks will be completed as part of this engineering contract:

I. Notice of Intent and FRA Application Submittal

The risk analysis combined with the comments provided at the diagnostic review confirmed the safety improvements needed to implement a quiet zone at the four at-grade crossings. The next step in the process is to submit the Notice of Intent to the regulatory agencies informing them that the Village is committed to moving forward with the establishment of the quiet zone. Robinson Engineering, Ltd will prepare and submit this notice on behalf of the Village. Once submitted, there is a 60-day comment period for the agencies. During this comment period, Robinson Engineering, Ltd. will prepare and submit the risk reduction application to the FRA, necessary railroads and regulatory agencies. Four-quadrant gates will be installed at the York Road crossing, which is an approved Supplemental Safety Measure (SSM). Concrete barrier medians are needed at either the Center Street or Addison Street crossing. These medians will be shorter than what is required to qualify as an SSM. Likewise, flexible delineators installed at the Church Street crossing will also not meet the length requirements and will be classified as Alternative Safety Measures (ASM). An ASM requires a formal application to the FRA requesting a risk reduction value.

II. Engineering Design of Safety Improvements

Robinson Engineering, Ltd. will perform topographic survey of the Center Street or Addison Street crossing for the design of concrete barrier medians. Due to the closure of a Metra parking lot driveway, the topographic survey will include the Metra parking lot for the reconfiguration of the driving aisles and parking space layout. The survey will also include the area surrounding the Metra platform that will be removed. This Task will also include the creation of design plans, specifications, detailed cost estimate and other necessary bid documents, along with the coordination of a bid opening and recommendation of bid award.

III. Construction Engineering & Inspection

This task will include the coordination of a preconstruction meeting with representatives of the Village of Bensenville and the general contractor. Robinson Engineering, Ltd. will perform layout services of the proposed improvements for the contractor and perform periodic inspections of the construction.

IV. Railroad Coordination and Project Management

Metra will design and coordinate the installation of the four-quadrant gates at the York Road crossing with assistance from the Illinois Commerce Commission. Robinson Engineering, Ltd. will attend progress meetings with Metra and the ICC and coordinate the installation with Metra and the Village. This task will also include the preparation and submittal of the Notice of Establishment, the final step in the implementation process.

V. Proposal Costs

For Engineering Services provided, payment to Robinson Engineering, Ltd. for services rendered as described in I-IV above shall be as follows:

A. Completion of services set forth in Task I paid at Lump Sum:	\$4,000.00	_____
B. Completion of services set forth in Tasks II paid at T&M NTE:	\$19,500.00	_____
C. Completion of services set forth in Tasks III paid at T&M NTE:	\$9,000.00	_____
D. Completion of services set forth in Tasks IV paid at Lump Sum:	\$5,500.00	_____
Total Engineering Fee for Tasks I - IV paid at Lump Sum:		\$38,000.00

VI. Proposed Schedule

Robinson Engineering, Ltd. proposes to promptly complete the work identified in Task I above within 45 calendar days of the Village's Notice to Proceed. The application process may take up to nine months to complete. Robinson Engineering, Ltd. will perform the services identified in Task II and portions of Task IV during the application review process. It is recommended that the improvements not be constructed until after the approval of the FRA application.

Please indicate your acceptance of the scope of work and costs by initialing those items above on which you wish us to proceed, noting that the attached Standard Terms and Conditions are also included within this proposal. The scope within Tasks II and III may vary as the quiet zone process moves forward; therefore, the fees associated with these Tasks are shown to be paid on a Time & Materials Not to Exceed basis.

The fees above do not include any costs associated with permits or insurance required by Metra as they are not deemed necessary at this time.

We thank you again for the opportunity to submit this information for your consideration. Please feel free to call me at (708) 210-5682, for any questions you may have regarding this proposal or if any additional information is needed.

Respectfully yours,

ROBINSON ENGINEERING, LTD.



Jeffrey C. Pintar, PE
Senior Engineer

Accepted this _____ day of _____, 2013

VILLAGE OF BENSENVILLE

By: _____

Title: _____

Date: _____

ROBINSON ENGINEERING, LTD ("REL")

STANDARD TERMS AND CONDITIONS

1. **CONTRACT** – These Standard Terms and Conditions may be amended, added to, superseded, or waived only if both parties specifically define in writing an official amendment of these Terms and Conditions ("Agreement").
2. **STANDARD OF CARE** - The standard of care for all professional engineering, survey or related professional services performed or furnished by REL under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. REL makes no warranties, express or implied, under this Agreement or otherwise, in connection with REL's services
3. **CHANGES IN SCOPE** –The proposed fees constitute REL's estimate to perform the services required to complete the Project. However, all required services are not always definable in the initial planning. Accordingly, circumstances may dictate a change in the scope of services to be performed. Where this occurs, changes in the Agreement shall be negotiated and an equitable adjustment shall be made.
4. **DELAYS** – REL shall complete its obligations within a reasonable time. If, through no fault of REL, such periods of time or dates are changed, or the orderly and continuous progress of REL's services is impaired, or REL's services are delayed or suspended, then the time for completion of REL's services, and the rates and amounts of REL's compensation, shall be adjusted equitably.
5. **SUSPENSION & TERMINATION** – Client may suspend the Project upon seven (7) days written notice to REL. If REL's services are substantially delayed through no fault of REL, REL may suspend services after giving seven (7) days written notice to Client. Either party may terminate this agreement upon thirty (30) days written notice to the other party in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.

Client shall remain liable for, and shall promptly pay REL for all services rendered to the date of suspension/termination of services plus suspension/termination charges. Suspension/termination charges include the cost of assembling documents, personnel and equipment rescheduling or reassignment, and commitments made to others on Client's behalf.
6. **RIGHT OF ENTRY** – Client agrees to obtain legal right-of-entry on the property when entry to property is required by the work.
7. **OPINION OF PROBABLE COSTS** - REL's opinions of probable Construction Cost are to be made on the basis of REL's experience and qualifications and represent REL's best judgment as an experienced and qualified professional generally familiar with the construction industry. However, since REL has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, REL cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by REL.
8. **REUSE OF PROJECT DELIVERABLES** - All design documents prepared or furnished by REL are instruments of service, and REL retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Client shall not rely in any way on any Document unless it is in printed form, signed or sealed by REL or one of its Consultants.
9. **RELIANCE** – REL may, without liability, rely on the accuracy and completeness of information provided by Client, Client's consultants and contractors, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards without the need for verification.
10. **RELATIONSHIP WITH CONTRACTORS** – REL shall not at any time supervise, direct, or have control over any contractor's work, nor shall REL have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, nor for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work. REL neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work. REL shall have no authority to stop the work of the contractor.
11. **LIMITATION OF LIABILITY** –Engineer's liability under this Agreement shall not exceed the total insurance proceeds paid on behalf of or to Engineer by Engineer's insurers in settlement or satisfaction of Claims.
12. **INSURANCE** – REL will maintain insurance coverage for Professional, Comprehensive General, Automobile, Worker's Compensation and Employer's Liability in amounts in accordance with legal and REL's business requirements. Certificates of Insurance will be provided by REL upon written request.
13. **MUTUAL WAIVER** – To the fullest extent permitted by law, Client and REL waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project.
14. **GOVERNING LAW** – This Agreement is to be governed by the law of the state in which the Project is located.
15. **NON-ENFORCEMENT** – A party's non-enforcement of any provision shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.
16. **ASSIGNMENT** – A party can assign its rights or obligations only with the express written permission of the other party. This Agreement shall be binding upon and inure to the benefit of any permitted assigns.
17. **SURVIVAL** – All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.
18. **THIRD PARTIES** - Nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Client or REL to any Contractor, Contractor's subcontractor, supplier, other individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Client and REL and not for the benefit of any other party.
19. **SEVERABILITY** - Any provision or part of the Agreement held to be void or unenforceable under any Laws or Regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Client and REL, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.
20. **STATUTE OF LIMITATIONS** – to the fullest extent permitted by law, all causes of action arising under this Agreement shall be deemed to have accrued, and all statutory periods of limitation shall commence, no later than the date of Substantial Completion.

Resolution No.

**AUTHORIZING THE EXECUTION OF A DESIGN ENGINEERING SERVICES
CONTRACT WITH ROBINSON ENGINEERING, LTD. FOR THE
QUIET ZONE IMPLEMENTATION PROJECT
IN THE AMOUNT OF \$38,000**

WHEREAS the Canadian Pacific Rail Road and Metra Milwaukee District West Commuter Line runs through the Village of Bensenville, and

WHEREAS excessive train horn blowing can be annoying to residents and businesses along the tracks , and

WHEREAS the Village desires to establish a 24 hour Quiet Zone along the tracks through the Village of Bensenville, and

WHEREAS in order to develop a Quiet Zone, the Village must follow a strict process developed by the Federal Railroad Administration (FRA), and

WHEREAS Robinson Engineering, Ltd. has assisted the Village in Phase I of this process, and

WHEREAS Robinson Engineering, Ltd. is the most qualified firm to perform Phase II - Design Engineering for the Project, and

WHEREAS Robinson Engineering, Ltd. submitted a proposal in the amount of \$38,000 to perform this work.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the execution of a design engineering services contract for the Quiet Zone Implementation Project with Robinson Engineering, Ltd. of South Holland, IL in the amount of \$38,000, and

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents necessary.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, _____, 2013.

APPROVED:

Frank Soto
Village President

ATTEST:

Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Ordinance **SUBMITTED BY:** Joe Caracci **DATE:** 01/16/2013

DESCRIPTION: Ordinance Amending Section 8-3-4 of the Village Code to further define a Responsible Bidder for municipal projects in excess of \$100,000

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: I & E (unanimous approval)

DATE: 01/15/2013

BACKGROUND:

A Responsible Bidder Ordinance outlines a set of criteria that a contractor bidding to work on a public construction project must meet in order to be awarded the contract. Our current process simply states that projects will be awarded to the lowest most responsible bidder, but does not currently define what it means to be responsible. The responsible bidder ordinance would better define some of the criteria that are being used currently to determine if a bidder qualifies to for work on major Village projects if the scope of the project exceeds \$100,000.

KEY ISSUES:

The Responsible Bidder Ordinance requires the contractor be judged based on the following criteria:

1. Must comply with all laws as a prerequisite to doing business in Illinois
2. Produce evidence of a Federal Employer tax ID number or social security number
3. Provide evidence of compliance with Equal Opportunity Employer requirements
4. Provide evidence of all specified insurance coverages
5. Comply with all provisions of the Illinois Prevailing Wage and Employee Classification Acts
6. Participate in a USDOL approved and registered apprenticeship program
7. Provide three projects of a similar nature as being performed in the past five years along with three references with knowledge of the integrity and business practices of the contractor
8. Comply with any other additional requirements the Village of Bensenville may find beneficial

These criteria better ensure that the contractors selected by the Village meet a level of standard set in the Ordinance.

ALTERNATIVES: Discretion of the Village Board

RECOMMENDATION:

Staff recommends the approval of the attached Responsible Bidder Ordinance establishing the criteria by which bidding contractors are selected for worked performed on Village projects in excess of \$100,000.

BUDGET IMPACT: None

ACTION REQUIRED: Approval of the Responsible Bidder Ordinance

ORDINANCE NO.
RESPONSIBLE BIDDER ORDINANCE

AN ORDINANCE AMMENDING 8-3-4 OF THE VILLAGE CODE OF BENSENVILLE TO FURTHER DEFINING RESPONSIBLE BIDDER

WHEREAS, Chapter 8 of the Bensenville Code regulates purchases and contract entered into by the Village Board of Trustees: and

NOW, THEREFORE, BE ORDAINED, by the Village of Bensenville of Bensenville, Illinois that the following definition be added to section 8-3-4 of the code.

Responsible bidder for construction contracts over \$100,000 means a bidder who meets all of the job specifications, the following applicable criteria, and submits evidence of such compliance:

- 1) All applicable laws prerequisite to doing business in Illinois
- 2) Evidence of compliance with:
 - a) Federal employer Tax Identification Number or Social Security Number (for individuals)
 - b) Provision of section 2000(e) of Chapter 21, Title 42 of the United States Code and Federal Executive Order No.11246 as amended by Executive Order No. 11375 (known as the Equal Opportunity Employer provisions).
- 3) Certificates of insurance indicating the following coverages: general liability, workers' compensation, completed operations, automobile, hazardous occupation and product liability.
- 4) Compliance with all provisions of the Illinois Prevailing Wage Act, including wages, medical and hospitalization insurance and retirement for those trades covered in the Act.
- 5) The bidder and all bidder's subcontractors must participate in active apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for each of the trades of work contemplated under the awarded contract.
- 6) All contractors and sub-contractors are required to turn in certified payrolls as specified in Illinois Public Act 94-0515 and follow all provisions of the Employee Classification Act, 820 ILCS 185/1 et seq.
- 7) All bidders must provide three (3) projects of a similar nature as being performed in the immediate past five (5) years with the name, address, and telephone number of the contact person having knowledge of the project along with three (3) references (name, address, and telephone number) with knowledge of the integrity and business practices of the contractor.

BE IT FURTHER ORDAINED, that nothing herein hereby adopted shall be construed to affect any suit of proceeding now pending in any court of any rights accrued of liability incurred or cause or causes of action accrued of existing under any prior Resolution or Ordinance. Nor shall any right or remedy of any character be lost, impaired, or affected by the Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance amendment shall be in full force and effect immediately upon its adoption.

BE IT FURTHER ORDAINED, that the Clerk of the Village of Bensenville is hereby authorized and directed to prepare and deliver a certified copy of the Ordinance amendment to the Village of Bensenville's Purchasing Director.

PASSED AND APPROVED by the President and Board of Trustees at the Village of Bensenville,
this _____ day of _____, 2012.

Frank Soto
Village President

ATTEST:

Village Clerk

AYES: _____

NAYS: _____

ABSENT: _____

TYPE: Ordinance SUBMITTED BY: S. Viger DATE: 01.16.13

DESCRIPTION: Pass the Ordinance Granting Approval of the request by Lisa Breiter for the Re-Subdivision of Vacant Land Commonly Known as 730 W. Memorial Drive

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION:

Community and Economic Development
(Voted 7 – 0 to approve)

DATE: 01.15.13

BACKGROUND:

The property in question is zoned RS – 5 High Density Single Family and is currently vacant. The Breiter family has owned the property for quite some time and now is desirous of subdividing the land and selling the subdivided lots for two new single family homes. When the Breiter – Palm Park was developed this property was specifically not transferred to the park District as the eventual subdivision has been the family's plan.

KEY ISSUES:

The applicant has proposed a two lot Resubdivision that meets the standards identified in the Subdivision Regulations of the Municipal Code for Lot Width, Lot Size and complies with the provisions of the Zoning Ordinance. Therefore the Plat of Resubdivision should be approved.

At the CEDC a question of localized flooding arose. Public Works and CED have reviewed the available information. The site is flat and the adjoining properties to the east are slightly higher making a small depressional area along the subdivision's eastern boundary. Individual site grading will be reviewed and Best Management Practice will be implemented at time of the home construction to ensure there is no issue with flooding.

ALTERNATIVES:

1. Committee discretion.
2. Approve the requested Subdivision.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff respectfully recommends approval of the requested two lot subdivision. At the 12.10.12 Public Meeting the Community Development Commission voted unanimously (5 – 0) to approve the two lot Resubdivision.

ON 01.15.13 the Village Board concurred with the CD recommendation voting 7 – 0 to approve the requested subdivision.

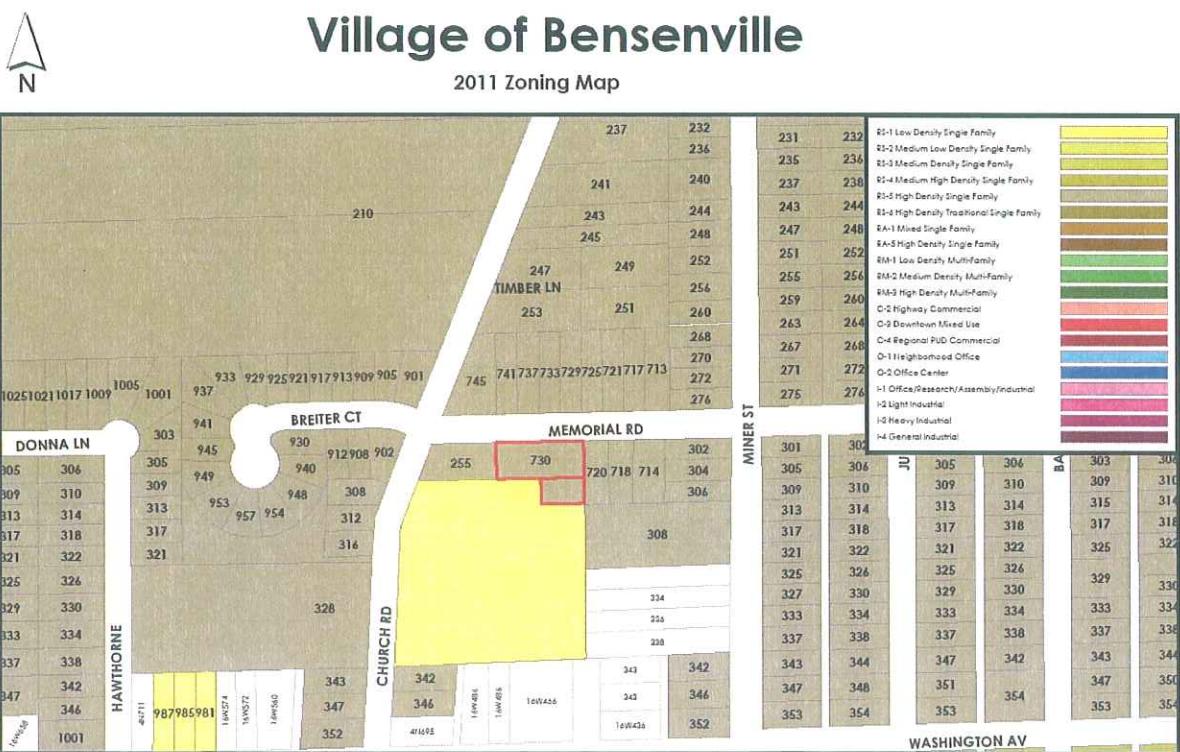
BUDGET IMPACT: N/A

ACTION REQUIRED: Approval of the attached ordinance approving the Plat of Subdivision as recommended by staff and CDC and as approved by the Village Board CEDC.

CDC# 2012 – 24

Memorial Drive Subdivision (East of 730 W. Memorial)

Two Lot Subdivision



ORDINANCE NO. ____

**AN ORDINANCE GRANTING APPROVAL
OF THE RE-SUBDIVISION OF VACANT LAND
COMMONLY KNOWN AS 730 WEST MEMORIAL DRIVE
IN THE VILLAGE OF BENSENVILLE**

WHEREAS, Lisa Breiter filed an application seeking the approval of the re-subdivision of vacant property located at 730 West Memorial Drive, legally described in Exhibit "A," attached hereto and incorporated herein by reference (hereinafter referred to as the "Subject Property"), for the purpose of selling the Subject Property for development as single family residences, and

WHEREAS, the Corporate Authorities of the Village have reviewed the discussions and findings of the proposed re-subdivision of the Subject Property undertaken by the Community Development Commission, and have reviewed the report of the Community and Economic Development Committee, both of which bodies recommend the approval of the re-subdivision of the Subject Property, said findings, discussions and reports being incorporated herein by reference as though fully attached hereto and fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Corporate Authorities of the Village of Bensenville, DuPage and Cook Counties, Illinois, in regular session assembled, as follows:

SECTION ONE: The recitals set forth hereinabove are incorporated herein by reference as part of this Ordinance.

SECTION TWO: That the passage of this Ordinance shall constitute approval of the re-subdivision of the Subject Property into two lots to be made of record.

SECTION THREE: That the President is hereby authorized to execute the Plat of Re-Subdivision on behalf of the Village of Bensenville, which signature shall be attested to by the Village Clerk, and that the Village Clerk shall be and is directed hereby to record the Plat of Re-Subdivision in accordance with Illinois law and to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FOUR: That all Ordinances and Resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 22nd day of January, 2013.

APPROVED:

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES:_____

NAYES:_____

ABSENT:_____

f:\pkb\bensenville\ordinances\zoning\memorialdrive.resubdivision.doc

Ordinance # _____

Exhibit "A"

Legal Description

The Legal Description is as follows:

BEING A SUBDIVISION N THE NORTH HALF OF SECTION 23, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY ILLINOIS.

Commonly known as 730 West Memorial Road, Bensenville, IL 60106

TYPE: Motion

SUBMITTED BY: S. Viger

DATE: 01.08.13

DESCRIPTION: Pass the Ordinance granting approval of certain variances to parking, setbacks, and reduction in the required drive aisles at the property commonly identified as 130-154 W. Irving Park Road.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village

<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

COMMITTEE ACTION: Commercial and Economic Development **DATE:** 01.15.13

BACKGROUND: The property in question is developed with a retail strip center, oft referred to as the Mexico 2000 Center after its signature tenant. The Irving Park and York Roads grade separation is severely impacting the site; IDOT is "taking" a portion of the property and is also acquiring a construction easement. The applicant is seeking to gain approval for a redesign of the existing site as proposed by IDOT. The following variances are necessitated due to the taking action:

- Further reduce the required 10' front yard parking setback previously reduced to 5' by Ordinances #40-98 and #69 – 98 to 0'; and
- Further reduce the 60 required parking spaces previously reduced to 40 parking spaces by Ordinances #40 – 98 and #69 – 98 to 35 parking spaces, and
- Further reduce the required 6' frontage (landscape) strip previously reduced to 3' by Ordinances #40 – 98 and #69 – 98 to 0', and
- Further reduce the required 6' Foundation (landscape) strip previously reduced to 3' by Ordinances #40 – 98 and #69 – 98 to 0', and
- Reduce the 24' minimum parking lot aisle width to 22', and
- Increase the percentage of compact parking stalls from 25% to 29%.

KEY ISSUES: The applicant has stated that without the variances it would be difficult for them to continue their business at this location. The situation highlights the balancing act between accommodating our long standing businesses and providing a "Vibrant Major Corridor". The property in question is near the gateway to the Village and will set the tone for the community aesthetic along our Irving Park Road commercial corridor. Staff and the applicant have worked together to create the "win – win" plan that is presented for Village Board consideration.

ALTERNATIVES:

1. Committee discretion.
2. Deny the Variances request.
3. Remand the request back to the Community Development Commission.

RECOMMENDATION: Staff respectfully recommends approval of the requested variances with several conditions as enumerated in the staff report. At the 12.10.12 Public Hearing Community Development Commission voted (5 - 0) to recommend approval of the variances with the five conditions recommended by the Village staff as found in the staff report:

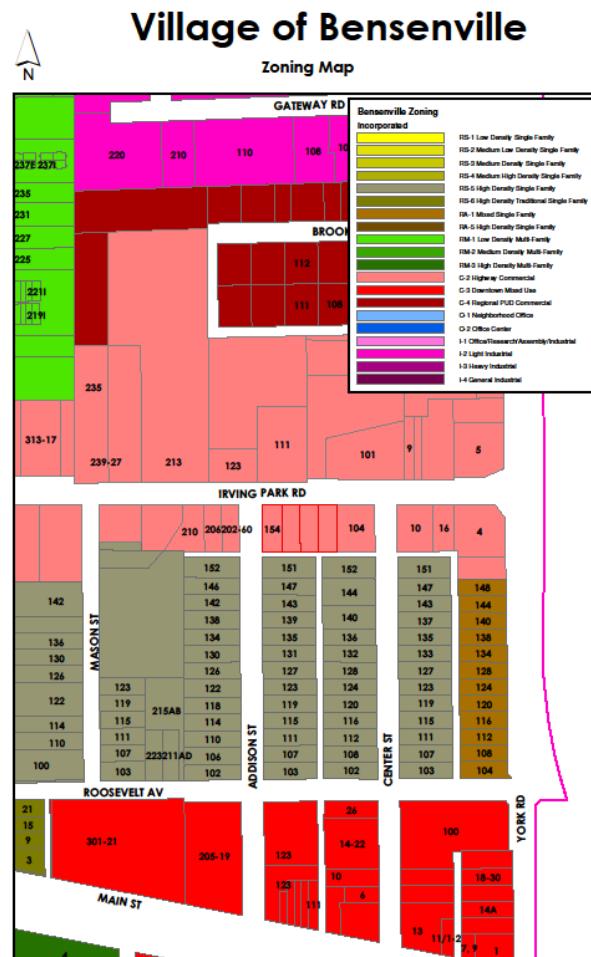
1. A copy of the ordinance must be kept on the premises of the establishment.
2. The property shall be developed and utilized in substantial compliance with the plans
3. Fence along the southern portion of the property be repaired
4. A landscape plan shall be submitted and approved as part of the building permit
5. A separate review will be necessary at sign permitting to ensure compliance.

On 01.15.13 the Community & Economic Development Committee voted 7-0 to concur with the CDC recommendations.

BUDGET IMPACT: N/A

ACTION REQUIRED: Motion to approve the requested Variances and conditions as recommended by staff and the CDC.

CDC# 2012 – 40
130-154 W. Irving Park Road
Associated Variances



ORDINANCE NO. _____

**AN ORDINANCE GRANTING APPROVAL OF CERTAIN VARIANCES
TO PARKING, SETBACKS AND REDUCTION IN THE REQUIRED DRIVE AISLES
AT THE PROPERTY COMMONLY IDENTIFIED AS 130-154 W. IRVING PARK ROAD
BENSENVILLE, ILLINOIS**

WHEREAS, Itasca Bank & Trust, Trust #12291 dated 10/4/2006 ("Owner/Applicant"), filed an application for approval of certain variances to allow continued operation of a business at the property located at 130 to 154 Irving Park Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being contained in the files for this property in the Community and Economic Development Department; and

WHEREAS, the application for variances was made as a result of the condemnation of a portion of the Subject Property by the Illinois Department of Transportation; and

WHEREAS, Notice of Public Hearing with respect to the requested variances was published in the Daily Herald on November 25, 2012, a notice of Public Hearing was posted on the Subject Property and personal notice of the hearing was made all in the time and manner as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on the application on December 10, 2012, as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, the Community Development Commission voted unanimously to approve the request for the variances sought as follows: to reduce the required 10 foot front yard parking setback previously reduced by Ordinance Nos. 40-98 and 69-98 to zero feet; to reduce the sixty (60) required parking spaces previously reduced to forty (40) spaces by Ordinance Nos. 40-98 and 69-98 to thirty-five (35) parking spaces; to reduce the required six-foot front (landscape) strip previously reduced to three feet by Ordinance Nos. 40-98 and 69-98 to zero feet; to reduce the required six foot foundation (landscape) strip previously reduced to three feet by Ordinance Nos. 40-98 and 69-98 to zero feet, to reduce the twenty-four foot minimum parking lot aisle wide to twenty-two feet and to increase the percentage of compact parking stalls from 25 percent to 29 percent; and

WHEREAS, the Community Development Commission forwarded its recommendation for approval of the variations sought to the Village Board's Community and Economic Development Committee, which concurred in the findings of fact and recommendation with conditions made therein, as are attached hereto as Exhibit "B" and incorporated herein by reference; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval of the requested variance as recommended by the Community Development Commission is consistent with the *Bensenville Village Code*.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the Subject Property is currently zoned under the Zoning Ordinance as an existing C-2 Highway Commercial District, which zoning classification shall remain in effect subject to the variance granted herein.

SECTION THREE: That the Staff Report and Recommendation to approve the variances sought was adopted by the Community Development Commission as its finding of facts, and said findings are adopted by the President and Board of Trustees, on a finding that said variances are proper and necessary.

SECTION FOUR: That, the following variances sought by the Applicant to reduce the required 10 foot front yard parking setback previously reduced by Ordinance Nos. 40-98 and 69-98 to zero feet; to reduce the sixty (60) required parking spaces previously reduced to forty (40) spaces by Ordinance Nos. 40-98 and 69-98 to thirty-five (35) parking spaces; to reduce the required six-foot front (landscape) strip previously reduced to three feet by Ordinance Nos. 40-98 and 69-98 to zero feet; to reduce the required six foot foundation (landscape) strip previously reduced to three feet by Ordinance Nos. 40-98 and 69-98 to zero feet, to reduce the twenty-four foot minimum parking lot aisle wide to twenty-two feet and to increase the percentage of compact parking stalls from 25 percent to 29 percent are hereby granted with the following conditions: (1) a copy of this Ordinance must be kept in the premises on the Subject Property at all times; (2) the Subject Property shall be developed and utilized in substantial conformance to

the plans submitted for this application prepared by Christopher B. Burke Engineering, Ltd. dated 12.03.12; (3) the fence along the southern portion of the Subject Property shall be repaired; (4) a landscape plan shall be submitted and approved as part of the building permit; and (5) as the site plan indicates only that the location of the proposed freestanding sign shall be acknowledged, a separate review will be necessary to ensure compliance with the Village's sign requirements.

SECTION FIVE: That all requirements of the Zoning Ordinance shall be applicable except as varied by the variances granted herein.

SECTION SIX: The terms and conditions set forth in this Ordinance are deemed to be a fundamental element of the relief granted herein, and are intended by the Village and the Applicant to run with the Subject Property and be binding upon any and all successors in interest to the Applicant.

SECTION SEVEN: That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION EIGHT: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 22nd day of January, 2013.

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Ordinance # _____

Exhibit "A"

Legal Description

The Legal Description is as follows:

LOTS 3, 4, 5 AND 6 IN BLOCK 2 HOMESTEAD, BEING A SUBDIVISION OF PART OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 14, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1925 AS DOCUMENT 195710, INDUPAGE COUNTY, ILLINOIS.

Commonly known as 130 – 154 West Irving Park Road, Bensenville, IL 60106

Ordinance # _____
Exhibit "B"
Legal Description

COMMUNITY DEVELOPMENT COMMISSION

STAFF REPORT

HEARING DATE: December 10, 2012
CASE #: 2012- 40
PROPERTY: 130 – 154 W. Irving Park Road
PROPERTY OWNER &
APPLICANT: Itasca Bank and Trust #12291 dated 10.04.06 through beneficiaries Sung Joon Park and Sung Soo Park
ACREAGE: 0.773 Acres
BUILDING SIZE: Approximately 9,200 Sq. Ft.
PIN NUMBERS: 03 – 14 – 212 – 001; 002; 003; 004
REQUEST: Variances to:
1. Reduce the required 10' front yard parking setback previously reduced to 5' to 0', Municipal Code Section 10 – 7B – 4B and
2. Reduce the 60 required parking spaces previously reduced to 40 parking spaces to 35 parking spaces, Municipal Code Section 10 – 11 – 11 and
3. Reduce the required 6' frontage (landscape) strip previously reduced to 3' to 0', Municipal Code Section 10 – 12 – 2B and
4. Reduce the required 6' Foundation (landscape) strip previously reduced to 3' to 0', Municipal Code Section 10 – 12 – 2E and
5. Reduce the 24' minimum Parking Lot Aisle Width to 22', Municipal Code Section 10 – 11 – 8 – 2D and

6. Increase the percentage of compact parking stalls from 25% to 29%, Municipal Code Section 10 – 11 – 8 – 2C – 4.

SURROUNDING LAND USE:

	Comprehensive Plan	Zoning	Land Use	Jurisdiction
Site	Commercial	C-2	Commercial	Village of Bensenville
North	Commercial	C-2	Commercial	Village of Bensenville
South	Residential	RS-5	Single-Family Residential	Village of Bensenville
East	Commercial	C-2	Commercial	Village of Bensenville
West	Commercial	C-2	Commercial	Village of Bensenville

SUMMARY:

The property in question is occupied by multiple retail tenants including the restaurant Mexico 2000 and is zoned C-2 Highway Commercial. The retail center is approximately eleven (11) years old. The Illinois Department of Transportation (IDOT) will be taking approximately 2,483 Sq. Ft. of the property for the Irving Park and York Road grade separation. The Applicant is seeking the aforementioned six (6) variances to prevent a non-conforming site subsequent to the IDOT taking. The variances requested concern the parking and landscape to be established after the taking.

PUBLIC NOTICE:

1. A Legal Notice was published in the Daily Herald on Sunday, November 25, 2012. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development department during regular business hours.
2. On Wednesday, November 21, 2012, Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way.
3. On Wednesday, November 21, 2012, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input type="checkbox"/>	Enrich the lives of Residents
<input checked="" type="checkbox"/>	Major Business/Corporate Center
<input checked="" type="checkbox"/>	Vibrant Major Corridors

Finance:

1. No outstanding water bill.

Police:

1. An additional review shall be completed at permitting to ensure the monument sign and landscaping along the northern portion of the subject property do not obstruct the view of vehicles turning onto Irving Park Road from Addison Street.

Engineering:

1. No Engineering comments.

Public Works:

1. No Public Works comments.

Community & Economic Development:

Economic Development

1. As the Irving Park Road corridor is improved it will create an opportunity to showcase Bensenville businesses along the corridor. This opportunity in part relies on the ability to maintain a high standard of aesthetics throughout.

Inspectional Services

1. The fire alarm and sprinkler system meet the requirements.
2. No fire related issues noted.

Building

2. Building code has been met.

Planning

3. The property in question is located on the south side of Irving Park Road and is zoned as a C-2 Highway Commercial District.
4. The property is improved with a one-story commercial building of approximately 9,200 Sq. Ft. currently containing four (4) units.
5. Similarly to prior cases 10 W. Irving Park Road and 104 W. Irving Park Road, the variances requested are necessary to prevent a non-conforming site subsequent to the IDOT taking for the Irving Park Road expansion. The IDOT taking is approximately 2,483 square feet for the expanded right of way of Irving Park Road and 828 square feet for a temporary easement occurring along the northern portion of the property in question.
6. The condemnation of the property is a direct result of action in DuPage County under case number 12 ED 49.

7. The issue is adequately providing parking to accommodate the use on the site versus other landscape and parking requirements.

Parking

8. According to Ordinance #40 – 98, the property in question has been granted a variance for on-site parking from 60 to 40. The request now is to increase that variance to 35 parking stalls.
9. The proposed solution to maximize available parking for the property includes the removal of the foundation strip along the northern portion of the building to accommodate a two-way parking aisle in conjunction with two parking rows.



Image 1 strip to be removed.

10. The proposed parking aisle width is reduced from the required 24 feet to 22 feet in width.

11. The parking setback variance is attributed to the taking of the northern portion of the property. Without the variance, the on-site parking would be reduced causing business hardship in the future.

12. Due to the combined factors of a reduced parking aisle width along with the taking, the proposed plan contains ten (10) compact stalls. As 29% of the overall parking spaces are compact stalls, a variance is necessary as only 25% is allowable by Municipal Code.

Landscape

13. The proposed plans indicate the current foundation and frontage strips be removed to maximize the parking found on-site.



Image 2. Frontage strip to be removed.

14. New landscaped areas that are proposed along the northern portion of the site exist within vision clearance triangles. A detailed landscape plan must be submitted upon permitting to ensure height and opacity requirements are met per Municipal Code Section 10-14-10.
15. If plausible, staff recommends the existing plant material found along the frontage strip, otherwise lost by the taking, be transplanted to areas in which new landscaped areas are proposed.
16. Staff recommends areas of the fence along the southern portion of the property be repaired.
Signage
17. No sign plan was submitted although the approximate location of the freestanding sign is centered along the northern frontage. No approval of the sign is inherent should the subject variances be approved.

The review and recommendation of the Variances should be determined by the "Approval Criteria" found in the Village's Zoning Ordinance.

APPROVAL CRITERIA FOR VARIANCES:

The Applicant has submitted "Approval Criteria" as part of the application (attached) which staff has found meets the conditions outlined below.

The Community Development Commission shall not recommend nor shall the Village Board grant a variance unless it shall make findings based upon the evidence presented to it in each specific case that:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.
3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.
4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.
6. **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

10.

Variance Approval Criteria	Meets Criteria	
	Yes	No
1. Special Circumstance	X	
2. Hardship or Practical Difficulty	X	
3. Circumstances Relate to Property	X	
4. Not Resulting from Applicant Action	X	
5. Preserves Rights Conferred by District	X	
6. Necessary for Use of Property	X	
7. Not Alter Local Character	X	
8. Consistent with Ordinance and Plan	X	
9. Minimum Variance Needed	X	

Staff finds all Approval Criteria have been met by criteria submitted by Applicant.

RECOMMENDATIONS:

Staff recommends the approval of the above Findings of Fact and the Variances subject to the following conditions:

1. A copy of the Variance ordinance must be kept on the premises of the establishment;
2. The property shall be developed and utilized in substantial conformance to the plans submitted for this application prepared by Christopher B. Burke Engineering, LTD dated 12.03.12;

3. Fence along the southern portion of the property be repaired;
4. A landscape plan shall be submitted and approved as part of the building permit;
5. As the site plan indicates only that the location of the proposed freestanding sign be acknowledged, a separate review will be necessary at sign permitting to ensure compliance.

Respectfully Submitted,

Department of Community
& Economic Development

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE SPECIAL COMMUNITY DEVELOPMENT COMMISSION

December 10, 2012

CALL TO ORDER: The meeting was called to order by Chairman Moruzzi at 6:30 p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Pisano, Rowe, Weldon
Absent: Ventura
A quorum was present.

Public Hearing: CDC Case Number 2012-40
Petitioner: Itasca Bank & Trust; Trust #12291
Location: 130-154 W. Irving Park Road
Request: Parking and Landscaping Variances

Motion: Commissioner Pisano made a motion to open CDC Case No. 2012-40.
Commissioner Rowe seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Janowiak, Pisano, Rowe, Weldon
Absent: Ventura
A quorum was present.
Chairman Moruzzi opened the Public Hearing for CDC Case Number 2012-40 at 6:35 p.m.

Director of Community & Economic Development, Scott Viger, stated a legal notice was published in the Daily Herald on November 25, 2012 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mr. Viger also stated that Village Staff posted a notice of the Public Hearing sign on the property on November 21, 2012. Mr. Viger stated on November 21, 2012 Village Staff mailed first class notice of the public hearing to taxpayers of record within 250 feet of the property in question.

Mr. Marshall Subach of Hunt, Kaiser, Aranda & Subach, Ltd. was present and previously sworn in by Chairman Moruzzi. Mr. Subach stated he was representing Itasca Bank & Trust; Trust #12291. Mr. Subach reviewed previous variance reliefs granted to the property in 1988 and stated the reasons for the new requests were part of the Irving Park Road

redevelopment project by IDOT. Mr. Subach stated his clients were requesting six variances consisting of:

- 1) Reduce the required 10' front yard parking setback previously reduced to 5' to 0'.
- 2) Reduce the 60 required parking spaces previously reduced to 40 parking spaces to 35 parking spaces.
- 3) Reduce the required 6' frontage (landscape) strip previously reduced to 3' to 0'.
- 4) Reduce the required 6' Foundation (landscape) strip previously reduced to 3' to 0'.
- 5) Reduce the 24' minimum Parking Lot Aisle Width to 22'.
- 6) Increase the percentage of compact parking stalls from 25% to 29%.

Mr. Subach submitted photos of the property to the Commissioners. The photos have been submitted to the record as "Exhibit A". Mr. Subach stated his clients and Village Staff are currently discussing the landscaping for the property. Mr. Subach stated his client would prefer the landscaping be to the east of the property's pork-chop. Mr. Subach submitted two landscape drawing to the Commissioners. The drawings have been submitted to the record as "Exhibit B" and "Exhibit C". Mr. Subach reviewed the Finding of Facts consisting of:

- 1) **Special Circumstances:** Currently the strip center has 39 parking spaces for the approximate 3,900 square foot building. After the IDOT taking with the redesign of the parking lot and sidewalk in front of the building the strip center will have 35 spaces. The special circumstances that exist for this property are the fact that IDOT is currently taking approximately 2,483 square feet for the expanded right-of-way of Irving Park Road. As a result of this taking, all of the existing parking along Irving Park Road will be eliminated.
- 2) **Hardship or Practical Difficulty:** The literal application of the code would result in unnecessary and undue hardship for the applicant as distinguished from mere inconvenience. After the taking from IDOT, in order to keep the maximum number of parking spaces available to keep the building viable for current and future tenants, the existing sidewalk and landscaping foundation strip in front of the building will have to be eliminated. The depth of the lot will not allow any other viable parking plan. With the redesigned parking, and to keep a minimum two way drive aisle of 22' as well as room for vehicles to maneuver and to allow for safe pedestrian traffic, the landscaping strip along Irving Park Road must be eliminated for part of the property. To compensate the Petitioner is proposing to increase the landscaping on the east and west corners of the lot to 15' and 16' respectively.

- 3) **Circumstances Relate to Property:** The special circumstances only relate to the physical characteristics, specifically, the depth of the lot in relation to the size of the existing brick and concrete building. The circumstances do not concern any business or activity of the owner or any occupant.
- 4) **Not Resulting from Applicant Action:** The requested variance is not a result of any action taken by the Petitioner, but is a direct and proximate result of the condemnation action in DuPage County under case number 12 ED 49.
- 5) **Preserves Rights Conferred by District:** The variances are necessary to allow the owners to enjoy substantial use of the property and a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Without the variances, the parking will be reduced to 20 spaces which will make the space unusable for existing and future tenants due to the lack of parking. There will be another vacant building along Irving Park Road in Bensenville.
- 6) **Necessary for Use of Property:** The granting of the variances is not necessary to increase the economic return, but without the variances the applicant will be deprived of reasonable use and economic return on the property. The granting of the variances is necessary to allow the existing tenants or business to stay in existence in the Village of Bensenville.
- 7) **Not Alter Local Character:** The granting of the variance will not alter the local character of the property as the existing strip center has been in existence for approximately 11 years. Moreover, the Village has granted similar variance requests for other property owners along Irving Park Road due to the IDOT taking.
- 8) **Consistent with Ordinance and Plan:** The granting of the variances will be in harmony with the general purpose and intent of the zoning code and of the general development plan adopted by the Village of Bensenville. In addition, the Village of Bensenville has a stated purpose and intent to retain existing business in town. The Village needs to work with the business and landowners with their existing conditions and property restraints to allow the businesses impacted by the IDOT expansion of Irving Park Road to properly function.
- 9) **Minimum Variance Needed:** The requested variances are the minimum required and very close to what is currently in existence.

The Petitioner has worked diligently with staff creating a plan that can work for the strip center and keep the center viable. It is IDOT that determined the amount of property it is taking pursuant to the condemnation lawsuit.

Commissioner Pisano asked how wide the sidewalk is from the building to the parking lot. Mr. Subach stated it was six feet wide. Commissioner Pisano asked what the curb height would be in the parking lot to prevent cars from driving into the building. Mr. Subach stated the curb height will meet code requirements.

Commissioner Weldon raised concern with eastbound traffic and the visibility to drivers exiting the property.

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony on the CDC Case. There was none.

Director of Community & Economic Development, Scott Viger, read a letter into the record submitted by _____. The letter has been submitted to the records as "Exhibit D."

Director of Community & Economic Development, Scott Viger, presented the Village Staff report. Mr. Viger stated the Police Department has raised concerns with the potential landscape plan that could block traffic traveling east on Irving Park Road. Mr. Viger stated Staff will work with the petitioners regarding the landscaping plan at a later time. Mr. Viger stated Staff recommends approval with the following conditions:

- 1) A copy of the Variance ordinance must be kept on the premises of the establishment.
- 2) The property shall be developed and utilized in substantial conformance to the plans submitted for this application prepared by Christopher B. Burke Engineering, LTD dated 12.03.12.
- 3) Fence along the southern portion of the property be repaired.
- 4) A landscape plan shall be submitted and approved as part of the building permit.
- 5) As the site plan indicates only that the location of the proposed freestanding sign be acknowledged, a separate review will be necessary at sign permitting to ensure compliance.

Chairman Moruzzi asked Assistant Director of Community & Economic Development, Mark Rysavy, to review the drawing with the Commissioners.

Motion: Commissioner Rowe made a motion to close CDC Case Number 2012-40. Commissioner Weldon seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Rowe, Pisano, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing for CDC Case Number 2012-40 at 7:08 p.m.

Motion:

Commissioner Weldon made a motion to approve the finding of facts for the requested variance reducing the front yard parking setback consisting of:

1. **Special Circumstances:** Currently the strip center has 39 parking spaces for the approximate 3,900 square foot building. After the IDOT taking with the redesign of the parking lot and sidewalk in front of the building the strip center will have 35 spaces. The special circumstances that exist for this property are the fact that IDOT is currently taking approximately 2,483 square feet for the expanded right-of-way of Irving Park Road. As a result of this taking, all of the existing parking along Irving Park Road will be eliminated.
2. **Hardship or Practical Difficulty:** The literal application of the code would result in unnecessary and undue hardship for the applicant as distinguished from mere inconvenience. After the taking from IDOT, in order to keep the maximum number of parking spaces available to keep the building viable for current and future tenants, the existing sidewalk and landscaping foundation strip in front of the building will have to be eliminated. The depth of the lot will not allow any other viable parking plan. With the redesigned parking, and to keep a minimum two way drive aisle of 22' as well as room for vehicles to maneuver and to allow for safe pedestrian traffic, the landscaping strip along Irving Park Road must be eliminated for part of the property. To compensate the Petitioner is proposing to increase the landscaping on the east and west corners of the lot to 15' and 16' respectively.
3. **Circumstances Relate to Property:** The special circumstances only relate to the physical characteristics, specifically, the depth of the lot in relation to the size of the existing brick and concrete building. The circumstances do not concern any business or activity of the owner or any occupant.
4. **Not Resulting from Applicant Action:** The requested variance is not a result of any action taken by the Petitioner, but is a direct and

proximate result of the condemnation action in DuPage County under case number 12 ED 49.

5. **Preserves Rights Conferred by District:** The variances are necessary to allow the owners to enjoy substantial use of the property and a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Without the variances, the parking will be reduced to 20 spaces which will make the space unusable for existing and future tenants due to the lack of parking. There will be another vacant building along Irving Park Road in Bensenville.
6. **Necessary for Use of Property:** The granting of the variances is not necessary to increase the economic return, but without the variances the applicant will be deprived of reasonable use and economic return on the property. The granting of the variances is necessary to allow the existing tenants or business to stay in existence in the Village of Bensenville.
7. **Not Alter Local Character:** The granting of the variance will not alter the local character of the property as the existing strip center has been in existence for approximately 11 years. Moreover, the Village has granted similar variance requests for other property owners along Irving Park Road due to the IDOT taking.
8. **Consistent with Ordinance and Plan:** The granting of the variances will be in harmony with the general purpose and intent of the zoning code and of the general development plan adopted by the Village of Bensenville. In addition, the Village of Bensenville has a stated purpose and intent to retain existing business in town. The Village needs to work with the business and landowners with their existing conditions and property restraints to allow the businesses impacted by the IDOT expansion of Irving Park Road to properly function.
9. **Minimum Variance Needed:** The requested variances are the minimum required and very close to what is currently in existence. The Petitioner has worked diligently with staff creating a plan that can work for the strip center and keep the center viable. It is IDOT that determined the amount of property it is taking pursuant to the condemnation lawsuit.

Commissioner Rowe seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Pisano made a motion to approve the finding of facts for the requested variance reducing the required parking spaces consisting of:

1. **Special Circumstances:** Currently the strip center has 39 parking spaces for the approximate 3,900 square foot building. After the IDOT taking with the redesign of the parking lot and sidewalk in front of the building the strip center will have 35 spaces. The special circumstances that exist for this property are the fact that IDOT is currently taking approximately 2,483 square feet for the expanded right-of-way of Irving Park Road. As a result of this taking, all of the existing parking along Irving Park Road will be eliminated.
2. **Hardship or Practical Difficulty:** The literal application of the code would result in unnecessary and undue hardship for the applicant as distinguished from mere inconvenience. After the taking from IDOT, in order to keep the maximum number of parking spaces available to keep the building viable for current and future tenants, the existing sidewalk and landscaping foundation strip in front of the building will have to be eliminated. The depth of the lot will not allow any other viable parking plan. With the redesigned parking, and to keep a minimum two way drive aisle of 22' as well as room for vehicles to maneuver and to allow for safe pedestrian traffic, the landscaping strip along Irving Park Road must be eliminated for part of the property. To compensate the Petitioner is proposing to increase the landscaping on the east and west corners of the lot to 15' and 16' respectively.
3. **Circumstances Relate to Property:** The special circumstances only relate to the physical characteristics, specifically, the depth of the lot in relation to the size of the existing brick and concrete building. The circumstances do not concern any business or activity of the owner or any occupant.
4. **Not Resulting from Applicant Action:** The requested variance is not a result of any action taken by the Petitioner, but is a direct and proximate result of the condemnation action in DuPage County under case number 12 ED 49.
5. **Preserves Rights Conferred by District:** The variances are necessary to allow the owners to enjoy substantial use of the property and a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Without the variances, the parking will be reduced to 20 spaces which will make the space unusable for

existing and future tenants due to the lack of parking. There will be another vacant building along Irving Park Road in Bensenville.

6. **Necessary for Use of Property:** The granting of the variances is not necessary to increase the economic return, but without the variances the applicant will be deprived of reasonable use and economic return on the property. The granting of the variances is necessary to allow the existing tenants or business to stay in existence in the Village of Bensenville.
7. **Not Alter Local Character:** The granting of the variance will not alter the local character of the property as the existing strip center has been in existence for approximately 11 years. Moreover, the Village has granted similar variance requests for other property owners along Irving Park Road due to the IDOT taking.
8. **Consistent with Ordinance and Plan:** The granting of the variances will be in harmony with the general purpose and intent of the zoning code and of the general development plan adopted by the Village of Bensenville. In addition, the Village of Bensenville has a stated purpose and intent to retain existing business in town. The Village needs to work with the business and landowners with their existing conditions and property restraints to allow the businesses impacted by the IDOT expansion of Irving Park Road to properly function.
9. **Minimum Variance Needed:** The requested variances are the minimum required and very close to what is currently in existence. The Petitioner has worked diligently with staff creating a plan that can work for the strip center and keep the center viable. It is IDOT that determined the amount of property it is taking pursuant to the condemnation lawsuit.

Commissioner Weldon seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to approve the finding of facts for the requested variance reducing the required frontage strip consisting of:

1. **Special Circumstances:** Currently the strip center has 39 parking spaces for the approximate 3,900 square foot building. After the IDOT taking with the redesign of the parking lot and sidewalk in front of the building the strip center will have 35 spaces. The special

circumstances that exist for this property are the fact that IDOT is currently taking approximately 2,483 square feet for the expanded right-of-way of Irving Park Road. As a result of this taking, all of the existing parking along Irving Park Road will be eliminated.

2. **Hardship or Practical Difficulty:** The literal application of the code would result in unnecessary and undue hardship for the applicant as distinguished from mere inconvenience. After the taking from IDOT, in order to keep the maximum number of parking spaces available to keep the building viable for current and future tenants, the existing sidewalk and landscaping foundation strip in front of the building will have to be eliminated. The depth of the lot will not allow any other viable parking plan. With the redesigned parking, and to keep a minimum two way drive aisle of 22' as well as room for vehicles to maneuver and to allow for safe pedestrian traffic, the landscaping strip along Irving Park Road must be eliminated for part of the property. To compensate the Petitioner is proposing to increase the landscaping on the east and west corners of the lot to 15' and 16' respectively.
3. **Circumstances Relate to Property:** The special circumstances only relate to the physical characteristics, specifically, the depth of the lot in relation to the size of the existing brick and concrete building. The circumstances do not concern any business or activity of the owner or any occupant.
4. **Not Resulting from Applicant Action:** The requested variance is not a result of any action taken by the Petitioner, but is a direct and proximate result of the condemnation action in DuPage County under case number 12 ED 49.
5. **Preserves Rights Conferred by District:** The variances are necessary to allow the owners to enjoy substantial use of the property and a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Without the variances, the parking will be reduced to 20 spaces which will make the space unusable for existing and future tenants due to the lack of parking. There will be another vacant building along Irving Park Road in Bensenville.
6. **Necessary for Use of Property:** The granting of the variances is not necessary to increase the economic return, but without the variances the applicant will be deprived of reasonable use and economic return on the property. The granting of the variances is necessary to allow the existing tenants or business to stay in existence in the Village of Bensenville.

7. **Not Alter Local Character:** The granting of the variance will not alter the local character of the property as the existing strip center has been in existence for approximately 11 years. Moreover, the Village has granted similar variance requests for other property owners along Irving Park Road due to the IDOT taking.
8. **Consistent with Ordinance and Plan:** The granting of the variances will be in harmony with the general purpose and intent of the zoning code and of the general development plan adopted by the Village of Bensenville. In addition, the Village of Bensenville has a stated purpose and intent to retain existing business in town. The Village needs to work with the business and landowners with their existing conditions and property restraints to allow the businesses impacted by the IDOT expansion of Irving Park Road to properly function.
9. **Minimum Variance Needed:** The requested variances are the minimum required and very close to what is currently in existence. The Petitioner has worked diligently with staff creating a plan that can work for the strip center and keep the center viable. It is IDOT that determined the amount of property it is taking pursuant to the condemnation lawsuit.

Commissioner Pisano seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the finding of facts for the requested variance reducing the required foundation strip consisting of:

1. **Special Circumstances:** Currently the strip center has 39 parking spaces for the approximate 3,900 square foot building. After the IDOT taking with the redesign of the parking lot and sidewalk in front of the building the strip center will have 35 spaces. The special circumstances that exist for this property are the fact that IDOT is currently taking approximately 2,483 square feet for the expanded right-of-way of Irving Park Road. As a result of this taking, all of the existing parking along Irving Park Road will be eliminated.
2. **Hardship or Practical Difficulty:** The literal application of the code would result in unnecessary and undue hardship for the applicant as distinguished from mere inconvenience. After the taking from IDOT, in order to keep the maximum number of parking spaces available to

keep the building viable for current and future tenants, the existing sidewalk and landscaping foundation strip in front of the building will have to be eliminated. The depth of the lot will not allow any other viable parking plan. With the redesigned parking, and to keep a minimum two way drive aisle of 22' as well as room for vehicles to maneuver and to allow for safe pedestrian traffic, the landscaping strip along Irving Park Road must be eliminated for part of the property. To compensate the Petitioner is proposing to increase the landscaping on the east and west corners of the lot to 15' and 16' respectively.

3. **Circumstances Relate to Property:** The special circumstances only relate to the physical characteristics, specifically, the depth of the lot in relation to the size of the existing brick and concrete building. The circumstances do not concern any business or activity of the owner or any occupant.
4. **Not Resulting from Applicant Action:** The requested variance is not a result of any action taken by the Petitioner, but is a direct and proximate result of the condemnation action in DuPage County under case number 12 ED 49.
5. **Preserves Rights Conferred by District:** The variances are necessary to allow the owners to enjoy substantial use of the property and a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Without the variances, the parking will be reduced to 20 spaces which will make the space unusable for existing and future tenants due to the lack of parking. There will be another vacant building along Irving Park Road in Bensenville.
6. **Necessary for Use of Property:** The granting of the variances is not necessary to increase the economic return, but without the variances the applicant will be deprived of reasonable use and economic return on the property. The granting of the variances is necessary to allow the existing tenants or business to stay in existence in the Village of Bensenville.
7. **Not Alter Local Character:** The granting of the variance will not alter the local character of the property as the existing strip center has been in existence for approximately 11 years. Moreover, the Village has granted similar variance requests for other property owners along Irving Park Road due to the IDOT taking.
8. **Consistent with Ordinance and Plan:** The granting of the variances will be in harmony with the general purpose and intent of the zoning code and of the general development plan adopted by the Village of

Bensenville. In addition, the Village of Bensenville has a stated purpose and intent to retain existing business in town. The Village needs to work with the business and landowners with their existing conditions and property restraints to allow the businesses impacted by the IDOT expansion of Irving Park Road to properly function.

9. **Minimum Variance Needed:** The requested variances are the minimum required and very close to what is currently in existence. The Petitioner has worked diligently with staff creating a plan that can work for the strip center and keep the center viable. It is IDOT that determined the amount of property it is taking pursuant to the condemnation lawsuit.

Commissioner Rowe seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the finding of facts for the requested variance reducing the parking lot aisle width consisting of:

1. **Special Circumstances:** Currently the strip center has 39 parking spaces for the approximate 3,900 square foot building. After the IDOT taking with the redesign of the parking lot and sidewalk in front of the building the strip center will have 35 spaces. The special circumstances that exist for this property are the fact that IDOT is currently taking approximately 2,483 square feet for the expanded right-of-way of Irving Park Road. As a result of this taking, all of the existing parking along Irving Park Road will be eliminated.
2. **Hardship or Practical Difficulty:** The literal application of the code would result in unnecessary and undue hardship for the applicant as distinguished from mere inconvenience. After the taking from IDOT, in order to keep the maximum number of parking spaces available to keep the building viable for current and future tenants, the existing sidewalk and landscaping foundation strip in front of the building will have to be eliminated. The depth of the lot will not allow any other viable parking plan. With the redesigned parking, and to keep a minimum two way drive aisle of 22' as well as room for vehicles to maneuver and to allow for safe pedestrian traffic, the landscaping strip along Irving Park Road must be eliminated for part of the property. To compensate the Petitioner is proposing to increase the landscaping on the east and west corners of the lot to 15' and 16' respectively.

3. **Circumstances Relate to Property:** The special circumstances only relate to the physical characteristics, specifically, the depth of the lot in relation to the size of the existing brick and concrete building. The circumstances do not concern any business or activity of the owner or any occupant.
4. **Not Resulting from Applicant Action:** The requested variance is not a result of any action taken by the Petitioner, but is a direct and proximate result of the condemnation action in DuPage County under case number 12 ED 49.
5. **Preserves Rights Conferred by District:** The variances are necessary to allow the owners to enjoy substantial use of the property and a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Without the variances, the parking will be reduced to 20 spaces which will make the space unusable for existing and future tenants due to the lack of parking. There will be another vacant building along Irving Park Road in Bensenville.
6. **Necessary for Use of Property:** The granting of the variances is not necessary to increase the economic return, but without the variances the applicant will be deprived of reasonable use and economic return on the property. The granting of the variances is necessary to allow the existing tenants or business to stay in existence in the Village of Bensenville.
7. **Not Alter Local Character:** The granting of the variance will not alter the local character of the property as the existing strip center has been in existence for approximately 11 years. Moreover, the Village has granted similar variance requests for other property owners along Irving Park Road due to the IDOT taking.
8. **Consistent with Ordinance and Plan:** The granting of the variances will be in harmony with the general purpose and intent of the zoning code and of the general development plan adopted by the Village of Bensenville. In addition, the Village of Bensenville has a stated purpose and intent to retain existing business in town. The Village needs to work with the business and landowners with their existing conditions and property restraints to allow the businesses impacted by the IDOT expansion of Irving Park Road to properly function.
9. **Minimum Variance Needed:** The requested variances are the minimum required and very close to what is currently in existence. The Petitioner has worked diligently with staff creating a plan that

can work for the strip center and keep the center viable. It is IDOT that determined the amount of property it is taking pursuant to the condemnation lawsuit.

Commissioner Pisano seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the finding of facts for the requested variance increasing the percentage of compact parking consisting of:

1. **Special Circumstances:** Currently the strip center has 39 parking spaces for the approximate 3,900 square foot building. After the IDOT taking with the redesign of the parking lot and sidewalk in front of the building the strip center will have 35 spaces. The special circumstances that exist for this property are the fact that IDOT is currently taking approximately 2,483 square feet for the expanded right-of-way of Irving Park Road. As a result of this taking, all of the existing parking along Irving Park Road will be eliminated.
2. **Hardship or Practical Difficulty:** The literal application of the code would result in unnecessary and undue hardship for the applicant as distinguished from mere inconvenience. After the taking from IDOT, in order to keep the maximum number of parking spaces available to keep the building viable for current and future tenants, the existing sidewalk and landscaping foundation strip in front of the building will have to be eliminated. The depth of the lot will not allow any other viable parking plan. With the redesigned parking, and to keep a minimum two way drive aisle of 22' as well as room for vehicles to maneuver and to allow for safe pedestrian traffic, the landscaping strip along Irving Park Road must be eliminated for part of the property. To compensate the Petitioner is proposing to increase the landscaping on the east and west corners of the lot to 15' and 16' respectively.
3. **Circumstances Relate to Property:** The special circumstances only relate to the physical characteristics, specifically, the depth of the lot in relation to the size of the existing brick and concrete building. The circumstances do not concern any business or activity of the owner or any occupant.

4. **Not Resulting from Applicant Action:** The requested variance is not a result of any action taken by the Petitioner, but is a direct and proximate result of the condemnation action in DuPage County under case number 12 ED 49.
5. **Preserves Rights Conferred by District:** The variances are necessary to allow the owners to enjoy substantial use of the property and a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. Without the variances, the parking will be reduced to 20 spaces which will make the space unusable for existing and future tenants due to the lack of parking. There will be another vacant building along Irving Park Road in Bensenville.
6. **Necessary for Use of Property:** The granting of the variances is not necessary to increase the economic return, but without the variances the applicant will be deprived of reasonable use and economic return on the property. The granting of the variances is necessary to allow the existing tenants or business to stay in existence in the Village of Bensenville.
7. **Not Alter Local Character:** The granting of the variance will not alter the local character of the property as the existing strip center has been in existence for approximately 11 years. Moreover, the Village has granted similar variance requests for other property owners along Irving Park Road due to the IDOT taking.
8. **Consistent with Ordinance and Plan:** The granting of the variances will be in harmony with the general purpose and intent of the zoning code and of the general development plan adopted by the Village of Bensenville. In addition, the Village of Bensenville has a stated purpose and intent to retain existing business in town. The Village needs to work with the business and landowners with their existing conditions and property restraints to allow the businesses impacted by the IDOT expansion of Irving Park Road to properly function.
9. **Minimum Variance Needed:** The requested variances are the minimum required and very close to what is currently in existence. The Petitioner has worked diligently with staff creating a plan that can work for the strip center and keep the center viable. It is IDOT that determined the amount of property it is taking pursuant to the condemnation lawsuit.

Commissioner Rowe seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the variance requested reducing the required front yard parking setback with Staff recommendations. Chairman Moruzzi seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the variance requested reducing the required parking spaces with Staff recommendations. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the variance requested reducing the required frontage strip with Staff recommendations. Chairman Moruzzi seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the variance requested reducing the required foundation strip with Staff recommendations. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the variance requested reducing the required parking lot aisle width with Staff recommendations. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

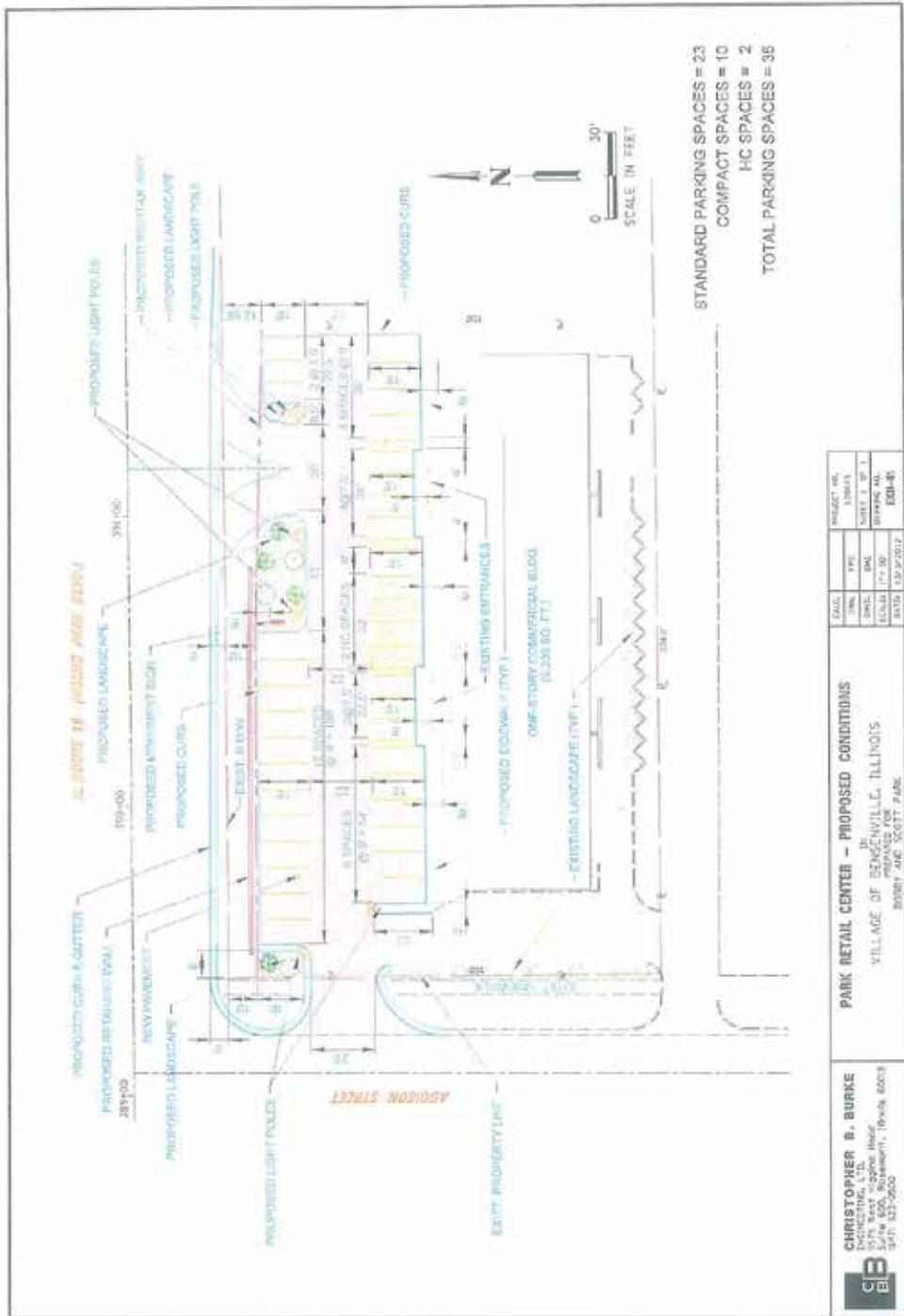
Motion: Commissioner Pisano made a motion to approve the variance requested increasing the percentage of compact parking with Staff recommendations. Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Mike Moruzzi, Chairman
Community Development Commission



TYPE: Ordinance

SUBMITTED BY: Dan Di Santo

DATE: January 17, 2013

DESCRIPTION: Pass the Ordinance submitting the public question on the April 9, 2013 ballot asking whether Video Gaming should be allowed in the Village of Bensenville.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input checked="" type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: Village Manager's Report

DATE: January 15, 2013

BACKGROUND:

The State passed The Video Gaming Act as Public Act 96-34, which became effective on July 13, 2009 as a means of funding the State Capital Bill. On September 11, 2012, the Village of Bensenville exercised its right in The Video Gaming Act and passed Ordinance 45-2012 amending Section 4-3-23 of the Bensenville Village Code to prohibit video gaming within the Village.

KEY ISSUES:

Video Gaming was discussed at the January 15, 2013 Village Board meeting. A number of business owners and video game operators attended the meeting in support of allowing Video Gaming in Bensenville. During the meeting, the Village Board indicated support for including an advisory referendum on the April 9, 2013 ballot stating the following "Shall Video Gaming be allowed in the Village of Bensenville?" An advisory referendum is a way to measure public interest in a given issue. In contrast, a binding referendum would result in a final, law making decision. The Village can allow Video Gaming without placing a referendum on the ballot; however some communities have chosen to use a referendum to gauge the public interest in allowing Video Gaming.

The PowerPoint presentation from the January 15, 2013 meeting is attached for additional information on Video Gaming.

ALTERNATIVES:

- Discretion of the Board

RECOMMENDATION:

Staff recommends passage of the Ordinance.

BUDGET IMPACT:

Municipalities receive a 5% tax on gaming revenues within their corporate limits. In addition, the Village can impose a \$25 fee on video gaming terminals. Some projections show that an establishment can earn up to \$30,000/year per machine for a total of \$150,000 in revenue per year. Revenues for the Village under that scenario could be approximately \$2,000/year per machine, or about \$10,000/year per establishment with the maximum of 5 machines. If the Village allowed Video Gaming, we estimate income to the Village could be approximately \$75,000 per year.

ACTION REQUIRED:

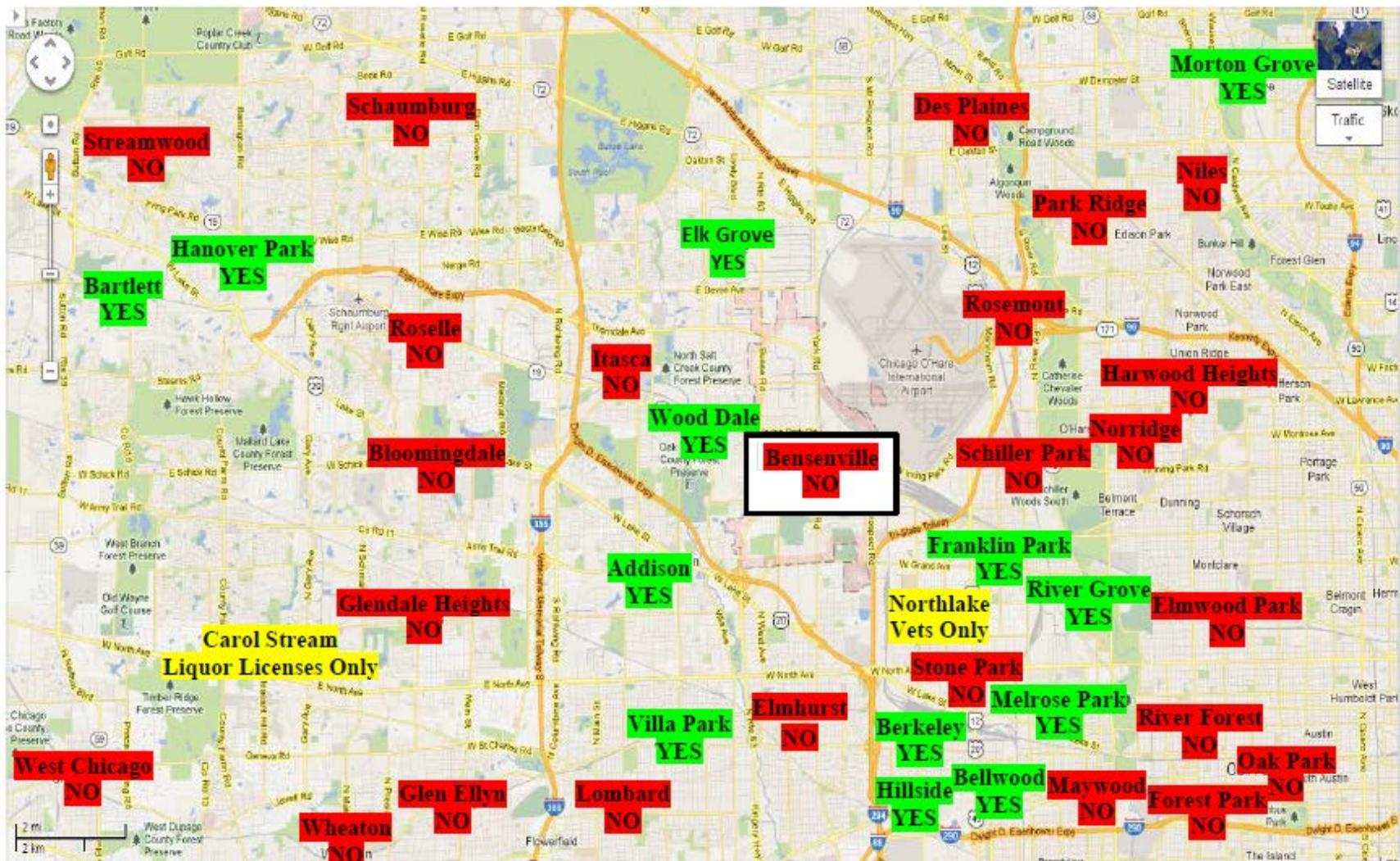
Pass the Ordinance submitting the public question on the April 9, 2013 ballot asking whether Video Gaming should be allowed in the Village of Bensenville.

Illinois Video Gaming Act



BENSENVILLE
WHERE OPPORTUNITY TAKES OFF

Video Gaming in Surrounding Municipalities



BENSENVILLE
WHERE OPPORTUNITY TAKES OFF

Provisions of the Act

- Authorizes up to 5 gaming terminals in licensed establishments where liquor is served for consumption on the premises, as well as in licensed fraternal establishments, licensed veterans establishments, and licensed truck stops;
- Authorized establishments cannot be located within 100 feet of a school or place of worship or 1,000 feet from a horse track or casino;
- Video gaming terminals must be located in an area restricted to persons over 21 years of age and in the view of an employee;
- Video gaming is only permitted during the hours when alcohol can be consumed; and
- The Illinois Gaming Board regulates and enforces video gaming.



Enforcement

- The Illinois Gaming Board regulate and enforce video gaming
 - Real-time monitoring of every machine
- Penalties for violations range from a \$100 fine to a Class 4 felony
- For certain offenses, the establishment may lose its video gaming and/or liquor license



BENSENVILLE
WHERE OPPORTUNITY TAKES OFF

Potential Establishments In Bensenville

Class A:

Village of Bensenville (Redmond Park/Edge Ice Arena)
Monty's – 303 South York Road
Perk's Bar & Grill – 801 North Route 83
Cascade Banquets – 800 West Irving Park Road
DeCampana – 229 West Grand Avenue
3 J's – 206 West Green Street
Inn Between – 1300 West Irving Park Road
Valente's – 410 East Green Street

Class E1:

Jade Dragon – 1075 South York Road
Two Chef's – 3 South Center Street
Cancun Mexican Restaurant – 220 North York Road
Bell Vista Banquets – 207 West Main Street
Mamma Maria's – 438 South York Road

Class E2:

Bacci Pizza – 100 South Route 83



BENSENVILLE
WHERE OPPORTUNITY TAKES OFF

Revenue Sharing

- Establishment and Operator each get 35% of revenues
- 30% tax on video gaming revenues
 - 25% goes to the State
 - 5% goes to the local government
- Municipality can impose a \$25 fee for every video gaming terminal
- Projections show that an establishment can earn around \$30,000/year per machine for a total of \$150,000 in revenue per year.
- Revenues for the Village under that scenario could be approximately \$2,000/year per machine, or about \$10,000/year per establishment with the maximum of 5 machines.



Municipal Revenue Projections

- 14 Eligible Establishments
- \$2,000 – Average Annual Municipal Revenue/Machine/Year
- \$10,000 – Average Annual Municipal Revenue/Establishment with 5 machines/Year
- \$50,000 – Estimate with 5 Fully Participating Establishments
- \$100,000 – Estimate with 10 Fully Participating Establishments



BENSENVILLE
WHERE OPPORTUNITY TAKES OFF

Questions?



BENSENVILLE
WHERE OPPORTUNITY TAKES OFF

ORDINANCE NO.

**AN ORDINANCE PROVIDING FOR THE SUBMISSION OF AN ADVISORY PUBLIC
QUESTION TO THE ELECTORS OF THE VILLAGE OF BENSENVILLE, DUPAGE AND
COOK COUNTIES, REGARDING WHETHER TO ALLOW VIDEO GAMING WITHIN
THE CORPORATE LIMITS OF THE VILLAGE OF BENSENVILLE**

WHEREAS, the Village of Bensenville (“Village”) is a body public and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

WHEREAS, under Article 7, Section 11 of the Illinois Constitution, the Village has the authority to submit public questions to the electors of the Village by Ordinance of the Village Board of Trustees; and

WHEREAS, the Municipal Code, 65 ILCS 5/3.1-40-60, provides that the Village may, by a vote of the majority of the members of the Village Board of Trustees, authorize an advisory question of public policy to be placed on the Ballot at the April 9, 2013, Consolidated Election; and

WHEREAS, the Village is authorized and empowered, under the Municipal Code and the Village of Bensenville Code, to regulate gambling within the municipal boundaries of the Village; and

WHEREAS, the State of Illinois Video Gaming Act (230 ILCS 40/1 *et seq.*; PA96-0034) became law July 13, 2009, and allows certain licensed establishments to conduct video gaming; and

WHEREAS, the Village seeks to submit an advisory public question at the April 9, 2013, Consolidated Election to the electors of the Village to determine whether Video Gaming should be allowed within the corporate limits of the Village; and

WHEREAS, accordingly, the Village Board of Trustees has determined that, pursuant to Article 7, Section 11 of the Illinois Constitution and the Municipal Code, 65 ILCS 5/3.1-40-60, it is necessary and proper to submit an Advisory Referendum at the Consolidated Election to be held

April 9, 2013, which will contain an advisory public question regarding whether to allow Video Gaming within the corporate limits of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows:

SECTION ONE: The foregoing recitals are found as fact and made a part hereof.

SECTION TWO: The following advisory public question shall be submitted to the electors of the Village of Bensenville at the Consolidated Election to be held on April 9, 2013:

Shall Video Gaming be allowed in the Village of Bensenville?	YES NO
--	-----------

SECTION THREE: The Village Clerk of the Village of Bensenville, as the local election official, is hereby directed to file a certified copy of this Ordinance with DuPage and Cook Counties within the time provided by law for the certification of public questions to be submitted to the electors of the Village at the aforesaid April 9, 2013, Consolidated Election, as well as other persons entitled by law to receive notice of this Ordinance and certification.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, this 22nd day of January, 2013.

APPROVED:

Frank Soto, Village President

ATTEST:

Susan Janowiak, Village Clerk

Ayes: _____

Nays: _____

Absent: _____

TYPE: Informational **SUBMITTED BY:** Chief Frank Kosman **DATE:** January 16, 2013

DESCRIPTION: Introduction of New Probationary Officer Walter Labuz to the Village Board and Community

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	<i>Financially Sound Village</i>	<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>	<input type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>	<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

COMMITTEE ACTION: NONE

DATE: Not Applicable

BACKGROUND:

On 09/10/2012, Walter Labuz was sworn in as a police officer with the Village of Bensenville. Officer Labuz is a resident of Chicago. He attended Saint Patrick's High School and graduated with a Bachelor of Arts degree in Criminal Justice from Loras College in 2011.

KEY ISSUES:

Officer Labuz attended and graduated from basic police training at the Suburban Law Enforcement Academy at the College of Du Page. Upon successfully completing the academy and passing the Law Enforcement Certification Examination, the Illinois Law Enforcement Training and Standards Board has certified him as a Law Enforcement Officer in Illinois. He has already started his 12 to 16 week field training program. Officer David Irving is his current field training officer.

ALTERNATIVES:

Not Applicable

RECOMMENDATION:

Not Applicable.

BUDGET IMPACT:

The position was included in the FY12 and FY13 budgets

ACTION REQUIRED:

None

PROCLAMATION

Honoring the Achievement of Zachary T. Zmorzynski

WHEREAS, the highest honor awarded by the Boy Scouts of America is the designation of the Eagle Scout; and,

WHEREAS, Boy Scouts 95 of Medinah, Illinois have awarded that designation to Scout Zachary T. Zmorzynski; and,

WHEREAS, his Eagle Scout Project was the design, management and construction of 18 bat houses for the Bensenville Park District; and,

WHEREAS, this comprehensive project included design, procurement of materials, recruitment of volunteers and the oversight of all aspects of construction; and,

WHEREAS, the project reduces the mosquito population within White Pines Golf Course and the surrounding area; and,

WHEREAS, his service and dedication to this project has benefitted all the citizens of Bensenville; and,

NOW, Therefore, be it declared that the Village Board of Trustees, on behalf of the citizens of Bensenville, officially thank and honor Zachary T. Zmorzynski for being awarded the Order of Eagle Scout and for using his service to benefit Bensenville.

Presented this day, January 22, 2013.

Susan Janowiak
Village Clerk

Frank Soto
Village President

PROCLAMATION

Honoring Aviation Universe

WHEREAS, the safety of a community and its citizens is the highest priority of Village government; and,

WHEREAS, the Village of Bensenville developed an Airport Watch Program, the first in Illinois, that complements our Neighborhood Watch and Business Watch Programs, but has a unique focus on the safety concerns of airport adjacent communities such as Bensenville; and,

WHEREAS, Lora Yowell and Richard Wells of Aviation Universe have assumed leadership roles in guiding, promoting and supporting the Airport Watch program and expanding its membership; and,

WHEREAS, their dedication and volunteerism have resulted in receiving the Annual President's Award from the DuPage County Senior Police Management Association; and,

WHEREAS, this prestigious award has brought focus to the program, pride to your community and increased safety for our citizens.

NOW, Therefore, the Village of Bensenville and the Board of Trustees, on behalf of its citizens, does hereby officially thank, Lora Yowell and Richard Wells, of Aviation Universe and all of its staff for their service and their dedication to the safety of our citizens and the entire region.

Presented this day, January 22, 2013.

Susan Janowiak
Village Clerk

Frank Soto
Village President