ADMINISTRATION & PUBLIC WORKS COMMITTEE
MINUTES
Tuesday, May 10, 2010

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Council Chambers


Members Absent:

Staff Present: Chief Berkowsky, Wally Bobkiewicz, Dolores Cortez, Paul D’Agostino, Joellen Daley, Steven Drazner, Grant Farrar, Doug Gaynor, Curtis Hanawalt, Jewell Jackson, Shanee Jackson, Lonnie Jeschke, Stefanie Levine, Marty Lyons, Joseph McRae, Jeff Murphy, Sat Nagar, Suzette Robinson, Paul Schneider, Dave Stoneback, Matt Swentkofske, Evonda Thomas, Rickey Voss

Others Present: Alderman Grover
Ann McGuire, McGuire Igleski & Associates
Ian Galbraith, G. A. Johnson & Son
Daniel Lassiter, CPS Parking

Presiding: Ald. Jean-Baptiste

I. DECLARATION OF QUORUM
With a quorum present, Chairman Ald. Jean-Baptiste called the meeting to order at 5:40

II. APPROVAL OF MINUTES OF REGULAR MEETING of April 26, 2010.
Minutes were approved 4-0

III. ITEMS FOR CONSIDERATION

(A1)* City of Evanston Payroll through 04/25/10 $2,209,204.54
Ald. Rainey asked if the payroll was reflective of the reduction in staff. Marty Lyons (Assistant City Manager) said he is looking into all payrolls. In this particular period, there were one or two items that skewed the figure. He suggested that they talk about it later. Ald. Jean-Baptiste said he would like something in writing.
A1 was approved 4 – 0

(A2)* City of Evanston Bills through 05/11/10 $1,897,207.17
A2 was approved 4 – 0

(A3.1)*Approval of Contract for Lorraine H. Morton Civic Center Roof Replacement Project (Bid 10-93)
Staff recommends City Council approval of the lowest responsive and responsible bid in the amount of $1,478,580 to G.A. Johnson & Son (828 Foster St, Evanston, IL) for the Lorraine H. Morton Civic Center Roof Replacement Project

A3.1 was approved 4-0
Replacement Project in response to Bid 10-93. Funding is provided by the 2010/11 CIP account #415169 totaling $2,000,000, which includes allocation of $1,700,000 for the roof replacement and $300,000 for other renovations at the Lorraine H. Morton Civic Center (LHMCC) including asbestos containing material (ACM) abatement, carpet tile installation and staff relocations.

Ald. Rainey noted that in a separate memo the main point of this project is to get the roof fixed/replaced. However, the consultants require a specific sub-contractor to do the work and we do not know who it is. Nor do we know how long it will take. Ald. Holmes mentioned that a memo came at 3:30 today. Doug Gaynor (Director Parks, Recreation and Community Services Department) said that the work is expected to be done from awarding of the bid to completion before the cold weather sets in. The general contractor is here if you wish to ask questions about the sub-contractors. There are two sub-contractors being contacted, so no names are given out yet. However, both will be certified by the contractor. Ald. Rainey declared, one point plus million dollars! How did the contractor know what a certified roofing sub-contractor would charge. This bid does not say much. In one comment, it states that eighty percent of the slate tiles are going to be saved so why not do a slate bid for the difference needed. We were also told where the slate heaved, the wood was bad, even rotten. D. Gaynor said that Ann McGuire (McGuire, Igleski & Associates, Inc.) could better respond. A. McGuire stated that eighty percent of the slate is scheduled for reuse by the sub-contractor. That was the recommendation of the bid contractor. The committee could not recommend using the oldest slate shingles, some being 100 years old and near the end of their life span. The Ridge side is newer but it is not recommended that they be reused. Ald. Rainey suggested that it would have been helpful to say such in the document so the committee could more fully understand. A. McGuire continued saying that the plywood is in good condition but the installation was faulty. A certain portion of the plywood is re-useable but again, the structure is faulty. Ald. Rainey asked what the contractor to fix the roof is charging. Where is the bid breakdown. If the City writes a check for one and one-half million don’t they need to see the details/breakdown. Ald. Jean-Baptiste said the question is why isn’t there a detailed bid presented in this documents. D. Gaynor said that it was sent out this afternoon. Ald. Rainey said that she would like to see it. (D. Gaynor gave her his copy) After reviewing it she asked, which entry is the actual job and D Gaynor said that the “roof demolition” is the entire project. Ald. Rainey reiterated that G. A. Johnson & Son will be the general contractor and they will oversee other sub-contractors. D. Gaynor said that is correct. Ald. Jean-Baptiste asked if this information was available at the time of the bid. D. Gaynor said the information was provided this afternoon. This is a lump sum bid to get a lot done. If the contractor spends more than bid, he is liable for paying the difference. Ald. Jean-Baptiste asked if the other bids lacked this information. D. Gaynor responded that they did, lump sum bids do not submit line item figures. Ald. Rainey asked if there was ever a job of overseeing work of this size on a slate roof to his knowledge. Ian Galbraith (G. A. Johnson & Son) stated that in 2009 his company oversaw a 3000 sq. ft. site residence in Winnetka in slate done by a roofing contractor that they are talking to now. Ald. Rainey expressed the opinion that if the packet had been better prepared there would be no need for this type of questions at this time. Ald. Jean-Baptiste pointed out that
he did not remember this lump sum approach to large contracts being used. D. Gaynor said that it is pretty much the standard procedure and that the City has followed it in the past. Ald. Jean-Baptiste questioned if every bidder was qualified in general. D. Gaynor said that in order to use the product our consultant recommended, the sub-contractor has to be certified in install the shingles. Jewell Jackson (Purchasing Manager) said that evaluations were done of all bids including the M/W/EBE requirement. Ald. Jean-Baptiste asked how the bids were evaluated. J. Jackson said the first criteria is, are all the documents required in the submitted package. If so, they are then reviewed. Ald. Rainey said they have been told that G. A. Johnson & Son will hire an Evanston resident to work 790 hours, which equals almost 99 eight-hour days. I. Galbraith said that absolutely, 99 days would meet the goal and if not, more residents will be hired. They will be used on cleaning up and keeping the site safe since it is a high open site. Ald. Rainey asked why more residents are not hired at fewer hours. I. Galbraith said the employee they are considering has worked with them before.

A3.1 was approved unanimously 5 – 0.

(A3.2)*Approval of Contract for Engineering Services for the 1964 Filter Addition Rehabilitation Project (RFP 10-103)

Staff recommends City Council approval of an agreement in response to RFP 10-103 to provide engineering services for the 1964 Filter Addition Rehabilitation project with CDM (125 South Wacker Drive, Suite 600, Chicago, IL) in the not-to-exceed amount of $301,352. Funding is provided by the Water Fund, Account 733048.62180. This account has an allocation of $310,000 for engineering services. This item was held in Administration and Public Works Committee on April 26, 2010.

Wally Bobkiewicz stated that per the request of the A & P W Committee, he and Grant Farrar, Corporation Counsel/City Attorney have reviewed the purchasing procedures and will be implementing a change. There will be a new policy of the design to procurement system and the design/build procedure. The request from A. & P. W. made sense. Ald. Burrus mentioned that she had suggested that the designer cannot bid on the building part but wondered if that would cause many qualified firms to not bid at all. W. Bobkiewicz thought the design/build could be a default item and perhaps the build part should not be a separate item. Ald. Rainey pointed out that the City did a bid to request the method of rehabilitation for filtration. A company was selected. Then the City requested the design of the technique of the method selected in the original bid. This was not a design/build bid. She continued saying that she noticed that the Legal Department used NWH as an example. She has always objected to them since they are the only ones who know our systems. W. Bobkiewicz urged the Council to look at the procurement procedures. It all warrants a review. Ald. Rainey suggested that with lump sum bids, the Council does not see all the pieces. W. Bobkiewicz said he believed that it is the policy that needs to be reviewed. Ald. Jan-Baptiste agreed about the line item submission, he felt it was important to see the difference between bidders. W. Bobkiewicz stated that if the specifications on a lump sum bid are good, they, the contractor, are liable for overages. Legal and I, he said, will bring back information on procedures. Ald. Rainey said that they have spent a lot on time on change orders in the past. W. Bobkiewicz said that that points to plans and
specifications needing to be carefully and accurately stated.
A3.2 was approved unanimously 5 – 0

(A3.3)*Approval of Contract for 2010 Water Main Replacement and Street Resurfacing Project (Bid 11-02)
Staff recommends City Council approval of a contract in response to Bid 11-02 to award the 2010 Water Main Replacement & CIP Street Resurfacing Project to A. Lamp Concrete Contractors (800 W. Irving Park Road, Schaumburg, IL) in the amount of $2,482,739. Funding is provided by Water Fund $1,416,072 (733086.65515), Sewer Fund $78,280 (7420.65515) and CIP Street Resurfacing Fund $988,387 (415857.65515). This is the fourth year of the City Council approved 5-year Street Improvement Program (2007-2011).
Ald. Rainey noted this is the second time in a row that A. Lamp has gotten a bid and they are not the lowest bidder. We are told others did not submit the required documents. One contractor complained they had submitted the documents required. Paul Schneider (Director Transportation and Engineering) said that in this case the low bid was not accepted because the proper paper work was not submitted. The bid went to the second lowest bidder, A. Lamp. Ald. Jean-Baptiste remembered the committee recommending that the bidding companies have a session with the Department who requested the bid to discuss why they lost the award. He urged that this should be done.
A3.3 was approved unanimously 5 – 0

(A3.4)*Approval of Purchase of Automotive Oils, Anti-Freeze and Lubricants (Bid 11-07)
Staff recommends approval of the lowest responsive and responsible bids (Bid 11-07) for automotive oils, anti-freeze and lubricants for cars and small, medium, and large trucks as follows: bulk products to Keller Heartt Oil Company (4414 S. Tripp Avenue, Chicago, IL) in the amount of $28,525.00 and package products to Palm Petroleum (3650 S. Homan Avenue, Chicago, IL) in the amount of $13,483.50 for a total of $42,008.50. The contracts will be for the period of May 14, 2010 through May 13, 2011. Funding is provided by the Fleet Services Fund for Major Maintenance, Petroleum Products 7710.65035. The allocation for oil products within this budget is $50,000.00.
A3.4 was approved unanimously 5 – 0

(A3.5)*Approval of Vehicle and Equipment Purchases
Staff recommends City Council approval to purchase 7-replacement vehicles/equipment in the amount of $434,359.90 for various divisions and departments. Purchases include a street sweeper, chipper, and 5 trucks from 3 vendors. Funding is provided by Fleet Services Capital Outlay Budget for Automotive Equipment (7720.65550) with an approved budget of $1,700,000.00 of which $439,000.00 was allocated for this replacement equipment.
Ald. Jean-Baptiste asked Lonnie Jeschke (Manager Fleet Operations) to talk about the rotation of purchases. When he asked, was the last time the City made a purchase. L. Jeschke noted that this list is of hold over purchases from past years. They are overdue to be replaced. Fleet Services deals with department heads and compares their needs with the budget and creates a list in priority order. This item represents about 25% of the fleet budget. The purchases are based on projected revenue receipts, and not all will be purchased at one time. Ald. Jean-Baptiste asked why these particular vehicles are on the graph, wondering if it has to do with higher usage. L. Jeschke agreed but said it varies by division. Ald. Jean-Baptiste asked if they are heavy work vehicles and L. Jeschke said they were. Ald. Burrus wondered if there was anyway to purchase hybrids, low-emission vehicles. L. Jeschke said the operating departments tell us of their needs, sometimes those needs go up, and sometimes they go down. We are looking into green diesel fuel. Ald. Burrus asked what the difference is in buying a hybrid truck. Suzette Robinson (Public Works Director) said that they are all heavy-duty trucks that are being replaced and there are no hybrids available in this size. L. Jeschke noted that hybrids also cost about 40% more.

A3.5 was approved unanimously 5 – 0

(A3.6)*Approval of Annual Harley Davidson Lease Agreement for the Evanston Police Department
Fleet Services and Police Department Staff recommend Council approval of the one (1) year lease agreement with Chicago Harley Davidson Inc. (2929 Patriot Boulevard, Glenview, IL) in the amount of $19,740.00 for the period of June 1, 2010 to May 31, 2011. Funding is provided by Fleet Capital Outlay, Vehicle Lease Charges (7720.62402), which has a budgeted amount of $20,000.00 for this lease expense.

Ald. Rainey asked that if when this was bid out if it was for five units. L. Jeschke said the original bid was for five units. Currently the City owns two units and leases five others. However, when the lease was prepared, we went to a total of seven units. The two the City owns will not support the new equipment being used now, like cameras and lights. Ald. Rainey asked that when we changed to seven, did Fleet make the change known to the other vendors who bid on five units. L. Jeschke said he did not. Ald. Rainey felt that that information may have gotten a lower bid from another company. Ald. Jean-Baptiste asked why the information was not shared. L. Jeschke said all the bids were based on single unit pricing. The savings with this particular company is that they will take all the equipment off the old units and install it on the new units. Ald. Jean-Baptiste asked the City Manager to look into this procedure. M. Lyons said that this is part of what the CMO and Legal are looking at.

A3.6 was approved unanimously 5 – 0

(A3.7)*Approval of Second Year Optional Renewal of Contract with CPS Parking for Maple Avenue, Sherman Plaza and Church Street Garages
Staff and the Transportation/Parking Committee recommend Council approval of the second optional year contract renewal with CPS Parking (1 N. LaSalle, Suite 1650, Chicago, IL) for the management and operation of the three Downtown Parking Facilities from May 1, 2010 to April 30, 2011 for
the not-to-exceed cost of $1,977,827. Funding is provided by the Parking Fund.

Ald. Burrus noted that she is on the Transportation and Parking Committee and wanted to thank Rickey Voss (Manager Parking System) for getting the cost reduced. Ald. Rainey said that she wanted to remind the committee that the contract has expired and here we go again. She feels that this is an overall general lack of attention by management. Ald. Burrus stated that part of the reason is there was not a quorum at the meeting to vote but admitted they may have waited too long. Ald. Jean-Baptiste asked if CPS considered hiring Evanstonians. Daniel Lassiter (CPS Parking) said the answer is yes. They use a re-hiring policy. We give preferential opportunities to Evanston individuals and have done so over the past two years. We also adhere to the collective bargaining unit. Ald. Jean-Baptiste asked how many are employed. D. Lassiter responded that there are 19 or 20 employees and two are residents of Evanston. Ald. Rainey said that she does not see the requirement in the contract to hire residents. If it is there, she asked to be told where it was. R. Voss stated that currently CPS hires two residents in Evanston and one resident at a Chicago property. This document is not the original contract but the operating budget. He said he would get a copy of the contract to her. Ald. Jean-Baptiste said please and to send one to all of them as well.

A3.7 was approved unanimously 5 – 0

(A3.8)*Approval of Police 911 Center HVAC Replacement Project

Staff recommends approval to proceed on the Police 911 Center HVAC Replacement Project as proposed in the current 2010-2011 CIP. In order to proceed with this project, staff requires approval to issue a letter of intent to the Temperature Equipment Corporation (TEC) to build Carrier HVAC equipment required for the project. The equipment purchase price of $12,951.00 will be incorporated into the project’s general construction contract scheduled for bidding later this spring. Funding is provided by the 2010-2011 Emergency Telephone System Account #415728.

A3.8 was approved unanimously 5 – 0

(A3.9)*Approval of Contract for Bond Counsel

Staff recommends that Council approve the hiring of law firm Chapman & Cutler LLP as bond counsel representation for the issuance of any and all City debt over the next three year period. In anticipation of the issuance of general obligation debt in the very near future, we would like to enter into a formal agreement with a qualified firm for such services. The total amount budgeted for Bond Issuance Fees is $200,000 for FY10/11. The actual amount spent on such services will depend on the size of the bond issuance/s during the year.

Ald. Rainey said that she would like to hear from members of that panel that recommended Chapman & Cutler LLP and asked how many of the members have ever done this kind of task before. M. Lyons stated that he was on the committee. He admitted that he was new to this area as at the last to municipal jobs he held there were no bond counsels. I have worked with bond counsels here in Evanston. Chapman & Cutler LLP were chosen due to Evanston specific issues. They set up a lot of TIF’s of which five are still operating and their price was
right. Ald. Rainey asked how a bond counsel is different from a financial advisor. M. Lyons told her that the bond counsel is specifically charged to make sure all is in order before the City sells a bond. They do not tell us how to use the money but they study the legal side of the work. They make sure the bond buyers are clear on what they buy. Ald. Burrus asked if other firms had M/W/EBE and M. Lyons replied that Katten Muchin did. Ald. Jean-Baptiste noted that one firm requests a waiver for practical reasons and another firm complies. Katten Muchin did meet the goal. M. Lyons said that if the City issues twenty to forty millions in bonds for capital and IMRF refunding, the scope of the project is relatively small. Ald. Burrus stated that she was frustrated. In so many contracts, M/W/EBE is waived. In this case, two firms were very close and M/W/EBE was not weighted to give the second firm an edge. They had the higher score. Ald. Rainey said she had to disagree with Ald. Burrus. She believes the best team was chosen. They have served Evanston well in the past. I only had concerns about who made the selection. M. Lyons pointed out that the committee did a lot of research such as referring to “Best Practices”, a respected government manual. We looked at the quantity of bonds, the scope of bonds and the total dollars to be raised. Ald. Fiske said that she feels that with Katten Muchin at a ten for M/W/EBE and Chapman Cutler at zero, the committee obviously took this bid very seriously.

A3.9 was approved unanimously 5 – 0

(A3.10)*Approval of Contract for Financial Advisor
Staff recommends that Council approve the firm Public Financial Management (PFM) and partner MWEBE firm Kathy Thomas Consulting LLC under a three year contract to provide financial advisor (FA) services to the City in connection with the issuance of debt (general obligation and other debt). Prior to an anticipated debt issuance this May or June 2010, we would like to enter into a formal agreement with a qualified firm for such services. The total amount budgeted for Bond Issuance Fees is $200,000 for FY10/11. The actual amount spent on such services will depend on the size of the bond issuance/s during the year.

Ald. Rainey said her problem was, were the other advisor teams who submitted bids using Kathy Thomas Consulting LLC. M. Lyons said no, they did not. Public Financial Management knew our budget, existing bonds we have and bonds we are considering. They can hit the ground running. They did a lot of homework.

A3.10 was approved unanimously 5 – 0

(A3.11)*Approval of Contract for Legislative Advocacy Services
It is recommended that the City Council authorize the City Manager to execute an agreement with Holland and Knight LLP for Federal Legislative Advocacy Services for the term May 1, 2010 to February 29, 2012. Cost of the agreement is $65,000 for first year and $95,000 for second year. Funding is provided by the Economic Development (48%), Affordable Housing (22%), Water (15%) and Sewer (15%) Funds.

Ald. Fiske recused herself from voting on this issue because her son is an attorney with Holland and Knight LLP. Ald. Rainey said that she has been thinking a lot about the controversy of a municipality hiring a federal advocacy team. Some of their successes seem good but do we really need them. W. Bobkiewicz said there
had been a two-tier process of interviews. He stated that he reviewed the applications first and then the Mayor and Aldermen Tendam and Grover reviewed the packages. He continued stating that he negotiated an alternate fee schedule instead of a flat fee. In all the cities he has worked in, they have contracts with lobbyists. After one year, we’ll review how they are doing. The terms of the contract allow for termination. Matt Swentkofski, of my office, will be seeing that Holland and Knight are working for us. Ald. Rainey asked who Matt Swentkofski (Intergovernmental Relations) was and W. Bobkiewicz said he comes with a great breadth of experience on many levels of government.

A3.11 was approved 4 – 0

(A4)* Ordinance 22-O-10 Amending the City Code to Establish a Three-Way Stop at Lincoln Street and Asbury Avenue
Staff recommends the adoption of proposed Ordinance 22-O-10 by which the City Council would amend Section 10-11-5, Schedule V (C) of the City Code to establish a Three-Way Stop at Lincoln Street and Asbury Avenue. Funding is provided by the general fund budget 2635.65115, Traffic Control Supplies which has a budgeted amount of $44,000.
A4 was approved unanimously 5 – 0

(A5)* Ordinance 28-O-10 Decreasing the Number of Class B1 Liquor Licenses from Six to Five due to the closure of “1800 Club,” 1800 Sherman Avenue
The Local Liquor Commissioner recommends adoption of proposed Ordinance 28-O-10 amending Section 3-5-6(B1) of the City Code decreasing the number of Class B1 liquor licenses from six to five due to the closure of the 1800 Club, 1800 Sherman Avenue.
A5 was approved unanimously 5 – 0

(A6)* Ordinance 30-O-10, Increasing the Number of Class C Liquor Licenses to Permit Issuance to Little Wok II
The Local Liquor Commissioner recommends adoption of proposed Ordinance 30-O-10 amending Section 3-5-6(C) of the City Code increasing the number of Class C liquor licenses from 24 to 25 to permit issuance to Little Wok II, Inc., d/b/a Little Wok, 2426 Main Street.
A6 was approved unanimously 5 – 0

(A7)* Ordinance 31-O-10 Decreasing the Number of Class C Liquor Licenses From 25 to 24 Due to the Closure of Va Pensiero, 1566 Oak Avenue
The Local Liquor Commissioner recommends adoption of proposed Ordinance 31-O-10 amending Section 3-5-6(C) of the City Code decreasing the number of Class C liquor licenses from 25 to 24 due to the closure of Va Pensiero, 1566 Oak Avenue.
A7 was approved unanimously 5 – 0

(A8)* Ordinance 32-O-10 Amending Section 3-5-6 of the City Code, “Classification and License Fees,” Class AC Liquor Licenses
Local Liquor Commissioner recommends City Council adoption of Ordinance 32-O-10, which modifies Class AC Liquor Licenses for alcoholic
liquor sales at arts cinema special events. Consumption may be permitted in the café area and in only the viewing auditorium showing the special event. A8 was approved unanimously 5 – 0

IV. ITEMS FOR DISCUSSION

V. COMMUNICATIONS

Ald. Rainey noted that the agenda was too long to be able to give responsible consideration to all the items. She asked the Chair to look into a change.

VI. ADJOURNMENT 7:00 p.m.

Respectfully submitted:
Phillip Baugher