
E L M H U R S T P A R K D I S T R I C T
B O A R D O F P A R K C O M M I S S I O N E R S
M E M O R A N D U M

DATE: February 14, 2022

TO: Board of Park Commissioners

FROM: James W. Rogers, Executive Director
Angela Ferrentino, Director of Facilities

RE: GLOS PARK EXPANSION BIDS

ISSUE

On March 22, 2021, the Board of Park Commissioners approved a contract with Upland Design to deliver landscape architecture and engineering services for the Glos Park Master Plan. The next step in the process is to review bids for completion of the expansion. This project address 2021 Strategic Work Plan Theme to Meet Community Need for Parks, Open Space and Outdoor Amenities.

BACKGROUND

In order to gather community feedback on the expansion of the park, staff scheduled an initial open house at Glos Park on May 3, 2021 and advertised the meeting through a postcard mailing, yard signs, emails, the District's website, and through social media. Forty-six (46) individuals attended the open house where existing conditions and idea boards for three separate concepts were displayed. District staff and Upland Design architects engaged with attendees to gather additional feedback on the concepts. Attendees were asked to rank their top amenities and preferred concept. Following the open house, the three concepts were included in an online survey asking similar questions resulting in 605 responses submitted.

According to the survey and feedback collected at the open house, Concept B was favored. This concept includes landscape enhancements (butterfly/pollinator gardens and open lawn space), a pergola with a punched metal roof and a discovery pod including a turtle sculpture and log steppers. Additionally, survey respondents frequently requested additional seating throughout the park.

On June 17, 2021, Upland Design and staff hosted a second public meeting to review a proposed master plan. Twenty six (26) residents attended and expressed overwhelming excitement for the proposed master plan developed using community input. The finalized Glos Park Expansion Master Plan and survey results were then presented by Upland Design and approved by the Park Board at the June 28, 2021 board meeting.

DISCUSSION

Following approval of the design, Upland Design created specifications and construction drawings for the expansion. The scope of the project includes earthwork and grading, the installation of site furnishings, trees both ornamental and shade, shrubs, ornamental grass and perennial gardens, pavement paths and other site amenities (turtle sculpture, log steppers), as well as installation of a punched metal roof pergola (purchased by the District). The plans also included three alternates: (1) vine tunnel and landscaping, (2) landscape planting north of the mausoleum (with the intention of having the north garden mirror the new garden south of the mausoleum), and (3) construction fencing.

- Plans and specifications were developed and a legal ad was placed in the local newspaper on December 31, 2022;
- Seven (7) contractors attended the mandatory pre-bid walkthrough on January 11, 2022; and
- Five (5) sealed bids were returned, opened and read publicly on January 25, 2022. A copy of the bid tally is attached.

As noted on the bid tally sheet the lowest bid, including alternates, was submitted by D & J Landscape Inc. of Plainfield, IL. In March 2016, the District rejected D & J landscaping as a responsible bidder for the installation of the Butterfield Park playground. When checking references in 2016, staff discovered D & J Landscape was using references for work completed by another contractor, Fuerte Systems, and that D & J Landscape did not have the experience necessary to complete a project of the type and scale proposed. Additionally, Fuerte Systems, Inc. was the contractor awarded the District's East End playground installation in 2015 and NuToys, who was contracted by Fuerte Systems Landscaping to provide equipment and furnishings for the East End playground project, filed a Notice of Claim on Funds and Claim on Payment Bond According to the lien, in order to recover funds \$137,340 for playground equipment and site furnishings.

Furthermore, Liz Dafoe, Senior Landscape Architect from Upland Design expressed the following concerns about D & J Landscaping possessing the ability to complete the project based on a project Upland is currently working on with D & J Landscaping, Inc. at Homewood Estates Park at the Homewood Flossmoor Park District:

- *The project is currently behind schedule. This is partially due to supply chain issues, but the contractor also started about 2 months late.*
- *Paperwork issues as far as tracking change orders, pay application processing and bulletin pricing have also been slow.*
- *We also worked with them in St. Charles Park District and Winfield Park District with similar issues.*

Staff then followed up and talked to the Superintendent of Parks and Planning at Homewood Flossmoor Park District who shared that besides starting the project two months late, D & J Landscaping is understaffed most days with only two staff on the project site and a third occasionally, communication is non responsive, and the job is still not complete.

Lastly, District staff's research on the Illinois Department of Labor website revealed D & J Landscape was cited on April 15, 2021 for violating Section 3 of the Prevailing Wage Act (820 ILCS 130/1 et seq.) by failing to pay the required prevailing wages for DuPage County to workers on a public works project.

After consultation with District legal counsel, Andrew Paine of Tressler LLC, it was determined the District has sufficient reason to recommend the Park Board reject the bid received from D & J Landscape as not a responsible bid.

The next lowest responsible base bid received was from Hacienda Landscaping Inc. of Plainfield, IL in the amount of \$206,531. Staff completed reference checks for Hacienda with the Glencoe Park District, Schaumburg Park District and Park District of Oak Park and all came back very positive. In addition, a records search completed with the Illinois Department of Labor (IDOL) found no violations. The District has successfully worked with Hacienda Landscaping on the 2016 Butterfield Park Playground for Everyone and 2019 Salt Creek Park renovation project with no issues on project specifications or meeting the project schedule.

Staff notes that Hacienda did not include Addendum #2 which included the removal of the purchase and installation of the bollard (line item #26 on the bid proposal form). Based on City of Elmhurst comments during permit review, as the south driveway was removed a bollard is not needed. Although Hacienda did not use the updated bid proposal form; they omitted a unit price for the purchase and installation of the bollard which acknowledges they received the addendum and they did not account for the installation and purchase as part of their base bid price. After a discussion with legal counsel Paine, it was determined that Hacienda not using the updated bid proposal form as a minor variance and waivable, and does not provide Hacienda a substantial advantage or benefit over other bidders.

Total funding for the completion of the expansion projects is \$675,853 and has been included in the District's 2021 and 2022 Capital Improvement budgets with \$344,684 previously contracted, as listed in the following chart, leaving \$331,169 available to complete the expansion project.

The expansion project is scheduled to be completed from March 2022 through May 31, 2022.

Total budgeted for Project	\$ 675,853
Expenditures to date	
Asbestos bulk sampling	\$ 6,050
Underground storage tank removal	29,037
Midwest Environmental Consulting Services oversight and documentation of removal of the underground storage tank removal from the site	11,600
Consulting, Monitoring and Abatement of 135 Robert Palmer Dr.	123,850
Demolition of 135 Robert Palmer Dr.	132,800
Upland Design Ltd A/E services	33,800
Geotechnical borings	6,550
Utilities Disconnect	997
Total expenditures to date:	<u>\$344,684</u>
Remaining funds:	\$331,169
Proposed Expenditures this memo	
Construction base bid	\$206,531
Alternate 1 vine tunnel and landscaping	32,574
Alternate 2 landscape planting north end	10,752
Alternate 3 construction fencing	5,000
Total Proposed:	\$254,857
Remaining funds:	\$ 76,312

RECOMMENDATION

That the Board of Park Commissioners (1) rejects the bid from D & J Landscape, Inc. of Plainfield, IL as not a responsible bid; (2) awards the Glos Park Expansion Project in the amount of \$206,531 (base bid) to Hacienda Landscaping, Inc. of Plainfield IL; (3) accepts Alternates 1, 2, and 3 for the: Vine tunnel (\$32,574), Landscape planting at north of mausoleum (\$10,752), and construction fencing (\$5,000); and (4) authorizes the Executive Director to execute said contract accordingly.

Attachments: Bid Tally Sheet
 IDOL Notice of Violation
 Glos Park Master Plan Rendering

Thank you.

GLOS PARK EXPANSION

Bid Opening: January 25, 2022 11:00 am

Contractors in attendance at Mandatory Prebid 1/11/2022 @10 am		Bond	Addendum 1	Addendum 2	Base Bid	Alt. 1 Vine Tunnel	Alt. 2 North Mausoleum planting	Alt 3 Construction Fence
1	Innovation Landscapes	✓	✓	✓	226,523.18	26,669.40	11,548.00	8,000
2	E. Hoffman, Inc.	✓	NO	NO	208,348.00	36,360	13,290	3,700
3	Copenhaver Construction	✓	✓	✓	295,495	43,818	13,070	8,000
4	Hacienda Landscaping	✓	✓	NO	206,531	32,574	10,752	5,000
5	D & J Landscape	✓	✓	✓	212,613.05	14,978	\$12,535	\$7,000
6	O'Neill Contractors, Inc.							
7	Landworks, Ltd							

Witness: Andrew Kot Date: 1/25/22

ASST Treasurer: [Signature] Date: 01/25/2022



ILLINOIS DEPARTMENT OF LABOR

JB PRITZKER
GOVERNOR

MICHAEL D. KLEINIK
DIRECTOR

April 15, 2021

D & J Landscape, Inc.
DANIEL DAVALOS
22803 W. RENWICK RD.
Plainfield, IL 60544

RE: NOTICE OF FIRST VIOLATION
Certified Mail Receipt No.: 9489 0090 0027 6192 0321 84
Public Body: WOODRIDGE PARK DISTRICT
Project: Excavating & utilities, construction of new shelter, construction of new sidewalks, bricklaying and landscaping.
IDOL Case No.: 2020-PW-DA01-2673

Dear DANIEL DAVALOS:

This letter is formal notice of the determination by the Illinois Department of Labor (IDOL) that D & J Landscape, Inc., (hereinafter referred to as "You" or "Your") violated the Illinois Prevailing Wage Act (820 ILCS 130/1 et seq.) ("PWA"). This letter constitutes a NOTICE OF FIRST VIOLATION and is issued by IDOL pursuant to Section 11a of the PWA, and the Prevailing Wage Hearing Procedures, 56 Ill. Adm. Code 100 for the following reasons:

You violated Section 3 of the PWA by failing to pay the prevailing rate of the wages for DuPage County to workers on the public works project. The Department determined that the total amount of wages by which workers were underpaid was \$2,199.92. This amount represents the difference between actual wages paid and the amount required under the PWA. The assessed 20% statutory penalty amounted to \$439.96. The total amount assessed against You was \$2,639.90.

Although the Department has received payment of the underpaid amounts, the violations found during the investigation require issuance of this Notice of Violation.

If the Department determines that You committed a second violation of the PWA within five (5) years of the date of this Notice of First Violation, You will be subject to a summary debarment for a period of four (4) years, during which time You shall not be awarded any contracts for public works. This letter is to advise You and put You on notice that if You are debarred, the debarment includes all directors, officers, agents, representatives or other controlling persons who acted through or on Your behalf as set forth in 56 Ill. Adm. Code 100.26(a). An administrative hearing is not available upon the issuance of a First Notice of Violation, but if the Department issues a Notice of Second Violation, You have the right to request a hearing to contest the violations underlying the Notices of First and Second Violation as well as the issuance of the Notices of Violations, pursuant to Section 11a of the PWA and the Prevailing Wage Hearing Procedures.

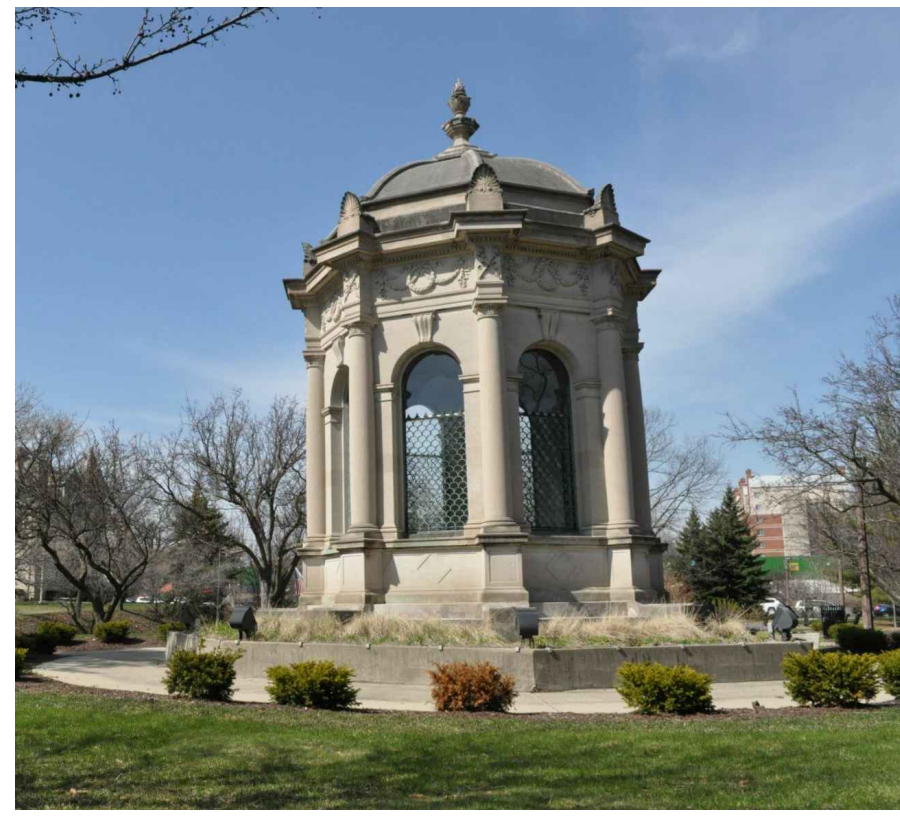
Sincerely,

[Handwritten signature of Michael D. Kleinik]

Michael D. Kleinik
Director

Table with 3 columns: Lincoln Tower Plaza, Michael A. Bilandic Building, Regional Office Building. Includes addresses, phone numbers, and fax numbers for each office location.

Existing Mausoleum



Park Sign

Butterfly / Pollinator Garden

- Short ornamental grasses with swaths of blooming perennials



Vine Tunnel to Discovery Pod - Alternate Bid Item



Discovery Pod

- Turtle Play Sculpture
- Log Balance Beam and Steppers
- Concrete Sloped Entry
- Engineered Wood Fiber Safety Surfacing
- Landscape Enhancements
- Bench Seating



Maintenance Access



Bench Pad with Companion Seating

Concrete Paths
- 6' Width

Ornamental Trees



Pergola with Punched Metal Roof
- 40' x 18'
- Bench Seating

