



LNNLRCD November 20, 2013 Executive Session

Board Members Present – Glenn Baldwin – President
John Harris - Secretary

Marty Portner – Vice President
Steve Larry – Member at Large

I. Review Upper Babbling Brook Stabilization Bids

The November 20, 2013 executive Session Convened at 7:20PM. Glenn asked Steve about a few of the companies that submitted two bids, one for just material and one for both work and material and wondered whether it was best to choose the bid that has both material and work from one contractor or is it better to split it up and take the bid for material from one contractor and hire a different contractor. Steve said that they gave the contractors the option to submit a material only bid for the board's consideration to be used as a base for contractors that would submit a bid for the work only. Marty asked which bids were more competitive – the material only bids or the work/material bids. John said that the first material only bid was from O'Brian Civil Works for \$62,606 and the second one was from Martin & Company at \$42,522.25. However, looking at Martin and Company's material bid in their combined material/work bid it is cheaper at \$39,822.29. Steve said that when the contractors bid both the material and the work costs, they gave them a break on the material because they want to be able to do the work as well as provide the material. The contractors that submitted the materials bid also submitted work/material combined bids at more competitive rates. Marty said that if they went with the contractor for both material and work costs, he feels that if they had an issue with the work, they would have a better time negotiating a settlement dealing with one party vs. two. Steve agreed. John read off the bids in order from highest to lowest bid cost (see table):

	V3 Companies Woodridge, IL	Winterland Land Improve., Dixon, IL	Civil Constructors Freeport, IL	O'Brien Civil Works Polo, IL	Nordman Excavating Oregon, IL	Martin & Company Oregon, IL
BASE BID SUBTOTALS	\$196,440.00	\$164,817.60	\$144,200.60	\$133,988.68	\$100,246.40	\$73,571.34
ALTERNATE #1 SUBTOTALS	\$107,650.55	\$54,757.00	\$60,337.00	\$52,343.75	\$47,071.50	\$39,822.25
BID TOTALS	\$304,090.55	\$219,574.60	\$204,537.60	\$186,332.43	\$147,317.90	\$113,393.59

Steve said that Nordman dredges the Flagg Rd Silt Basin for the RCD on a regular basis and Steve knows that if Ed had a choice he would choose Nordman because he has worked with him. Ed is going to be overseeing most of the project and will be directly working with whatever contractor they choose. John said that a colleague of his at work is in direct competition with Martin and Co. John has driven by their company and saw 16 trucks lined up that appeared clean and ready to go. Glenn was concerned about whoever they award the contract to going bankrupt in between doing the job and Steve said that they require a bond from the company to project against that. The board brought Dick Bauman from Wendler Engineering in to answer a few questions. Steve asked Dick what he knows about Martin and Co. and their reputation. Dick said that they've worked around them on a few jobs and done some construction staking for them. He is not aware of any issues with them. Steve asked Dick how long they have been in business and Dick said that they have been around for quite a few years but he doesn't know exactly how long. Glenn asked if they are a big outfit and Dick said that they are pretty good sized and have done bigger IDOT jobs that Wendler staked out for them. They also work a lot with local counties and municipalities around here. Glenn asked if they did any drilling work and Dick didn't know. Marty asked if Dick followed up and inspected any of the work that they staked for them and Dick said no because IDOT and other organizations had their own inspectors. Steve asked if they require a bid bond and Dick said that the RCD did not request a bid bond; however, they did require a contract bond so if they selected a contractor they would have to provide a contract bond for the amount of the project through their insurance. Glenn asked if there would be regular inspections of the work that they do and Steve said that there are two ways that they handle that – one is that Wendler makes sure that they are following the engineering specs. especially the pond that they are installing and as they get more into the meandering, they will rely on Joe Rush to inspect those as they are completed. Second, they will rely on Ed Bettner to oversee day to day tasks and if he runs into issues Steve will get a hold of Dick or Joe to take care of it. Glenn said that if they weren't ready to make a decision tonight, would they be able to go to an organization such as the Better Business Bureau to look at their work history and Dick said that Martin and Co. has had a history of work performed in Ogle county,

they could talk to Curtis Cook of the Ogle County Highway department to get a work history from him. Glenn said that Becky asked that the next time that they advertise a bid request that they mention that they are state sales tax exempt so that the bidders know to bid accordingly as the issue came up this time around. Fortunately, all of the contractors bid it without including tax on materials. Steve asked Dick to email him with the names of other county engineers so he can contact them to find out their experience with Martin and Co. The board let Dick go back out of the meeting. Marty said that he felt very positive from the comments that Dick had about Martin & Co. The board brought Ed Bettner in for his opinion on Martin & Company. Steve explained to Ed that they can ask him questions but that he would not be involved in the deliberations when they decide on a contractor. Steve asked Ed what he knows about Martin and Co. and Ed said that he went to school with Jerry and Wes and they were originally farmers but went broke farming and so started up an excavating business in the 1990's. Steve asked if Ed has ever used them for roadwork as he understands that they have done IDOT work. Ed said that he never has had them work with him. He said that they started in a big way by buying quarries and laying blacktop – they are a full union and go after the big jobs. The only thing that he would be leery of is that they will low ball a number to get a job and then once they get the job then they will later say, we have to do this and that and it ends up tacking on to the job. Ed said that the only companies that came and looked at the project and got a feel for the whole project was Civil Constructors and Nordman Excavating. Martin has their own quarry so he sees how they can come in low with their rock. As far as the excavation, he doesn't know how they plan on doing it for so low. Steve asked if they selected Martin & Co., could he work with them and Ed said that he would rather not. Out of all of the companies, Nordman and Civil Constructors would be the only ones he'd feel comfortable with. Steve asked why that was and Ed said that when Civil came out, they seemed really nice and truly interested in the project and what their plans were and Ed's role in it – they felt that they could work with Ed as well as he could work with them. With Martin, he doesn't feel that he will be able to do a thing – rather that they would shove him aside for example, if Ed were to tell them that the ground was too soft to haul rock but they want to haul rock, they'll haul the rock anyway. Ed says that he sees that Civil came in quite a bit higher so he'd feel comfortable with Nordman over Martin. Glenn asked Ed if he knew if they were financially solid and Ed said that Nordman was and that he has actually worked with Nordman before digging a couple ponds. He doesn't know the financial status of Martin & Company. Marty asked what the time span of the project was Ed said that they want to get this part completed by spring and start on phase 2 by June. Nordman would be getting his rock from Benesch and Sons quarry. Glenn wondered if they could talk to Martin & Company ahead of time to let them know that they would be working directly under Ed to make sure that they wouldn't have a problem taking orders from him. Steve said that if they did that, they would have to talk to both companies and tell them the same thing. Steve said that they will go back out in the public meeting and say that they have a little more in-depth research that they want to do on the contractors that submitted bids then the board will reconvene earlier next week to finalize their decision. All bidders will be notified via e-mail who was awarded the bid and they hope to have that concluded by the end of next week.

Executive Session adjourned at 8:10PM.