



**Monday, August 1, 2016
5:30 PM**

CITY COUNCIL AGENDA

I. Call to Order

1. Roll Call
2. Pledge of Allegiance

II. Appearance of Citizens

Policy relative to Appearance of Citizens:

A 15 minute time period is provided for citizens to appear and express their views before the City Council. Each citizen who appears will be limited to 3 minutes. No immediate response will be given by City Council or City staff members. Citizens are to give their documents to the Police Officer for distribution to the Council.

III. Approval of Minutes

Minutes of July 18, 2016 City Council Meeting

IV. Unfinished Business

V. New Business

1. Proclamations and Recognitions
2. Ordinance providing for issuance of Promissory Note not to exceed \$7,500,000 for resurfacing and reconstructing local streets, providing for the security and payment of said note, confirming sale to Busey Bank, and authorizing execution and delivery of Term Loan Agreement
3. Ordinance providing for issuance of Promissory Note not to exceed \$2,200,000 for renovating, repairing and maintaining City's Fire Stations Numbers 1, 2, 4 and 6, providing for the security and payment of said note, confirming sale to Busey Bank, and authorizing execution and delivery of Term Loan Agreement
4. Ordinance Rezoning Property R-3 Single Family Residence District to B-3 Planned Shopping Center District 1860 South Business Route 51
5. Resolution Accepting the Bid and Authorizing the Execution of a Contract with SAK Construction, LLC, for 2016 Trenchless Long Lining Repairs Project, City Project 2016-28
6. Resolution Accepting the Bid and Authorizing the Execution of a Contract with Tyrolt, inc., D/B/A Dunn Company for Street Restoration, City Project 2016-08
7. Resolution Accepting the Bid and Authorizing the Execution of a Contract

with R. W. Duntelman Company for the 2016 Local Motor Fuel Tax Street Improvement Project (Asphalt), City Project 2016-25

8. Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc. for Local Motor Fuel Tax Street Improvement Project, (Concrete), City Project 2016-26
9. Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc. for Concrete Street Improvements, MacArthur Road, City Project 2016-11
10. Consent Calendar: Items listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. If separate action is desired on any item, it will be removed from the Consent Calendar and considered separately.
 - A. Resolution Authorizing Payment to Tyler Technologies, Inc for Incode Software Maintenance

VI. Other Business

VII. Adjournment

Council Information - 2016 Summer Clean-Up Summary

Council Information - The Agricultural Watershed Institute - Progress Report - March - June 2016

CITY COUNCIL MINUTES

Monday, July 18, 2016

On Monday, July 18, 2016, the City Council of the City of Decatur, Illinois, met in Regular Meeting at 5:30 p.m., in the Council Chambers, One Gary K. Anderson Plaza, Decatur, Illinois.

Mayor Julie Moore Wolfe presided, together with her being Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson and Bill Faber. Seven members present, Mayor Julie Moore Wolfe declared a quorum present.

City Manager Tim Gleason attended the meeting as well.

Mayor Julie Moore Wolfe led the Pledge of Allegiance to the Flag.

This being the time for Appearance of Citizens, the following citizens appeared:

Russell Shulke spoke about various Decatur developments.

Malcolm Jackson asked Council to devise a plan with the help of the African American and low income community to come up with a program that would change the thinking of the police officers when they approach these individuals in their community.

The minutes of July 5, 2016 City Council meeting were presented. Councilman Jerry Dawson moved the minutes be approved as written; seconded by Councilman Pat McDaniel, and on call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

This being the time set aside for Unfinished Business and there being none, Mayor Julie Moore Wolfe called for New Business.

There were no Proclamations or Recognitions.

2016-50 Ordinance Authorizing Consumption of Alcoholic Liquor on Public Rights of Way and in Central Park for Decatur Celebration, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

City Manager Tim Gleason shared this is the annual request for authorization to permit the consumption of alcoholic drinks at the Decatur Celebration. Of particular importance this year is that Decatur Celebration requests Council approve extending the hours of consumption of alcohol to 12:00 a.m. (midnight) on Friday, August 5, 2016

and Saturday, August 6, 2016. In previous years, the cutoff time was 11:00 p.m. each night. In addition, Decatur Celebration requests to change the start time of alcohol sales from 11:00 a.m. to 12:00 p.m. (noon) on Sunday, August 7, 2016.

Lori Sturgill, Producer/Director of Decatur Celebration, explained the Celebration's goal is to be self-sustaining financially. The Celebration's prime sales hours are Friday and Saturday evening and adding an hour can make a difference financially. Lori Sturgill answered Council's questions in regards to changing the hours of operation.

Councilman Bill Faber moved to amend the Ordinance back to last year's Celebration hours, ending the hours of operation at 11:00 p.m. on Friday and Saturday; seconded by Councilman Pat McDaniel. Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried to amend the Ordinance.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried to approve the Ordinance as amended having the alcohol sales end at 11:00 p.m. on Friday and Saturday.

R2016-90 Resolution Regarding Parking Fees for Garages B and C and Surface Lots A and F for Decatur Celebration, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-91 Resolution Authorizing Public Displays to Honor Decatur Celebration, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Ordinance 2016-51 Ordinance Amending City Code Chapter 52 – Alcoholic Liquor, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Economic Development Officer Patrick Hoban explained the request would allow for more microbrewers in the area.

Charlie McGorray shared with Council the property the developers are looking at to put a microbrewery in is approximately 480 feet away from the Jewish Temple. The City Code currently will not allow for retail alcohol sales within 500 feet of a church.

Diana Binkley had concerns with the brewery being located near Millikin University.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, and Mayor Julie Moore Wolfe voted aye. Councilman Bill Faber voted nay. Six ayes and one nay; Mayor Julie Moore Wolfe declared the motion carried.

2016-52 Ordinance Rescinding Ordinance 2016-29 Ordinance Regarding Annexing Territory 1415 North Sunnyside Road, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Lisa Gregory.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2016-53 Ordinance Annexing Territory - 1415 North Sunnyside Road, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2016-54 Ordinance Annexing Territory – 72 South Shores Drive, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2016-55 Ordinance Annexing Territory – 1837 Ferris Drive, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

2016-56 Ordinance Annexing Territory – 2290 West Boiling Springs Road, was presented.

Councilman Jerry Dawson moved the Ordinance do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-92 Resolution to Appropriate Additional Motor Fuel Tax Funds for Microsurfacing of Streets and Highways by Municipality under the Illinois Highway Code, City Project 2015-24, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-93 Resolution Authorizing Change Order No. 1 with Microsurfacing Contractors, LLC for Microsurfacing, City Project 2015-24, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilman Pat McDaniel.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

R2016-94 Resolution Accepting Bid and Authorizing the Execution of a Contract with Burdick Plumbing & Heating Company, Inc. to Perform 2016 Annual Water Main Replacement Project, Lake Ridge Addition City Project 2016-10, was presented.

Councilman Jerry Dawson moved the Resolution do pass; seconded by Councilwoman Dana Ray.

Councilwoman Dana Ray mentioned the City is using iron pipe instead of PVC on this project and asked if there were any issues with leaching of any minerals or metals into the water. Water Services Manager Randy Miller said the ductile iron pipe is commonly used in water systems and it's lined with cement. Water Services Manager Randy Miller said there would be no issues with the metals.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

This being the time set aside for Other Business, Mayor Julie Moore Wolfe commended Police Chief Getz and the Decatur Police Department along with the Macon County Sheriff's Department for their work with Dr. Jeanelle Norman and the ALERT Group in handling a situation that came before the City in a very professional manner.

Councilman Pat McDaniel would like Council to restrict the hours in Central Park from midnight to sunrise. Mayor requested a staff report telling Council the implications of restricting Central Park hours. Also, Councilman Pat McDaniel shared he had started a new campaign to wear blue ribbons to show support for law enforcements officers.

Mayor Julie Moore Wolfe called to Recess to a Study Session for Video Gaming and the Treasurer's Financial Report.

Councilman Jerry Dawson moved to recess to Study Session; seconded by Councilwoman Dana Ray.

Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the motion carried.

Mayor Julie Moore Wolfe invited the community to come to the podium and share their input on video gaming in Decatur.

Russell Shulke said the sale of alcohol beverages and gambling should not be banned in Decatur. Mr. Shulke had concerns about the gambling money going out of the community.

Chris Johns said Council needed to take into consideration the parlors are selecting vacant properties, paying rent, hiring employees, and buying goods and services. Mr. Johns said the parlors had not been a nuisance to the community. Mr. Johns suggested coming up with a reasonable answer to the money leaving the City. He also suggested renewing the liquor licenses at the date the licenses were applied for instead of renewing them all at the same time.

Howard Sergeant requested Council limit the number of facilities and consider the people who are gambling.

Gary Haines requested Council stop the spread of gaming parlors. Mr. Haines said the revenues had gone down over the past 3-1/2 years.

Kim Logan agreed with Mr. Haines that the revenues had gone down. Ms. Logan stated gaming machines help pay the neighborhood bars bills. Ms. Logan asked if the higher parlor liquor license fee make up for the food and beverage taxes the parlors are not paying because they are giving away food and beverages. Ms. Logan wanted Council to know that local bars give back to the community throughout the year. She requested Council give a lot of thought and consideration into any fee increases.

Mark Allen requested Council give consideration to those individuals who have already made plans and are spending money to build new parlors.

Diana Binkley asked who is responsible for the customers who had previously been drinking elsewhere and go into the parlors.

Renee Frye shared with Council when families go into some of these businesses, depending on where they located, sometimes it is a big distraction for anybody who has little kids. She has not returned to a couple of establishments because her child wants to go see what is going on because of the noise coming from the parlors. Ms. Frye thought Decatur could do better raising revenue than by expanding gaming parlors.

Council discussed video gaming fees and licenses.

City Manager Tim Gleason will explore what ability the Council has to restrict video gaming going forward and what is the accurate staff costs for the issuance of terminal fees and report back to Council.

Finance Director Gregg Zientara gave the City's Financial Report.

There being no further business, Councilman Jerry Dawson moved the regular Council meeting be adjourned; seconded by Councilman Pat McDaniel. Upon call of the roll, Councilmen Chris Funk, Lisa Gregory, Pat McDaniel, Dana Ray, Jerry Dawson, Bill Faber and Mayor Julie Moore Wolfe voted aye. Mayor Julie Moore Wolfe declared the Council meeting adjourned at 7:49 p.m.

Approved _____
Debra G. Bright
City Clerk

Financial Management

DATE: 7/21/2016

MEMO:

TO: Honorable Mayor Julie Moore Wolfe
Members of the City Council

FROM: Tim Gleason, City Manager
Gregg D. Zientara, City Treasurer & Director of Finance

SUBJECT: ORDINANCE providing for the issuance of a not to exceed \$7,500,000 Promissory Note to pay the costs of resurfacing and reconstructing local roads and streets within the City, providing for the security for and payment of said note, confirming the sale thereof to Busey Bank, and authorizing the execution and delivery of a Term Loan Agreement and related documents.

SUMMARY RECOMMENDATION: Staff recommends council approval

PRIOR COUNCIL ACTION: Council approved resolution R2016-78 on June 20, 2016 authorizing debt issuance to finance the local street resurfacing initiative.

POTENTIAL OBJECTIONS: None

INPUT FROM OTHER SOURCES: None

BUDGET/TIME IMPLICATIONS:

Approval necessary to enable work to begin as already approved by the council

ATTACHMENTS:

Description	Type
Ordinance	Ordinance

ORDINANCE providing for the issuance of a not to exceed \$7,500,000 Promissory Note of the City of Decatur, Macon County, Illinois, to pay the costs of resurfacing and reconstructing local roads and streets within the City, providing for the security for and payment of said note, confirming the sale thereof to Busey Bank, and authorizing the execution and delivery of a Term Loan Agreement and related documents.

Adopted by the Council on the
1st day of August, 2016.

TABLE OF CONTENTS

	PAGE
Preambles	1
SECTION 1. FINDINGS	2
SECTION 2. EXECUTION OF THE AGREEMENT AUTHORIZED	3
SECTION 3. THE NOTE	3
SECTION 4. SALE AND DELIVERY OF NOTE.....	4
SECTION 5. SECURITY; PAYMENT	4
SECTION 6. USE OF PROCEEDS.....	5
SECTION 7. GENERAL COVENANTS.....	5
SECTION 8. TAX COVENANTS	6
SECTION 9. SUPERSEDER AND EFFECTIVE DATE.....	8

ORDINANCE providing for the issuance of a not to exceed \$7,500,000 Promissory Note of the City of Decatur, Macon County, Illinois, to pay the costs of resurfacing and reconstructing local roads and streets within the City, providing for the security for and payment of said note, confirming the sale thereof to Busey Bank, and authorizing the execution and delivery of a Term Loan Agreement and related documents.

* * *

WHEREAS, the City of Decatur, Macon County, Illinois (the "*City*"), is a duly organized municipality under the laws of the State of Illinois, operating generally under the Illinois Municipal Code, as amended; has a population in excess of 25,000 as determined by the last official census; and pursuant to the provisions of Section 6 of Article VII of the Constitution of the State of Illinois (the "*Constitution*"), the City is a home rule unit and may exercise any power or perform any function pertaining to its government and affairs, including, but not limited to, the power to incur debt (the Illinois Municipal Code as supplemented and, where in conflict, superseded by said constitutional powers being the "*Act*"); and

WHEREAS, pursuant to the provisions of the Act, the City has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval; and

WHEREAS, the Council of the City (the "*Council*") has considered the needs of the City and its residents, and has determined and does hereby determine that it is desirable and in the best interests of the City to pay the costs of resurfacing and reconstructing local roads and streets within the City (the "*Project*"); and

WHEREAS, the estimated cost of the Project is not less than the sum of \$7,500,000, plus the estimated available amount of interest earnings on said sum prior to expenditure; and

WHEREAS, the proper officers and officials of the City have negotiated with Busey Bank, Decatur, Illinois (the "*Bank*"), for a loan authorization to be made available by the Bank to the City in the form of loans in an aggregate principal amount not to exceed \$7,500,000; and

WHEREAS, as a condition precedent to the extension of credit or financial accommodations from the Bank to the City, the Bank requires that the City enter into a Term Loan Agreement with the Bank setting forth the terms and conditions applicable thereto (the "*Agreement*"); and

WHEREAS, the Council hereby expressly determines that it is advisable, necessary and in the best interests of the City that the City authorize the execution and delivery of the Agreement; and

WHEREAS, it is in the best interests of the inhabitants of the City and necessary for the government and affairs of the City also to authorize the issuance of a Promissory Note (the "*Note*") to evidence the obligation to repay the principal of and interest on amounts drawn from time to time by the City under the Agreement:

NOW THEREFORE Be It and It Is Hereby Ordained by the Council of the City of Decatur, Macon County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Findings. The Council hereby finds and determines that (a) all of the recitals contained in the preambles to this Ordinance are full, true and correct and hereby incorporates them into this Ordinance by this reference; (b) this Ordinance is adopted pursuant to Section 6 of Article VII of the Constitution; (c) it is necessary and in the best interests of the City that the City adopt this Ordinance; (d) it is necessary and in the best interests of the City that the Agreement be executed and the Note be issued so as to pay the costs of the Project; and (e) the execution of the Agreement, the borrowing of money for the purposes authorized therein and the issuance of the Note are for proper public purposes and are in the public interest.

Section 2. Execution of the Agreement Authorized. The City is hereby authorized to enter into the Agreement with the Bank in substantially the form attached hereto as *Exhibit A*, provided, however, that in the event of any conflict between the terms and provisions of this Ordinance and the Agreement, the terms and provisions of this Ordinance shall in all events control. The Director of Finance be, and hereby is, authorized, empowered and directed to execute, and his or her execution thereof shall constitute conclusive evidence of the approval of any and all terms contained in the Agreement by the Council, and the City Clerk be, and hereby is, authorized, empowered and directed to attest the Agreement in the name, for and on behalf of the City, and thereupon to cause the Agreement to be delivered to the Bank. The Agreement (as executed) is entered into to provide for the loan of the proceeds of the Note to the City and the use of such proceeds as aforesaid and to pay the costs of issuing the Note, in the manner and with the effect therein provided. From and after the execution and delivery of the Agreement, the officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed; and the Agreement shall constitute, and hereby is made, a part of this Ordinance, and a copy of the Agreement shall be placed in the official records of the City, and shall be available for public inspection at the office of the City Clerk.

Section 3. The Note. The Note is hereby authorized to be issued as a drawdown note, shall be issued in the principal amount of not to exceed \$7,500,000 and shall mature on the date and bear interest at the rate and on the dates as set forth in the Agreement.

The form of the Note as attached as *Exhibit A* to the Agreement, subject to appropriate insertions and revisions in order to comply with the provisions of the Agreement (as executed and delivered) be, and the same hereby is, approved. The Note shall be executed in the name, for

and on behalf of the City with the signatures of Mayor and the City Clerk. When the Note shall be executed on behalf of the City in the manner contemplated by the Agreement and this Ordinance in a principal amount not to exceed \$7,500,000, it shall represent the approved form of Note of the City.

Section 4. Sale and Delivery of Note. The Note hereby authorized shall be executed as in this Ordinance provided as soon after the passage hereof as may be, and thereupon be deposited with the City Treasurer, and be by said City Treasurer delivered to the Bank upon receipt of the purchase price therefor, the same being the par amount of any Loan (as such term is defined in the Agreement); the contract for the sale of the Note heretofore entered into (the "*Purchase Contract*") is in all respects ratified, approved and confirmed, it being hereby found and determined that the Purchase Contract is in the best interests of the City and that no person holding any office of the City, either by election or appointment, is in any manner financially interested directly in his or her own name or indirectly in the name of any other person, association, trust or corporation, in the Purchase Contract.

Any officer or official of the City as may be necessary is hereby authorized to execute such other documents, as may be necessary to implement the Agreement and the transactions contemplated thereby and to effect the issuance and delivery of the Note, and execution thereof by such officers and officials is hereby deemed conclusive evidence of approval thereof with such changes, additions, insertions, omissions or deletions as such officers and officials may determine, with no further official action of or direction by the Council.

Section 5. Security; Payment. The Note shall be payable solely from the collections of the Local MFT (as such term is defined in the Agreement). The City agrees to appropriate sufficient amounts of the Local MFT annually and in a timely manner so as to provide for the making of all payments when due under the Note. The collections of the Local MFT will be

deposited into the LSR Fund (as hereinafter defined). The Bank shall have no claim on the collections of the Local MFT beyond what is necessary to pay annual principal and interest on the Note. Any collections of excess Local MFT may be transferred out of the LSR Fund to be used to pay for the construction and maintenance of municipal streets and extension, sidewalk repairs and maintenance, curbing, grade extension and approaches, and engineering services related to the same.

The City further covenants and agrees with the Bank and any subsequent holders of the Note that so long the Note remains outstanding, the City will take no action or fail to take any action which in any way would adversely affect the security for the Note or the ability of the City to collect the Local MFT to pay the Note.

Section 6. Use of Proceeds. Note proceeds are hereby appropriated as follows: The drawdown of the principal proceeds of the Note shall be set aside in a separate City fund, heretofore created, and designated as the “*Local Street and Road Fund (the “LSR Fund”)*,” and be used to pay the Project, including costs of issuance of the Note, and interest on or principal of the Note at any time there are insufficient funds from other sources to pay the same. The City shall maintain the LSR Fund at the Bank while the Note is outstanding.

Section 7. General Covenants. The City covenants and agrees with the Bank and any subsequent holders of the Note that, so long as the Note remains outstanding and unpaid:

(a) The City will punctually pay or cause to be paid the principal of and interest on the Note in strict conformity with the terms of the Agreement, the Note and this Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements thereof.

(b) The City will keep, or cause to be kept, proper books of record and accounts, separate from all other records and accounts of the City, in which complete and

correct entries shall be made of all transactions relating to the Project and the LSR Fund. Such books of record and accounts shall at all times during business hours be subject to the inspection of the Bank or its representatives authorized in writing.

(c) The City will preserve and protect the security of the Note and the rights of the registered owners of the Note.

(d) The City will adopt, make, execute and deliver any and all such further ordinances, resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the performance of, this Ordinance, and for the better assuring and confirming unto the registered owner of the Note of the rights and benefits provided in this Ordinance.

Section 8. Tax Covenants. The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Note) if taking, permitting or omitting to take such action would cause the Note to be an arbitrage bond or a private activity bond within the meaning of the Internal Revenue Code of 1986, as amended, or would otherwise cause the interest on the Note to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service (the “IRS”) of the exemption from federal income taxation for interest paid on the Note, under present rules, the City may be treated as a “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such an examination.

The District also agrees and covenants with the Bank and holders of the Note from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Note and affects the tax-exempt status of the Note.

The Council hereby authorizes the officials of the City responsible for issuing the Note, the same being the Mayor, City Clerk and City Treasurer, to make such further covenants and certifications regarding the specific use of the proceeds of the Note as approved by the Council and as may be necessary to assure that the use thereof will not cause the Note to be an arbitrage bond and to assure that the interest on the Note will be exempt from federal income taxation. In connection therewith, the City and the Council further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Note and to comply with such advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Note; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 9. Superseder and Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect immediately upon its passage and approval.

AYES: _____

NAYS: _____

ABSENT: _____

ADOPTED: August 1, 2016

APPROVED: August 1, 2016

Mayor, City of Decatur,
Macon County, Illinois

RECORDED In City Records: August 1, 2016.

Attest:

City Clerk, City of Decatur,
Macon County, Illinois

EXHIBIT A

TERM LOAN AGREEMENT

Financial Management

DATE: 7/21/2016

MEMO:

TO: Honorable Mayor Julie Moore Wolfe
Members of the City Council

FROM: Tim Gleason, City Manager
Gregg D. Zientara, City Treasurer & Director of Finance

SUBJECT: ORDINANCE providing for the issuance of a not to exceed \$2,200,000 Promissory Note to pay the costs of renovating, repairing and maintaining the City's Fire Stations Numbers 1, 2, 4 and 6, providing for the security for and payment of said note, confirming the sale thereof to Busey Bank, and authorizing the execution and delivery of a Term Loan Agreement and related documents.

SUMMARY RECOMMENDATION: City staff recommends approval

PRIOR COUNCIL ACTION: Staff recommends Council approval

POTENTIAL OBJECTIONS: None

INPUT FROM OTHER SOURCES: None

BUDGET/TIME IMPLICATIONS: Approval will allow project to commence in accordance with the council approved schedule.

ATTACHMENTS:

Description	Type
Ordinance	Ordinance

ORDINANCE providing for the issuance of a not to exceed \$2,200,000 Promissory Note of the City of Decatur, Macon County, Illinois, to pay the costs of renovating, repairing and maintaining the City's Fire Stations Numbers 1, 2, 4 and 6, providing for the security for and payment of said note, confirming the sale thereof to Busey Bank, and authorizing the execution and delivery of a Term Loan Agreement and related documents.

Adopted by the Council on the
1st day of August, 2016.

TABLE OF CONTENTS

	PAGE
Preambles	1
SECTION 1. FINDINGS	2
SECTION 2. EXECUTION OF THE AGREEMENT AUTHORIZED	3
SECTION 3. THE NOTE	3
SECTION 4. SALE AND DELIVERY OF NOTE.....	4
SECTION 5. SECURITY; PAYMENT	4
SECTION 6. USE OF PROCEEDS	5
SECTION 7. GENERAL COVENANTS.....	5
SECTION 8. TAX COVENANTS	6
SECTION 9. SUPERSEDER AND EFFECTIVE DATE.....	8

ORDINANCE providing for the issuance of a not to exceed \$2,200,000 Promissory Note of the City of Decatur, Macon County, Illinois, to pay the costs of renovating, repairing and maintaining the City's Fire Stations Numbers 1, 2, 4 and 6, providing for the security for and payment of said note, confirming the sale thereof to Busey Bank, and authorizing the execution and delivery of a Term Loan Agreement and related documents.

* * *

WHEREAS, the City of Decatur, Macon County, Illinois (the "*City*"), is a duly organized municipality under the laws of the State of Illinois, operating generally under the Illinois Municipal Code, as amended; has a population in excess of 25,000 as determined by the last official census; and pursuant to the provisions of Section 6 of Article VII of the Constitution of the State of Illinois (the "*Constitution*"), the City is a home rule unit and may exercise any power or perform any function pertaining to its government and affairs, including, but not limited to, the power to incur debt (the Illinois Municipal Code as supplemented and, where in conflict, superseded by said constitutional powers being the "*Act*"); and

WHEREAS, pursuant to the provisions of the Act, the City has the power to incur debt payable from ad valorem property tax receipts or from any other lawful source and maturing within 40 years from the time it is incurred without prior referendum approval; and

WHEREAS, the Council of the City (the "*Council*") has considered the needs of the City and its residents, and has determined and does hereby determine that it is desirable and in the best interests of the City to pay the costs of renovating, repairing and maintaining the City's Fire Stations Numbers 1, 2, 4 and 6 (the "*Project*"); and

WHEREAS, the estimated cost of the Project is not less than the sum of \$2,200,000, plus the estimated available amount of interest earnings on said sum prior to expenditure; and

WHEREAS, the proper officers and officials of the City have negotiated with Busey Bank, Decatur, Illinois (the "*Bank*"), for a loan authorization to be made available by the Bank to the City in the form of loans in an aggregate principal amount not to exceed \$2,200,000; and

WHEREAS, as a condition precedent to the extension of credit or financial accommodations from the Bank to the City, the Bank requires that the City enter into a Term Loan Agreement with the Bank setting forth the terms and conditions applicable thereto (the "*Agreement*"); and

WHEREAS, the Council hereby expressly determines that it is advisable, necessary and in the best interests of the City that the City authorize the execution and delivery of the Agreement; and

WHEREAS, it is in the best interests of the inhabitants of the City and necessary for the government and affairs of the City also to authorize the issuance of a Promissory Note (the "*Note*") to evidence the obligation to repay the principal of and interest on amounts drawn from time to time by the City under the Agreement:

NOW THEREFORE Be It and It Is Hereby Ordained by the Council of the City of Decatur, Macon County, Illinois, in the exercise of its home rule powers, as follows:

Section 1. Findings. The Council hereby finds and determines that (a) all of the recitals contained in the preambles to this Ordinance are full, true and correct and hereby incorporates them into this Ordinance by this reference; (b) this Ordinance is adopted pursuant to Section 6 of Article VII of the Constitution; (c) it is necessary and in the best interests of the City that the City adopt this Ordinance; (d) it is necessary and in the best interests of the City that the Agreement be executed and the Note be issued so as to pay the costs of the Project; and (e) the execution of the Agreement, the borrowing of money for the purposes authorized therein and the issuance of the Note are for proper public purposes and are in the public interest.

Section 2. Execution of the Agreement Authorized. The City is hereby authorized to enter into the Agreement with the Bank in substantially the form attached hereto as *Exhibit A*, provided, however, that in the event of any conflict between the terms and provisions of this Ordinance and the Agreement, the terms and provisions of this Ordinance shall in all events control. The Director of Finance be, and hereby is, authorized, empowered and directed to execute, and his or her execution thereof shall constitute conclusive evidence of the approval of any and all terms contained in the Agreement by the Council, and the City Clerk be, and hereby is, authorized, empowered and directed to attest the Agreement in the name, for and on behalf of the City, and thereupon to cause the Agreement to be delivered to the Bank. The Agreement (as executed) is entered into to provide for the loan of the proceeds of the Note to the City and the use of such proceeds as aforesaid and to pay the costs of issuing the Note, in the manner and with the effect therein provided. From and after the execution and delivery of the Agreement, the officers, employees and agents of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed; and the Agreement shall constitute, and hereby is made, a part of this Ordinance, and a copy of the Agreement shall be placed in the official records of the City, and shall be available for public inspection at the office of the City Clerk.

Section 3. The Note. The Note is hereby authorized to be issued as a drawdown note, shall be issued in the principal amount of not to exceed \$2,200,000 and shall mature on the date and bear interest at the rate and on the dates as set forth in the Agreement.

The form of the Note as attached as *Exhibit A* to the Agreement, subject to appropriate insertions and revisions in order to comply with the provisions of the Agreement (as executed and delivered) be, and the same hereby is, approved. The Note shall be executed in the name, for

and on behalf of the City with the signatures of Mayor and the City Clerk. When the Note shall be executed on behalf of the City in the manner contemplated by the Agreement and this Ordinance in a principal amount not to exceed \$2,200,000, it shall represent the approved form of Note of the City.

Section 4. Sale and Delivery of Note. The Note hereby authorized shall be executed as in this Ordinance provided as soon after the passage hereof as may be, and thereupon be deposited with the City Treasurer, and be by said City Treasurer delivered to the Bank upon receipt of the purchase price therefor, the same being the par amount of any Loan (as such term is defined in the Agreement); the contract for the sale of the Note heretofore entered into (the "*Purchase Contract*") is in all respects ratified, approved and confirmed, it being hereby found and determined that the Purchase Contract is in the best interests of the City and that no person holding any office of the City, either by election or appointment, is in any manner financially interested directly in his or her own name or indirectly in the name of any other person, association, trust or corporation, in the Purchase Contract.

Any officer or official of the City as may be necessary is hereby authorized to execute such other documents, as may be necessary to implement the Agreement and the transactions contemplated thereby and to effect the issuance and delivery of the Note, and execution thereof by such officers and officials is hereby deemed conclusive evidence of approval thereof with such changes, additions, insertions, omissions or deletions as such officers and officials may determine, with no further official action of or direction by the Council.

Section 5. Security; Payment. The Note shall be payable solely from funds of the City lawfully available for such purpose. The City agrees to appropriate funds of the City annually and in a timely manner so as to provide for the making of all payments when due under the terms of the Loans and the Note.

The City further covenants and agrees with the Bank and any subsequent holders of the Note that so long the Note remains outstanding, the City will take no action or fail to take any action which in any way would adversely affect the security for the Note.

Section 6. Use of Proceeds. Note proceeds are hereby appropriated as follows: The drawdown of the principal proceeds of the Note shall be set aside in a separate City fund, heretofore created, and designated as the "*Fire Capital Fund*, and be used to pay the Project, including costs of issuance of the Note, and interest on or principal of the Note at any time there are insufficient funds from other sources to pay the same.

Section 7. General Covenants. The City covenants and agrees with the Bank and any subsequent holders of the Note that, so long as the Note remains outstanding and unpaid:

(a) The City will punctually pay or cause to be paid the principal of and interest on the Note in strict conformity with the terms of the Agreement, the Note and this Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements thereof.

(b) The City will keep, or cause to be kept, proper books of record and accounts, separate from all other records and accounts of the City, in which complete and correct entries shall be made of all transactions relating to the Project. Such books of record and accounts shall at all times during business hours be subject to the inspection of the Bank or its representatives authorized in writing.

(c) The City will preserve and protect the security of the Note and the rights of the registered owners of the Note.

(d) The City will adopt, make, execute and deliver any and all such further ordinances, resolutions, instruments and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the performance of, this Ordinance,

and for the better assuring and confirming unto the registered owner of the Note of the rights and benefits provided in this Ordinance.

Section 8. Tax Covenants. The City hereby covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Note) if taking, permitting or omitting to take such action would cause the Note to be an arbitrage bond or a private activity bond within the meaning of the Internal Revenue Code of 1986, as amended, or would otherwise cause the interest on the Note to be included in the gross income of the recipients thereof for federal income tax purposes. The City acknowledges that, in the event of an examination by the Internal Revenue Service (the "IRS") of the exemption from federal income taxation for interest paid on the Note, under present rules, the City may be treated as a "taxpayer" in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the IRS in connection with such an examination.

The District also agrees and covenants with the Bank and holders of the Note from time to time outstanding that, to the extent possible under Illinois law, it will comply with whatever federal tax law is adopted in the future which applies to the Note and affects the tax-exempt status of the Note.

The Council hereby authorizes the officials of the City responsible for issuing the Note, the same being the Mayor, City Clerk and City Treasurer, to make such further covenants and certifications regarding the specific use of the proceeds of the Note as approved by the Council and as may be necessary to assure that the use thereof will not cause the Note to be an arbitrage bond and to assure that the interest on the Note will be exempt from federal income taxation. In connection therewith, the City and the Council further agree: (a) through their officers, to make such further specific covenants, representations as shall be truthful, and assurances as may be necessary or advisable; (b) to consult with counsel approving the Note and to comply with such

advice as may be given; (c) to pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Note; (d) to file such forms, statements, and supporting documents as may be required and in a timely manner; and (e) if deemed necessary or advisable by their officers, to employ and pay fiscal agents, financial advisors, attorneys, and other persons to assist the City in such compliance.

Section 9. Superseder and Effective Date. All ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect immediately upon its passage and approval.

AYES: _____

NAYS: _____

ABSENT: _____

ADOPTED: August 1, 2016

APPROVED: August 1, 2016

Mayor, City of Decatur,
Macon County, Illinois

RECORDED In City Records: August 1, 2016.

Attest:

City Clerk, City of Decatur,
Macon County, Illinois

EXHIBIT A
TERM LOAN AGREEMENT

Development Services

DATE: 7/22/2016

MEMO: No. 16-31

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Billy Tyus, Assistant City Manager
Suzan Stickle, Senior Planner

SUBJECT:

Rezone 1860 South Business Route 51 from R-3 Single Family Residence District to B-3 Planned Shopping Center District

SUMMARY RECOMMENDATION:

Staff recommends approval of the rezoning to B-3 Planned Shopping Center District. The City Plan Commission voted 5-0 to recommend approval of this petition at the July 7, 2016 meeting; the minutes of the meeting are attached.

BACKGROUND:

The subject site located south of the Southtowne Plaza at 1860 South Business Route 51 is currently zoned R-3 Single Family Residence District and consists of approximately 0.55 acres and is developed with a 51 space asphalt parking lot that serves the shopping center to the north.

Planning records indicate that the parking lot has been in existence since at least 1986. According to the petition, the subject site has been a paved parking lot since 1975.

The petitioner proposes to rezone from R-3 Single Family Residence District to B-3 Planned Shopping Center District that would allow for all those uses permitted in the B-3 District.

Rezoning the site from R-3 Single Family Residence District to B-3 Planned Shopping Center District should not create any adverse effects on the adjacent properties or the City as a whole as the uses on the adjacent properties are compatible with the permitted uses of the B-3 Planned Shopping Center District.

The adjacent zoning includes R-3 Single Family Residence District to the south, east and

west and B-3 Planned Shopping Center District to the north. The adjacent land use to the east and west is residential, to the south is undeveloped and government-fire station and there is commercial to the north. Although the B-3 Planned Shopping Center District is not consistent with the intent of the Macon County and Decatur Comprehensive Plan which shows this area as Residential-Low Density, Staff is of the opinion that this is a commercial site and the continuation of this site as a 51 space parking lot to serve the adjacent shopping center to the north is the best use of this site. The parking lot is necessary to serve the commercial shopping center to the north. The proposed zoning and permitted uses are compatible with the adjacent uses and zoning districts.

The current use of the subject site as a 51 space parking lot has existed for a number of decades and does not appear to have created any adverse effects on adjacent properties. If the subject site is rezoned to B-3 Planned Shopping Center District, any proposed changes to the subject site from the current 51 space parking lot will have to be heard by the Plan Commission for public hearing and then by the City Council for a final decision.

POTENTIAL OBJECTIONS: There were no known objectors at the Plan Commission Meeting.

INPUT FROM OTHER SOURCES:
The petition has been reviewed by the City’s Technical Review Committee; Planning, Engineering and Fire.

STAFF REFERENCE: Any additional questions may be forwarded to Suzan Stickle at 424-2786 or at [sstickle@decaturil.gov](mailto:ssstickle@decaturil.gov).

BUDGET/TIME IMPLICATIONS: None

ATTACHMENTS:

Description	Type
Ordinance	Ordinance
Supporting Documentation	Backup Material

ORDINANCE NO. _____

**ORDINANCE REZONING PROPERTY
R-3 SINGLE FAMILY RESIDENCE DISTRICT
TO B-3 PLANNED SHOPPING CENTER DISTRICT
- 1860 SOUTH BUSINESS ROUTE 51 -**

WHEREAS, on the 7th day of July, 2016, upon due notice, the Decatur City Plan Commission held a public hearing upon the petition of Regions Bank, Trustee Under the Provisions of a Certain Trust Agreement Dated December 15, 1975 as Trust No. 2433 by Attorney Edward F. Flynn, to rezone premises legally described as:

A part of Lots 44, 45 and 46 of a Resurvey of Lot A of South Shores 4th Addition, as per Plat recorded in Book 300 on Page 161 of the Records in the Recorder's Office of Macon County, more particularly described as follows: Beginning at the Northeasterly Corner of Lot A of South Shores 4th Addition, proceed 210.00 feet Northwesterly along the Northerly line of the parkway as shown in a Resurvey of Lot A of South Shores 4th Addition as recorded in the Macon County Recorder's Office to the Easterly right-of-way line of U.S. Route 51; thence 115.00 feet Southwesterly along said right-of-way line of U.S. Route 51; thence 201.00 feet Southwesterly parallel with the Northerly line of said Resurvey of Lot A to a point on the Easterly line of said Resurvey of Lot A, said point being 115.00 feet Southwesterly of the Northeasterly Corner of said Resurvey of Lot A as measured along said Easterly line; thence 115.00 feet Northeasterly along said Easterly line to the point of beginning. Situated in Macon County, Illinois,

from R-3 Single Family Residence District to B-3 Planned Shopping Center District; and,

WHEREAS, the Decatur City Plan Commission recommended that the prayer of said petition be granted.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF DECATUR, ILLINOIS:

Section 1. That the recommendation of the Decatur City Plan Commission be, and the same is hereby, received, placed on file and approved.

Section 2. That said described premises be, and they are hereby, rezoned from R-3 Single Family Residence District to B-3 Planned Shopping Center District.

Section 3. That the Districts herein mentioned are those districts set forth and defined in Ordinance No. 3512 of the City of Decatur, Illinois, commonly known as the Zoning Ordinance, and all the provisions, regulations, restrictions and requirements therein set forth shall apply to the premises described herein.

Section 4. That the zoning of said premises as set out herein shall be shown and verified on the Zoning District Map as in such Ordinance No. 3512 provided and said Districts be, and they are hereby, amended and changed as herein set forth.

PRESENTED, PASSED, APPROVED AND RECORDED this 1st day of August, 2016.

JULIE MOORE WOLFE, MAYOR

ATTEST:

CITY CLERK



City of Decatur, Illinois

PETITION FOR REZONING

Petition before the Mayor, City Council and Members of the Plan Commission of Decatur, Illinois

Economic and Urban Development Department
One Gary K. Anderson Plaza
Decatur, Illinois 62523-1196

424-2793
FAX 424-2728

Please Type

SECTION ONE: PETITIONER / OWNER / REPRESENTATIVE INFORMATION

Petitioner	Regions Bank, Trustee under the provisions of a certain Trust Agreement dated December 15, 1975 as Trust No. 2433 by Attorney Edward F. Flynn				
Address	225 North Water Street				
City	Decatur	State	IL	Zip	62523
Telephone	(217) 429-4453	Fax	(217) 425-8892	E-mail	eflynn@decatur.legal
Property Owner	Beneficial Owner - Betty Melnik				
Address	216 Woodlawn				
City	Decatur	State	IL	Zip	
Telephone	(217) 429-2502	Fax		E-mail	
Representative	Edward F. Flynn				
Address	225 N. Water Street				
City	Decatur	State	IL	Zip	62523
Telephone	(217) 429-4453	Fax	(217) 425-8892	E-mail	eflynn@decatur.legal

SECTION TWO: SITE INFORMATION

Street Address	This is a parking lot behind Southtowne Plaza					
Legal Description	SEE ATTACHED LEGAL DESCRIPTION					
Present Zoning	☐ R-1	☐ R-2	☒ R-3	☐ R-5	☐ R-6	Is this property a Planned Unit Development?
	☐ B-1	☐ B-2	☐ B-3	☐ B-4	☐ O-1	☐ YES Approval Date: _____
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☒ NO
Please list all improvements on the site:						This has been a parking lot since 1975
Size of Tract	24,150	☒ SF	☐ AC			

SECTION THREE: REQUESTED ACTION

Rezoned Property To:	☐ R-1	☐ R-2	☐ R-3	☐ R-5	☐ R-6	Will this property be a Planned Unit Development?
	☐ B-1	☐ B-2	☒ B-3	☐ B-4	☐ O-1	☐ YES
	☐ M-1	☐ M-2	☐ M-3	☐ PMR-1		☒ NO
Other:						

Section Three Continued**Purpose** *Please state the purpose of the proposed rezoning.*

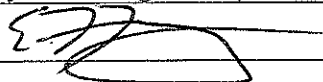
This is a paved parking lot behind the strip mall adjacent to the Kroger store. This area has been a paved parking lot since 1975

SECTION FOUR: JUSTIFICATION*The petitioner submits to the City Plan Commission and City Council the following facts (additional pages may be attached):*

Since 1975 land development issues have become more complex. When the owner seeks financing to repave the parking lot or to undertake capital improvements, the lenders have become increasingly concerned about the fact that the subject piece of property is zoned R-3

SECTION FIVE: CERTIFICATION

To be placed on the agenda of the regular meeting on the first Thursday of the month at 3:00 PM in the City Council Chambers, petition must be received on the first Thursday of the preceding month. Failure of the petitioner or the petitioner's representative to attend the Plan Commission hearing may result in items being tabled. Incomplete or erroneous petitions may delay items being heard by the Plan Commission.

**Petitioner's
Signature****Date***6/11/14***NOTES:**

1. Please forward this completed form and attachments to the Economic and Urban Development Department, Third Floor, Decatur Civic Center. Please make checks payable to the City of Decatur. See Schedule "A" for fees.
2. Signature of this petition grants permission to City staff to place a sign, indicating a request for zoning action, on the subject property at least 10 days prior to the Decatur City Plan Commission hearing. Said sign will be removed within 15 days of final action by City Council.
3. In the event a petition for rezoning is denied by the Council, another petition for a change to the same district shall not be filed within a period of one year from the date of denial, except upon the initiation of the City Council or the City Plan Commission after showing a change of circumstances which would warrant a renewal.
4. All petitions before the Decatur City Plan Commission are reviewed through the Development Technical Review (DTR) Process. Please consult the DTR Brochure for information related to this process.

Rev. 2 - 4/01

OFFICE USE ONLY

Date Filed

By

Legal Description:

Parcel II: A part of Lots 44, 45 and 46 of a Resurvey of Lot A of South Shores Fourth Addition, as per Plat recorded in Book 300, Page 161 of the Records in the Recorder's Office of Macon County, more particularly described as follows:

Beginning at the Northeasterly corner of Lot A of South Shores 4th Addition to the City of Decatur, proceed 210.00 feet Northwesterly along the Northerly line of the parkway as shown in a Resurvey of Lot A of South Shores 4th Addition as recorded in the Macon County Recorder's Office to the Easterly right-of-way line of U.S. Route 51; thence 115.00 feet Southwesterly along said right-of-way line of U.S. Route 51; thence 201.00 feet Southwesterly parallel with the Northerly line of said Resurvey of Lot A to a point on the Easterly line of said Resurvey of

Lot A, said point being 115.00 feet Southwesterly of the Northeasterly corner of said Resurvey of Lot A as measured along said Easterly line; thence 115.00 feet Northeasterly along said Easterly line to the point of beginning. Situated in Macon County, Illinois.

STAFF REPORT
Decatur City Plan Commission

COMMON NAME: 1860 South Business Route 51

GENERAL INFORMATION

Hearing Date July 7, 2016
Calendar No. 16-20
Property Location 1860 South Business Route 51
Requested Action Rezone from R-3 Single Family Residence District to B-3 Planned Shopping Center District
Petitioner Regions Bank, Trustee Under the Provisions of a Certain Trust Agreement Dated December 15, 1975 as Trust No. 2433 by Attorney Edward F. Flynn

LAND USE AND ZONING

<i>Direction</i>	<i>Existing Land Use</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>
Subject Property	Parking Lot	R-3	Residential-Low Density
North	Commercial	B-3	Retail
South	Undeveloped/Fire Station	R-3	Residential-Low Density
East	Single Family Residential	R-3	Residential-Low Density
West	Single Family Residential	R-3	Residential-Low Density

BACKGROUND

1. The subject site located south of the Southtowne Plaza at 1860 South Business Route 51 is currently zoned R-3 Single Family Residence District and consists of approximately 0.55 acres.
2. The site has a 51 space asphalt parking lot that serves the shopping center to the north.
3. Planning records indicate that the parking lot has been in existence since at least 1986. According to the petition, the subject site has been a paved parking lot since 1975.

PROJECT DESCRIPTION

1. The petitioner proposes to rezone from R-3 Single Family Residence District to B-3 Planned Shopping Center District that would allow for all those uses permitted in the B-3 District.

STAFF ANALYSIS

1. Rezoning the site from R-3 Single Family Residence District to B-3 Planned Shopping Center District should not create any adverse effects on the adjacent properties or the City as a whole as the uses on the adjacent properties are compatible with the permitted uses of the B-3 Planned Shopping Center District.
2. The adjacent zoning includes R-3 Single Family Residence District to the south, east and west and B-3 Planned Shopping Center District to the north. The adjacent land use to the east and west is residential, to the south is undeveloped and government-fire station and there is commercial to the

north. Although the B-3 Planned Shopping Center District is not consistent with the intent of the Macon County and Decatur Comprehensive Plan which shows this area as Retail, Staff is of the opinion that this is a commercial site and the continuation of this site as a 51 space parking lot to serve the adjacent shopping center to the north is the best use of this site. The parking lot is necessary to serve the commercial shopping center to the north. The proposed zoning and permitted uses are compatible with the adjacent uses and zoning districts.

3. The current use of the subject site as a 51 space parking lot has existed for a number of decades and does not appear to have created any adverse effects on adjacent properties. If the subject site is rezoned to B-3 Planned Shopping Center District, any proposed changes to the subject site from the current 51 space parking lot will have to be heard by the Plan Commission for public hearing and then by the City Council for a final decision.

STAFF RECOMMENDATION

1. Staff recommends approval of the rezoning.

PLAN COMMISSION ACTION

1. Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 16-20 to the City Council with a recommendation for approval is suggested.

The above report constitutes the testimony and recommendation of the Planning and Sustainability Division, Department of Planning and Building Services, City of Decatur.

Suzan Stickle
Senior Planner

ATTACHMENTS

1. Petition
2. Location Map

Decatur City Plan Commission

1860 South Business Route 51



Cal. No.: 16-20
Date: July 7, 2016
Petition of: Regions Bank Trust No. 2433
Requested Action: Rezone to B-3 District

0 250 500
Feet



Legend

- Decatur Roads
- subject site
- Decatur Parcel data
- Decatur Zoning

Excerpts from Plan Commission Meeting of July 7, 2016:

Cal. No. 16-20

Petition of REGIONS BANK, TRUSTEE UNDER THE PROVISIONS OF A CERTAIN TRUST AGREEMENT DATED DECEMBER 15, 1975 AS TRUST NO. 2433 BY ATTORNEY EDWARD F. FLYNN, to rezone property located at 1860 SOUTH BUSINESS ROUTE 51 from R-3 Single Family Residence District to B-3 Planned Shopping Center District.

Ms. Suzy Stickle was sworn in by Mrs. Janet Poland.

Ms. Stickle presented the recommendation of staff:

The subject site located south of the Southtowne Plaza at 1860 South Business Route 51 is currently zoned R-3 Single Family Residence District and consists of approximately 0.55 acres.

The site has a 51 space asphalt parking lot that serves the shopping center to the north.

Planning records indicate that the parking lot has been in existence since at least 1986. According to the petition, the subject site has been a paved parking lot since 1975.

The petitioner proposes to rezone from R-3 Single Family Residence District to B-3 Planned Shopping Center District that would allow for all those uses permitted in the B-3 District.

Rezoning the site from R-3 Single Family Residence District to B-3 Planned Shopping Center District should not create any adverse effects on the adjacent properties or the City as a whole as the uses on the adjacent properties are compatible with the permitted uses of the B-3 Planned Shopping Center District.

The adjacent zoning includes R-3 Single Family Residence District to the south, east and west and B-3 Planned Shopping Center District to the north. The adjacent land use to the east and west is residential, to the south is undeveloped and government-fire station and there is commercial to the north. Although the B-3 Planned Shopping Center District is not consistent with the intent of the Macon County and Decatur Comprehensive Plan which shows this area as Residential-Low Density, Staff is of the opinion that this is a commercial site and the continuation of this site as a 51 space parking lot to serve the adjacent shopping center to the north is the best use of this site. The parking lot is necessary to serve the commercial shopping center to the north. The proposed zoning and permitted uses are compatible with the adjacent uses and zoning districts.

The current use of the subject site as a 51 space parking lot has existed for a number of decades and does not appear to have created any adverse effects on adjacent properties. If the subject site is rezoned to B-3 Planned Shopping Center District, any proposed changes to the subject site from the current 51 space parking lot will have to be heard by the Plan Commission for public hearing and then by the City Council for a final decision.

Staff recommends approval of the rezoning.

Section XXIX. of the City of Decatur Zoning Ordinance requires the Plan Commission to hold a public hearing on a rezoning request, and then forward its report and recommendation to the City Council for final approval. A motion to forward Calendar Number 16-20 to the City Council with a recommendation for approval is suggested.

Mr. Ed Flynn, representative, was sworn in by Mrs. Poland.

Mr. Flynn stated this site has been a parking lot for forty (40) years and has been zoned R-3 Single Family Residence District for over thirty (30) years. The request to rezone the property from R-3 Single Family Residence District to B-3 Planned Shopping Center District is being made as the owner is preparing to asphalt the parking lot and the lenders are asking for the rezoning to be done.

There were no questions and no objectors present.

It was moved and seconded (Harris/Peck) to forward Calendar No. 16-20 to the City Council with a recommendation for approval. Motion carried unanimously.

Public Works

DATE: 7/21/2016

MEMO: 2016-55

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT:
Resolution to Accept Bid and Authorize the Execution of a Contract with SAK Construction, LLC, for 2016 Trenchless Long Lining Repairs, City Project 2016-28

SUMMARY RECOMMENDATION: For further information please refer to the attached Council Memorandum No. 2016-55.

COPY:
SAK Construction, LLC
Insituform Technologies USA, LLC
Visu-Sewer of Missouri, LLC
Hoerr Construction, Inc.
J C Dillon, Inc.

ATTACHMENTS:

Description	Type
Council Memo No. 2016-55 SAK	Cover Memo
Resolution for Memo 2016-55	Resolution Letter
Bid Tab for Memo 2016-55 SAK	Backup Material
Contract Pages CP2016-28	Backup Material

**Public Works Memorandum
NO. 2016-55**

DATE: July 18, 2016

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution to Accept Bid and Award a Contract to SAK Construction, LLC
for 2016 Trenchless Long Lining Repairs,
City Project 2016-28

SUMMARY RECOMMENDATION:

It is recommended that the City Council approve the attached resolution approving a contract in the amount of \$461,573.50 for the 2016 Trenchless Long Lining Repairs Project, City Project 2016-28, with SAK Construction, LLC as the lowest qualified and responsible bidder, and that the Mayor be authorized to execute the contract and the City Clerk to attest.

PRIOR COUNCIL ACTION:

The City Council approved the FY 2016 Budget which allocated funds for this project. This is a yearly major maintenance project for the City.

BACKGROUND:

Sanitary Sewer Priorities

Under the direction of the City Council, the Public Works Department has established four priorities to improve the City's sanitary sewer collection system as defined in the Sanitary Sewer Master Plan.

- 1. Critical Large Diameter Sewer Rehabilitation.**
- 2. Sanitary Sewer Overflows Due to Inflow and Infiltration.**
- 3. System Operation and Maintenance**
- 4. Small Diameter Sewer Rehabilitation**

The 2016 Trenchless Long Lining Repairs project primarily addresses priority number 4 by repairing deteriorated sanitary sewer pipes. Secondly, the lining work also addresses priorities 2 and 3 by decreasing the amount of ground water infiltration into the system and reducing the operation and maintenance costs in the system.

2016 Trenchless Long Lining Project

The purpose of this project is to repair structural deficiencies that have been identified within the sanitary sewer system with a minimum disruption to service and disturbance to the surface. Structural deficiencies include broken and missing pieces of pipe, offset pipe joints and voids. The project locations were identified from the annual televised inspections conducted in the City's sanitary sewer system.

The trenchless long lining process involves the insertion of a resin saturated felt tube from manhole to manhole that hardens to provide a smooth repair. The felt tube is inflated using water or air through the sewer. Water or air pressure is increased in the tube which presses it tightly against the walls of the sewer pipe. The water or air then heated to activate the resin system within the tube, causing the pipe lining to cure and harden to form a new structural pipe within the old damaged sewer pipe. When curing is complete, private lateral lines are re-opened using a remote controlled cutting tool. Long lining is the most cost effective approach to repair pipes that have many structural deficiencies or significant damage.

The 2016 Trenchless Long Lining Repairs Project will line approximately 16,500 lineal feet of the City's sanitary sewers ranging from 8-in to 18-in diameter. The work also includes lateral reinstatement, video inspection, sewer cleaning, liner testing, and traffic control.

Project Bid Review

The project plans and specifications were prepared by Engineering Division staff. The project was advertised June 22, 2016 and bids were opened on Thursday, July 14, 2016. The results for the letting are as follows:

<u>Bidder</u>	<u>Bid Price</u>	<u>Compared to Engineer's Est. Over (-Under)</u>
SAK Construction, LLC	\$461,573.50	(19.01%)
Insituform Technologies, USA, LLC	\$470,848.25	(17.38%)
Visu-Sewer of Missouri, LLC	\$488,294.80	(14.32%)
Hoerr Construction, Inc.	\$580,247.00	(10.82%)
J C Dillon, Inc.	\$770,826.75	35.25%
Engineer's Estimate	\$569,912.50	-----

SAK Construction, LLC provided the lowest, qualified bid. SAK is located in the St. Louis area and has successfully completed sewer lining work for the City in the past. They were a main contractor involved in the Lake Shore Drive Sewer Rehabilitation project which was completed in 2014. SAK will adhere to the prevailing wage requirements of the State of Illinois. Staff recommends that the City Council approve a contract with SAK Construction, LLC to perform the 2016 Trenchless Long Lining Repairs project.

Contractors for City Projects shall comply with City Code Chapter 28, Article 10, "Minority Participation Goals for Public Works Contracts."

Contractors for City projects shall make a good faith effort to comply with the following minimum goals:

1. Ten (10) percent of the total dollar amount of the contract should be performed by Minority Business Enterprises if subcontracting opportunities are available; and,
2. Eighteen (18) percent of the total hours worked should be performed by minority workers.

Subcontracting is not required for a City project. SAK will use one subcontractor to perform televising and cleaning of the project sewers. SAK advertised locally, posted the work on SBA-Net website and sent 60 e-mail solicitations to MBE subcontractors. SAK received one response from Mid America Pipe Services based in St Louis, MO. Mid America Pipe services was not the most cost effective option and SAK elected to use Tele-Scan, a local non-MBE contractor to perform the work. This constitutes a good faith effort in meeting the City's minority business goals.

POTENTIAL OBJECTION:

There are no known objections to this resolution and bid award.

SCHEDULE: The project will begin in August and is to be completed in November of this year.

BUDGET/TIME IMPLICATIONS:

Budget Impact

Funding for this project is allocated in the Sewer Fund. The recommended low bid amount is \$461,573.50. The Sewer Fund is supported by sanitary sewer user fees.

Staff Impact

Staff time has been allocated to provide oversight for this project.

INPUT FROM OTHER SOURCES: None

STAFF REFERENCE: Richard Marley, Public Works Director, will be in attendance at the City Council meeting to answer any questions of the Council on this item.

This memorandum was prepared by Paul Caswell, P.E., Assistant City Engineer.

Attach: 2

cc: SAK Construction, LLC
Insituform Technologies USA, LLC
Visu-Sewer of Missouri, LLC
Hoerr Construction, Inc.
J C Dillon, Inc.

RESOLUTION NO. _____

**RESOLUTION ACCEPTING THE BID AND AUTHORIZING
THE EXECUTION OF A CONTRACT WITH
SAK CONSTRUCTION, LLC, FOR
2016 TRENCHLESS LONG LINING REPAIRS PROJECT
CITY PROJECT 2016-28**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR,
ILLINOIS:**

Section 1. That the tabulation of bids received for City Project 2016-28, 2016 Trenchless Long Lining Repairs Project, and presented to the Council herewith, be received and placed on file.

Section 2. That the bid of SAK Construction, LLC, in the amount of \$461,573.50 be, and it is hereby, accepted and a contract awarded, accordingly.

Section 3. That the Mayor and City Clerk be, and they are hereby, authorized and directed to execute a contract between the City of Decatur, Illinois, and SAK Construction, LLC, for said plan, for their bid price of \$461,573.50.

PRESENTED and ADOPTED this 1st day of August, 2016.

Julie Moore Wolfe, Mayor

ATTEST:

Debra G. Bright, City Clerk

Project Name: 2016 Trenchless Long Lining Repairs				Engineer's Estimate City Engineering Division		SAK Construction, LLC 864 Hoff Road O'Fallon, MO 63366		Insituform Technologies USA, LLC 17988 Edison Ave Chesterfield, MO 63005		Visu-Sewer of Missouri, LLC 7895 St. Clair Avenue E. St. Louis, IL 62203		Hoerr Construction, Inc. 1601-D W. Luthy Dr Peoria, IL 61615		J. C. Dillon, Inc. PO Box 3590 Peoria, IL 61612	
Project Number: 2016-28						Ph. 636-385-1034 Fax 636-385-1100		Ph. 314-409-5069 Fax 636-898-5094		Ph. 262-695-2340 Fax 262-695-2359		Ph. 309-691-6653 Fax 309-691-6739		Ph. 309-689-1596 Fax N/A	
Bid Date: Thursday, 07/14/2016						Boyd Hirtz, VP bidcippc@sakcon.com		Whittney Schulte, Assistant Secretary Wschulte@Aegion.com		Keith Alexander visu-info@visu-sewer.com jamesb@visu-sewer.com		Mike Kaisner or Andrew Hoerr info@hoerr.com		ChenDillon@jcdilloninc.com	
Time: 10:30 A.M.															
Fund: Sewer Fund															
Organization Code: 79487906															
Object Code: 489030															
Item No.	Pay Item	QTY	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	SANITARY SEWER LINER, 8 INCH	13,875	FOOT	\$26.00	\$360,750.00	\$20.00	\$277,500.00	\$19.00	\$263,625.00	\$22.30	\$309,412.50	\$22.50	\$312,187.50	\$36.00	\$499,500.00
2	SANITARY SEWER LINER, 10 INCH	1,824	FOOT	\$31.00	\$56,544.00	\$21.00	\$38,304.00	\$25.00	\$45,600.00	\$26.10	\$47,606.40	\$26.00	\$47,424.00	\$36.00	\$65,664.00
3	SANITARY SEWER LINER, 12 INCH	536	FOOT	\$36.00	\$19,296.00	\$33.00	\$17,688.00	\$33.00	\$17,688.00	\$34.40	\$18,438.40	\$35.00	\$18,760.00	\$64.00	\$34,304.00
4	SANITARY SEWER LINER, 18 INCH	300	FOOT	\$80.00	\$24,000.00	\$65.00	\$19,500.00	\$63.00	\$18,900.00	\$60.20	\$18,060.00	\$62.00	\$18,600.00	\$78.00	\$23,400.00
5	PROTRUDING LATERAL CUT-OUT	16	EACH	\$250.00	\$4,000.00	\$250.00	\$4,000.00	\$190.00	\$3,040.00	\$150.00	\$2,400.00	\$300.00	\$4,800.00	\$220.00	\$3,520.00
6	SANITARY SEWER LATERAL REINSTATEMENT	279	EACH	\$80.00	\$22,320.00	\$20.00	\$5,580.00	\$25.00	\$6,975.00	\$10.00	\$2,790.00	\$75.00	\$20,925.00	\$150.00	\$41,850.00
7	FINAL PROJECT REPORT	1	L SUM	\$2,000.00	\$2,000.00	\$250.00	\$250.00	\$1,000.00	\$1,000.00	\$150.00	\$150.00	\$500.00	\$500.00	\$750.00	\$750.00
8	CURED-IN-PLACE LINER TESTING	54	EACH	\$300.00	\$16,200.00	\$200.00	\$10,800.00	\$100.00	\$5,400.00	\$150.00	\$8,100.00	\$130.00	\$7,020.00	\$150.00	\$8,100.00
9	ALTERATIONS, CANCELLATIONS, EXTENSIONS, DEDUCTIONS AND EXTRA WORK	1	EACH	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00
10	INITIAL SEWER CLEANING AND VIDEO INSPECTION	16,535	FOOT	\$1.50	\$24,802.50	\$2.90	\$47,951.50	\$4.15	\$68,620.25	\$2.50	\$41,337.50	\$2.30	\$38,030.50	\$3.25	\$53,738.75
	TOTAL BIDS (AS CORRECTED)				\$569,912.50		\$461,573.50		\$470,848.25		\$488,294.80		\$508,247.00		\$770,826.75
	Percent Over Under ENGINEER'S ESTIMATE						-19.01%		-17.38%		-14.32%		-10.82%		35.25%


Matthew C. Newell, P.E., City Engineer

7-14-16
Date

CONTRACT

THIS CONTRACT, made and entered into this 1st day of August, 2016, by and between the City of Decatur, Illinois, hereinafter called "Owner", and SAK Construction, LLC, hereinafter called the "Contractor".

WITNESSETH:

That for and in consideration of the payments, covenants, and agreements stated herein, the Contractor and Owner agree as follows:

1. The Contractor shall perform and complete in a Good and Workmanlike Manner all Work required in connection with **"2016 TRENCHLESS LONG LINING REPAIRS", CITY PROJECT 2016-28**, all in strict accordance with the Contract Documents, including any and all Addenda prepared by the City Engineer, with specifications and drawings are made a part of this Contract; and in strict compliance with the Contractor's Bid Proposal and the other Contract Documents herein mentioned, which are a part of the Contract; and the Contractor shall do everything required by this Contract and the other documents constituting a part thereof.
2. Payments are to be made to the Contractor by the Owner in accordance with and subject to the provisions embodied in the documents made a part of this Contract, or as prescribed by law.
3. Work under this Contract shall commence on the date specified in the written Notice to Proceed from the Owner to the Contractor. Upon receipt of said Notice, the Contractor shall diligently and continuously prosecute and substantially complete all Work under this Contract.
4. **A Completion Date is in effect for this project in accordance with Section 108 of the Illinois Department of Transportation, Standard Specifications for Road and Bridge Construction. The Completion Date for this project is November 11, 2016.**
5. This Contract consists of the following component parts, herein defined as the Contract Documents, all of which are as full a part of this Contract as if herein set out verbatim, or if not attached, as if hereto attached:

Advertisement for Bids
Information for Bidders
Bid Proposal
Addenda No. 1 Dated July 11, 2016
Non-Collusion Affidavit
Contract (This Instrument)
Contract Change Orders
Performance Bond

General Conditions
Special Conditions
Standard Specifications
Project Drawings
Special Provisions
Supplemental Specifications
Appendix(s)

CONTRACT

The above named documents are essential parts of the Contract, and a requirement occurring in one is as binding as though occurring in all. They are intended to be complementary and to describe and provide for a complete work product. In case of discrepancy, the order of precedence is as follows:

1. Contract Change Orders
2. Addenda
3. Contract
4. Special Provisions & Drawings
5. Special Conditions
6. Supplemental Specifications
7. General Conditions

In the event there is a conflict between any of the above listed documents, the provision of the document with the lower numerical value shall govern over those documents with a high numerical value.

The Contractor shall not take advantage of any apparent error or omission in the plans or specifications. In the event the Contractor discovers such an error or omission, the bidder shall immediately notify the Owner. The Owner will then make such corrections and interpretations as may be deemed necessary for fulfilling the intent of the plans and specifications.

6. It is agreed by the parties to this Contract that this Contract shall be executed in quadruplicate, one copy for the Contractor, and three copies for the Owner.

ATTEST:

CITY OF DECATUR, ILLINOIS

CITY CLERK

By _____
MAYOR

SAK CONSTRUCTION, LLC

SECRETARY (Corporate Seal)

By _____
PRESIDENT

Public Works

DATE: 7/18/2016

MEMO: 2016-51

TO: Honorable Mayor Julie Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Accepting the Bid and Authorizing the Execution of a Contract with Tyrolt, Inc., D/B/A Dunn Company for Street Restoration, City Project 2016-08

SUMMARY RECOMMENDATION: For further information please refer to the attached Council Memorandum No. 2016-51 and related attachments.

COPY:

Tyrolt, Inc., d/b/a Dunn Company
Illinois Valley Paving, A Division of UCM

ATTACHMENTS:

Description	Type
Council Memo 2016-51 CP 2016-08	Cover Memo
Resolution CP 2016-08 Dunn Co	Resolution Letter
Bid Tab 2016-08	Backup Material
Contract Pages CP2016-08	Backup Material
Location Maps 2016-08	Backup Material

**Public Works Memorandum
NO. 2016-51**

DATE: July 18, 2016

TO: Honorable Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Accepting the Bid and Authorizing the Execution of a Contract with Dunn Company for Annual Street Restoration (Mill and Overlay) Project, City Project 2016-08, Section No. 16-00608-00-FP

SUMMARY RECOMMENDATION:

It is recommended that the City Council approve the resolution awarding the contract for the Annual Street Restoration (Mill and Overlay) Project, City Project 2016-08, to Tyrolt, Inc. d/b/a Dunn Company, as the lowest, responsible bidder in the amount of \$1,130,000, and that the Mayor be authorized to execute the contract and the City Clerk to attest. The resolution represents an expenditure of \$1,073,390.72 as the low bid plus \$56,609.28 for project contingencies.

PRIOR COUNCIL ACTION:

April 18, 2016 – Council approved Resolution R2016-45 appropriating \$1,220,000 of Motor Fuel Tax funds for the purpose of resurfacing streets and highways under the applicable provisions of the Illinois Highway Code.

BACKGROUND:

Streets Inspected Annually

The Engineering Division inspects and rates approximately 1/2 of the City's streets on a yearly basis. The results of these inspections are input into a computer database which is used to project the future condition of the streets based on their current and historical condition, and surface type (i.e. brick, concrete, asphalt, etc.). This data is then paired with available funding and is used as a basis to aid City Engineering in the preparation of the City's yearly street improvement program. Staff then determines what type of improvement would be appropriate for each street.

Project Description

The 2016 project will perform mill and overlay work on portions of Mound Road and Jasper Street. It will also consist of overlaying portions of 27th Street and Ocean Trail Road along the railroad next to US Rte 36. This work will level the approaching pavement adjacent to the railroad tracks to create a smoother transition when crossing the tracks. These improvements are a part of the stipulated agreements with the Illinois Commerce Commission (ICC) and CSX Transportation to make safety improvements at these two crossings. The project will also consist of pavement repairs

to a portion of West Main Street damaged during a water main break. In total, 3.90 lane miles of the City's 825 total lane miles will be rehabilitated as part of this project.

The annual paving projects generally include a significant amount of patching to repair failed street sections. Crack sealing will also be performed as part of this project to help preserve streets and extend their lifespan.

The proposed street list for Street Restoration is as follows (see attached location maps):

Street	Begin	End	Surface Treatment	Length (feet)	Length (Lane Miles)
Jasper Street	Cantrell St	Wood St	Mill and Overlay	2,638	2.00
Mound Road	Spring Creek Bridge (West)	Woodford St	Mill and Overlay	1,918	1.82
27 th Street	CSX Railroad	25 feet north of railroad	Overlay	25	0.01
Ocean Trail Road	CSX Railroad	103 feet east of railroad	Overlay	103	0.04
W. Main St.	Church St	Main St.	Mill and Overlay	175	0.03
			Total Length	4,859	3.90

The proposed locations for patching as part of the Street Restoration project are as follows:

Street	Location	Quantity (Square Yards)
Wood Street	Between MLK Jr. Dr. and Jasper St.	688
Monroe Street	Between Eldorado St. and Leafland Ave.	1,295
Oakland Avenue	1155 N. Oakland Ave.	125
W. Main Street	One Main Place Alley	57
N. Country Club Road	Between US Rte 36 and Airport Rd.	641
Various Streets	Greendell Neighborhood	298
	Total Quantity	3,104

The proposed locations for crack sealing as part of the Street Restoration project are as follows:

Street	Location	Length (feet)
S. Main Street	Between Cleveland Ave. and Wood St.	3565
S. Franklin Street	Between Cleveland Ave. and Wood St.	3390
Martin Luther King Jr. Drive	Between Lake Shore Dr. and Wood St.	5235
Various Streets	Greendell Neighborhood	8855
	Total Length	21,045

Letting Results

The project scope and specifications were prepared by the Engineering Division and approved by the Illinois Department of Transportation (IDOT) for the use of Motor Fuel Tax funds. The project was advertised on June 29 and July 6, 2016, and bids were opened on July 13, 2016. The results of the letting are as follows (bid tabulation attached):

<u>Bidder</u>	<u>Bid Price</u>	Compared to Engineer's Est. Over (Under)
Dunn Company	\$1,073,390.72	(16.91%)
Illinois Valley Paving/UCM	\$1,522,252.60	17.84%
Engineer's Estimate	\$1,291,771.12	-----

Two contractors took out bid packages for the Street Restoration Project, Dunn Company and Illinois Valley Paving. Dunn Company provided the lowest responsible bid at 16.91% below the engineer's estimate. A major reason the bid came in low was that asphalt and concrete related items came in at a lower price compared to last year, and the City relies on previous year prices and market trends to estimate costs. Dunn Company has successfully completed many jobs of this type for the City. Following approval of the Mayor and City Council, the bid tabulation will be forwarded to the Illinois Department of Transportation for final approval in accordance with the rules governing the disbursement of Motor Fuel Tax funds.

SCHEDULE:

Following approval of the contract by the City Council the contracts will be forwarded to the Illinois Department of Transportation (IDOT) in Effingham for approval. Work on this project shall begin after a "Notice to Proceed" has been issued from the City. The Street Restoration project is scheduled to be complete by the end of October.

BUDGET/TIME IMPLICATIONS:

Budget Impact: Funding for a majority of this project is allocated in the State Motor Fuel Tax Fund. Water valve box replacements and repair work to West Main Street will be funded by the Water Department out of the Water Main Replacement Fund (\$28,600) and the Contracted Street Repairs Fund (\$10,181.70). Sanitary sewer manhole replacements will be funded from the Sewer Fund (\$31,350) and catch basin replacements will be funded from the Storm Water Fund (\$12,127.50). It is proposed that a total project expenditure of \$1,130,000 be authorized which includes \$1,047,740.80 of State Motor Fuel Tax money already allocated and the amounts from the other funds listed. This amount represents the low bid amount of \$1,073,390.72 plus \$56,609.28 for project contingencies.

Staff Impact: Staff time has been allocated for this project in the Capital Improvement Plan.

MINORITY PARTICIPATION GOALS ON STATE MOTOR FUEL TAX FUNDED PROJECTS:

The City receives State Motor Fuel Tax funds which are used to perform contract maintenance on streets and bridges on a regular basis. The expenditure of State MFT funds is highly regulated by the Illinois Department of Transportation. The City's minority participation goals may not be applied to State MFT projects. To verify this information, City staff contacted the Director of IDOT's Office of Business & Workforce Diversity and was advised:

"IDOT's construction contractor's workforce goals are set by the Office of Federal Contract Compliance. Per the OFCCP Macon County's goal are 7.2% minority and 6.9% female. (per project)"

POTENTIAL OBJECTION: There are no known objections to this resolution and bid award.

INPUT FROM OTHER SOURCES: Illinois Department of Transportation

STAFF REFERENCE: Richard Marley, Public Works Director and Matt Newell, City Engineer. Richard Marley will be in attendance at the City Council meeting to answer any questions of the Council on this item.

This memorandum was prepared by Griffin Enyart, Civil Engineer II.

Attach: 3

cc: Tyrolt, Inc., d/b/a Dunn Company
Illinois Valley Paving, A Division of UCM

RESOLUTION NO. _____

**RESOLUTION ACCEPTING THE BID AND AUTHORIZING
THE EXECUTION OF A CONTRACT WITH TYROLT INC.,
D/B/A DUNN COMPANY FOR STREET RESTORATION,
CITY PROJECT 2016-08**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF DECATUR, ILLINOIS:**

Section 1. That the tabulation of bids received for City Project 2016-08, Street Restoration project be, and they are hereby, received and placed on file.

Section 2. That the bid of Tyrolt, Inc., d/b/a Dunn Company be accepted and a contract awarded accordingly, and that said contract between Dunn Company and the City of Decatur is for a total amount not to exceed \$1,130,000; which includes \$1,047,740.80 in State Motor Fuel Tax funds, \$28,600 in Water Main Replacement funds, \$10,181.70 in Contracted Street Repairs funds, \$31,350 in Sewer funds, and \$12,127.50 in Storm Water funds; and known as Section No. 16-00608-00-FP.

Section 3. That the Mayor and City Clerk be, and they are hereby authorized and directed to execute a contract between the City of Decatur, Illinois, and Tyrolt, Inc., d/b/a Dunn Company, for said plan, in the amount of \$1,047,740.80 in State Motor Fuel Tax funds, \$28,600 in Water Main Replacement funds, \$10,181.70 in Contracted Street Repairs funds, \$31,350 in Sewer funds, and \$12,127.50 in Storm Water funds; for a total amount not to exceed \$1,130,000.

PRESENTED and ADOPTED this 1st day of August, 2016.

Julie Moore Wolfe, Mayor

ATTEST:

Debra G. Bright, City Clerk

Project Name: Street Restoration Project Number: 2016-08, Section No. 16-00608-00-FP Bid Date: Wednesday, 07/13/2016 Time: 10:00 A.M. Fund: Motor Fuel Tax Organization Code: 46484606 Object Code: 489070				Engineer's Estimate City Engineering Division		Tyrolt, Inc. d/b/a Dunn Company 724 N. Mercer Street Decatur, IL 62522 PH. 217-429-4444 Darin Lippolt lippoltd@dunnco.com		Illinois Valley Paving a Division of UCM, Inc. 3151 Robbins Road Springfield, IL 62704 PH. 217-546-6192 FAX 217-546-1904 Adam Bruner adam.bruner@ucm.biz	
Item Number	Pay Item	QTY	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
20400800	FURNISHED EXCAVATION	14.83	CU YD	\$65.00	\$963.95	\$55.00	\$815.65	\$52.52	\$778.87
21101615	TOPSOIL FURNISH AND PLACE, 4 INCH	105.86	SQ YD	\$6.00	\$635.16	\$10.00	\$1,058.60	\$16.81	\$1,779.51
40600290	BITUMINOUS MATERIAL (TACK COAT)	47,304.89	POUND	\$0.25	\$11,826.22	\$0.40	\$18,921.96	\$2.31	\$109,274.30
40600400	MIXTURE FOR CRACKS, JOINTS, AND FLANGEWAYS	10.00	TON	\$210.00	\$2,100.00	\$200.35	\$2,003.50	\$253.57	\$2,535.70
40600982	HOT MIX ASPHALT SURFACE REMOVAL-BUTT JOINT	466.89	SQ YD	\$25.00	\$11,672.25	\$18.85	\$8,800.88	\$3.77	\$1,760.18
40603080	HOT MIX ASPHALT BINDER COURSE, IL-19.0, N50	183.38	TON	\$110.00	\$20,171.80	\$130.20	\$23,876.08	\$133.25	\$24,435.39
40603310	HOT MIX ASPHALT SURFACE COURSE, MIX "C", N50	2,363.56	TON	\$110.00	\$259,991.60	\$104.30	\$246,519.31	\$98.98	\$233,945.17
42400200	PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH	6,287.40	SQ FT	\$12.00	\$75,448.80	\$9.00	\$56,586.60	\$10.35	\$65,074.59
42400800	DETECTABLE WARNINGS	562.00	SQ FT	\$50.00	\$28,100.00	\$35.00	\$19,670.00	\$33.61	\$18,888.82
44000155	HOT MIX ASPHALT SURFACE REMOVAL, 1-1/2 INCH	27,808.87	SQ YD	\$3.90	\$108,454.59	\$3.20	\$88,988.38	\$3.77	\$104,839.44
44000600	SIDEWALK REMOVAL	5,319.05	SQ FT	\$4.20	\$22,340.01	\$4.00	\$21,276.20	\$3.15	\$16,755.01
44001700	COMB. CONC. CURB & GUTTER REM. & REP.	757.00	FOOT	\$40.00	\$30,280.00	\$65.00	\$49,205.00	\$57.77	\$43,731.89
44200994	CLASS B PATCHES, TYPE II, 12 INCH	328.56	SQ YD	\$230.00	\$75,568.80	\$182.00	\$59,797.92	\$189.07	\$62,120.84
44200998	CLASS B PATCHES, TYPE III, 12 INCH	88.83	SQ YD	\$230.00	\$20,430.90	\$180.00	\$15,989.40	\$186.97	\$16,608.55
44201000	CLASS B PATCHES, TYPE IV, 12 INCH	169.33	SQ YD	\$230.00	\$38,945.90	\$180.00	\$30,479.40	\$183.82	\$31,126.24
44201299	DOWEL BARS, 1-1/2 INCH	548.00	EACH	\$31.00	\$16,988.00	\$15.00	\$8,220.00	\$21.01	\$11,513.48
44201683	CLASS D PATCHES, TYPE III, 3 INCH	35.10	SQ YD	\$85.00	\$2,983.50	\$35.25	\$1,237.28	\$82.93	\$2,910.84
44201684	CLASS D PATCHES, TYPE IV, 3 INCH	1,441.50	SQ YD	\$85.00	\$122,527.50	\$35.25	\$50,812.88	\$82.93	\$119,543.60
44201709	CLASS D PATCHES, TYPE III, 5 INCH	78.40	SQ YD	\$100.00	\$7,840.00	\$81.60	\$6,397.44	\$126.57	\$9,923.09
44201711	CLASS D PATCHES, TYPE IV, 5 INCH	1,548.90	SQ YD	\$100.00	\$154,890.00	\$81.60	\$126,390.24	\$126.57	\$196,044.27
44213200	SAWCUTS	3,198.00	FOOT	\$6.80	\$21,746.40	\$5.50	\$17,589.00	\$3.15	\$10,073.70
44213202	TIE BARS, 1 INCH	548.00	EACH	\$19.00	\$10,412.00	\$12.00	\$6,576.00	\$14.71	\$8,061.08
45100200	CRACK FILLING	15,164.12	POUND	\$4.20	\$63,689.30	\$4.00	\$60,656.48	\$18.55	\$281,294.43

Project Name: Street Restoration Project Number: 2016-08, Section No. 16-00608-00-FP Bid Date: Wednesday, 07/13/2016 Time: 10:00 A.M. Fund: Motor Fuel Tax Organization Code: 46484606 Object Code: 489070				Engineer's Estimate City Engineering Division		Tyrolt, Inc. d/b/a Dunn Company 724 N. Mercer Street Decatur, IL 62522 PH. 217-429-4444 Darin Lippolt lippoltd@dunnco.com		Illinois Valley Paving a Division of UCM, Inc. 3151 Robbins Road Springfield, IL 62704 PH. 217-546-6192 FAX 217-546-1904 Adam Bruner adam.bruner@ucm.biz	
Item Number	Pay Item	QTY	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
550B0050	STORM SEWERS, CLASS B, TYPE 1, 12 INCH	53.00	FOOT	\$85.00	\$4,505.00	\$154.00	\$8,162.00	\$78.78	\$4,175.34
60235700	INLETS, TYPE A, TYPE 3 FRAME AND GRATE	2.00	EACH	\$3,000.00	\$6,000.00	\$2,117.50	\$4,235.00	\$1,680.61	\$3,361.22
60250500	CATCH BASINS TO BE ADJUSTED WITH NEW TYPE 1 FRAME, CLOSED LID	2.00	EACH	\$2,500.00	\$5,000.00	\$1,595.00	\$3,190.00	\$1,470.53	\$2,941.06
60250600	CATCH BASINS TO BE ADJUSTED WITH NEW TYPE 3 FRAME AND GRATE	7.00	EACH	\$2,000.00	\$14,000.00	\$1,732.50	\$12,127.50	\$1,470.53	\$10,293.71
60255800	MANHOLES TO BE ADJUSTED WITH NEW TYPE 1 FRAME, CLOSED LID	19.00	EACH	\$1,650.00	\$31,350.00	\$1,650.00	\$31,350.00	\$1,628.07	\$30,933.33
60300410	VALVE BOX FRAMES TO BE ADJ. WITH NEW FRAMES	22.00	EACH	\$1,730.00	\$38,060.00	\$1,300.00	\$28,600.00	\$1,670.10	\$36,742.20
70300100	SHORT TERM PAVEMENT MARKING	1,210.00	FOOT	\$1.20	\$1,452.00	\$1.00	\$1,210.00	\$1.02	\$1,234.20
70300150	SHORT TERM PAVEMENT MARKING REMOVAL	403.30	SQ FT	\$2.50	\$1,008.25	\$2.20	\$887.26	\$2.04	\$822.73
78000100	THERMO. PAVEMENT MARKING-LETTERS/SYMBOLS	249.60	SQ FT	\$6.80	\$1,697.28	\$6.60	\$1,647.36	\$6.30	\$1,572.48
78000400	THERMOPLASTIC PAVEMENT MARKING-LINE 6 INCH	15,657.00	FOOT	\$1.50	\$23,485.50	\$1.40	\$21,919.80	\$1.34	\$20,980.38
78000600	THERMOPLASTIC PAVEMENT MARKING-LINE 12 INCH	312.00	FOOT	\$3.20	\$998.40	\$2.80	\$873.60	\$2.70	\$842.40
78000650	THERMOPLASTIC PAVEMENT MARKING-LINE 24 INCH	160.00	FOOT	\$6.20	\$992.00	\$6.00	\$960.00	\$5.78	\$924.80
88600100	DETECTOR LOOP, TYPE 1	1,792.00	FOOT	\$23.00	\$41,216.00	\$17.50	\$31,360.00	\$15.46	\$27,704.32
Z0064265	RAILROAD PROTECTIVE LIABILITY INSURANCE	1.00	L SUM	\$14,000.00	\$14,000.00	\$5,000.00	\$5,000.00	\$6,705.47	\$6,705.47
	TOTAL BIDS (AS CORRECTED)				\$1,291,771.12		\$1,073,390.72		\$1,522,252.60
	Percent Over Under ENGINEER'S ESTIMATE						-16.91%		17.84%


 Matthew C. Newell, P.E., City Engineer

7-14-16
 Date



PROPOSAL SUBMITTED BY		
Tyrolt, Inc. d/b/a Dunn Company		
Contractor's Name		
724 N Mercer Street		
Street		P.O. Box
Decatur	IL	62522
City	State	Zip Code

FOR THE IMPROVEMENT OF	
STREET NAME OR ROUTE	<u>Various City Streets</u>
SECTION NO.	<u>16-00608-00-FP</u>
TYPES OF FUNDS	<u>Motor Fuel Tax Funds</u>

☒ CONTRACT BOND (when required)

Date _____

Date _____

County Macon
Local Public Agency City of Decatur
Section Number 16-00608-00-FP
Route Various

1. THIS AGREEMENT, made and concluded the 1st day of August, 2016,
Month and Year
between the City of Decatur
acting by and through its City Council known as the party of the first part, and
Tyrolt, Inc. d/b/a Dunn Company his/their executors, administrators, successors or assigns,
known as the party of the second part.
2. Witnesseth: That for and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Bond referring to these presents, the party of the second part agrees with said party of the first part at his/their own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the plans and specifications hereinafter described, and in full compliance with all of the terms of this agreement and the requirements of the Engineer under it.
3. And it is also understood and agreed that the LPA Formal Contract Proposal, Special Provisions, Affidavit of Illinois Business Office, Apprenticeship or Training Program Certification, and Contract Bond hereto attached, and the Plans for Section 16-00608-00-FP, in Decatur, Illinois, approved by the Illinois Department of Transportation on June 22, 2016, are essential documents of this
Date
contract and are a part hereof.
4. IN WITNESS WHEREOF, The said parties have executed these presents on the date above mentioned.

Attest: The City of Decatur, Illinois
Clerk By
Debra G. Bright, City Clerk Julie Moore Wolfe, Mayor Party of the First Part
(Seal)

(If a Corporation)

Corporate Name _____
By _____
President Party of the Second Part

(If a Co-Partnership)

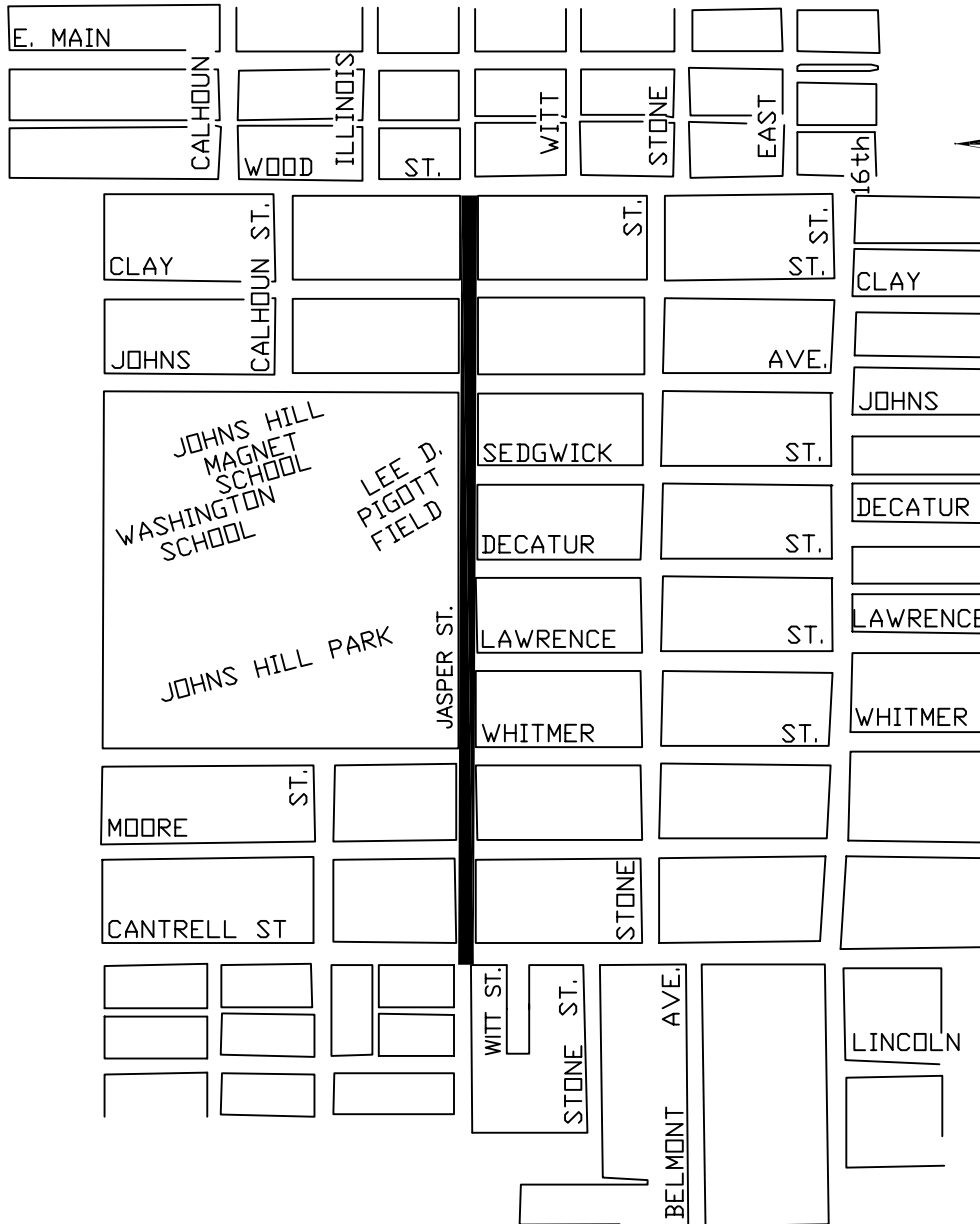
Attest: _____
Secretary

Partners doing Business under the firm name of

Party of the Second Part

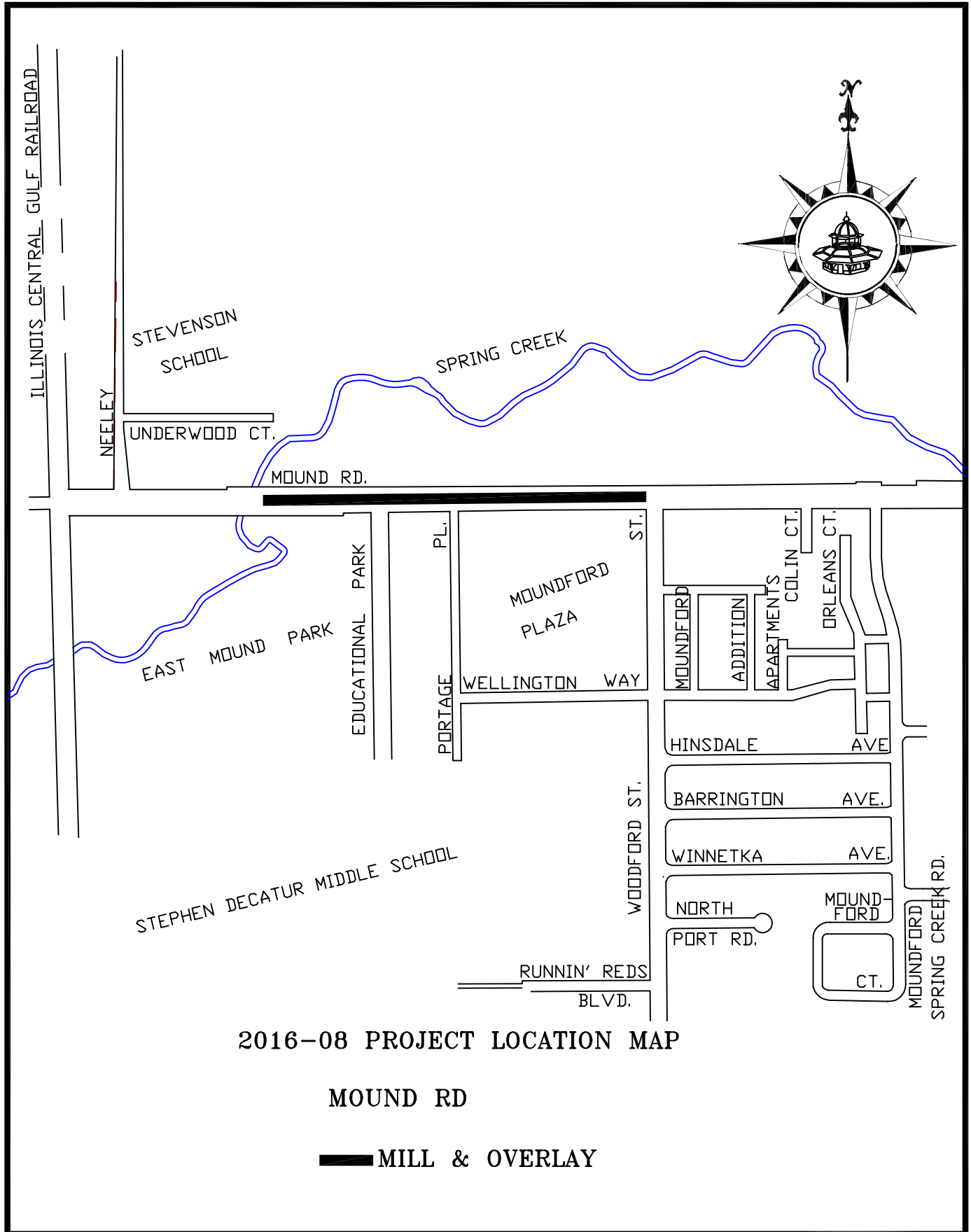
(If an individual)

Party of the Second Part



JASPER STREET

Page 63 of 126



SECTION 16-00608-00FP

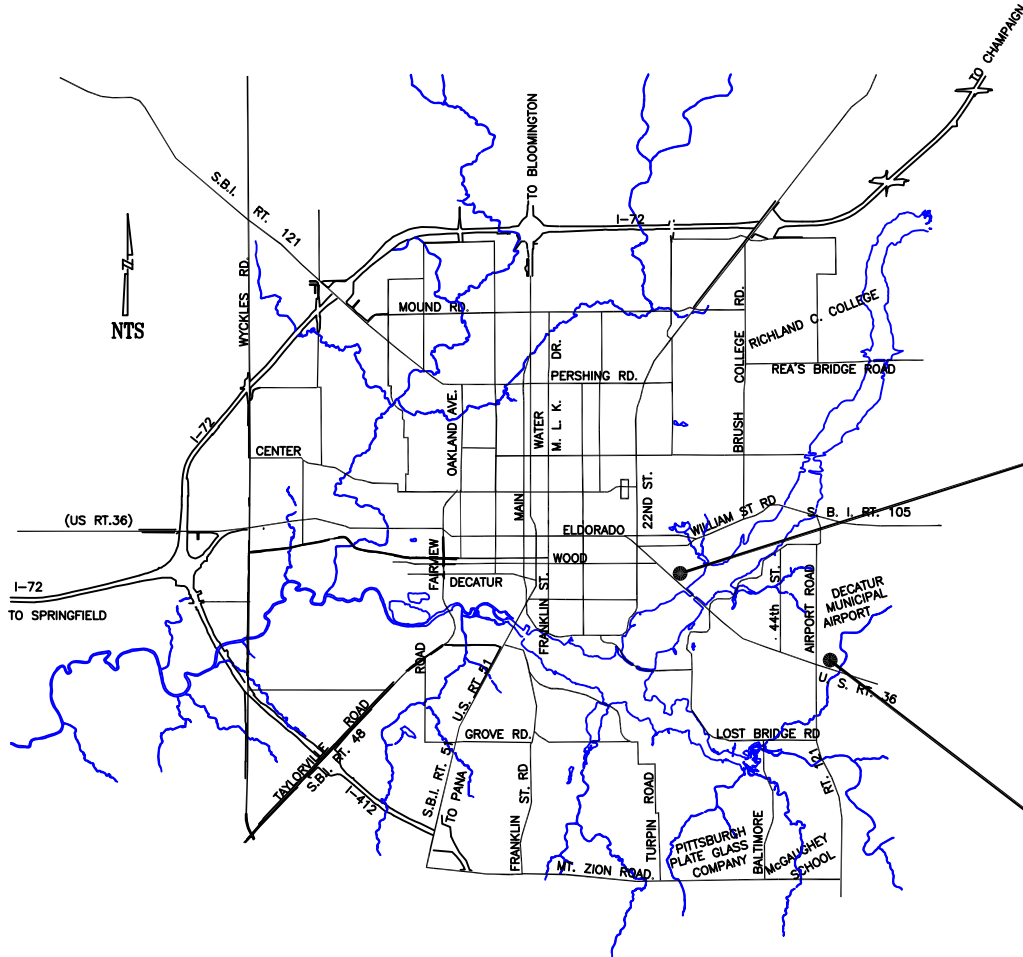
CITY PROJECT 2016-08

OCEAN TRAIL ROAD GRADE CROSSING OVERLAY
27TH STREET GRADE CROSSING OVERLAY

CITY OF DECATUR, ILLINOIS
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

MACON COUNTY

FOR UNDER GROUND UTILITY
LOCATIONS CALL
J.U.L.I.E.
TOLL FREE
1-800-892-0123



27th Street Grade Crossing
with the
CSX Railroad

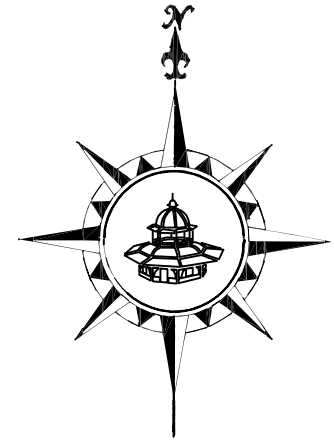
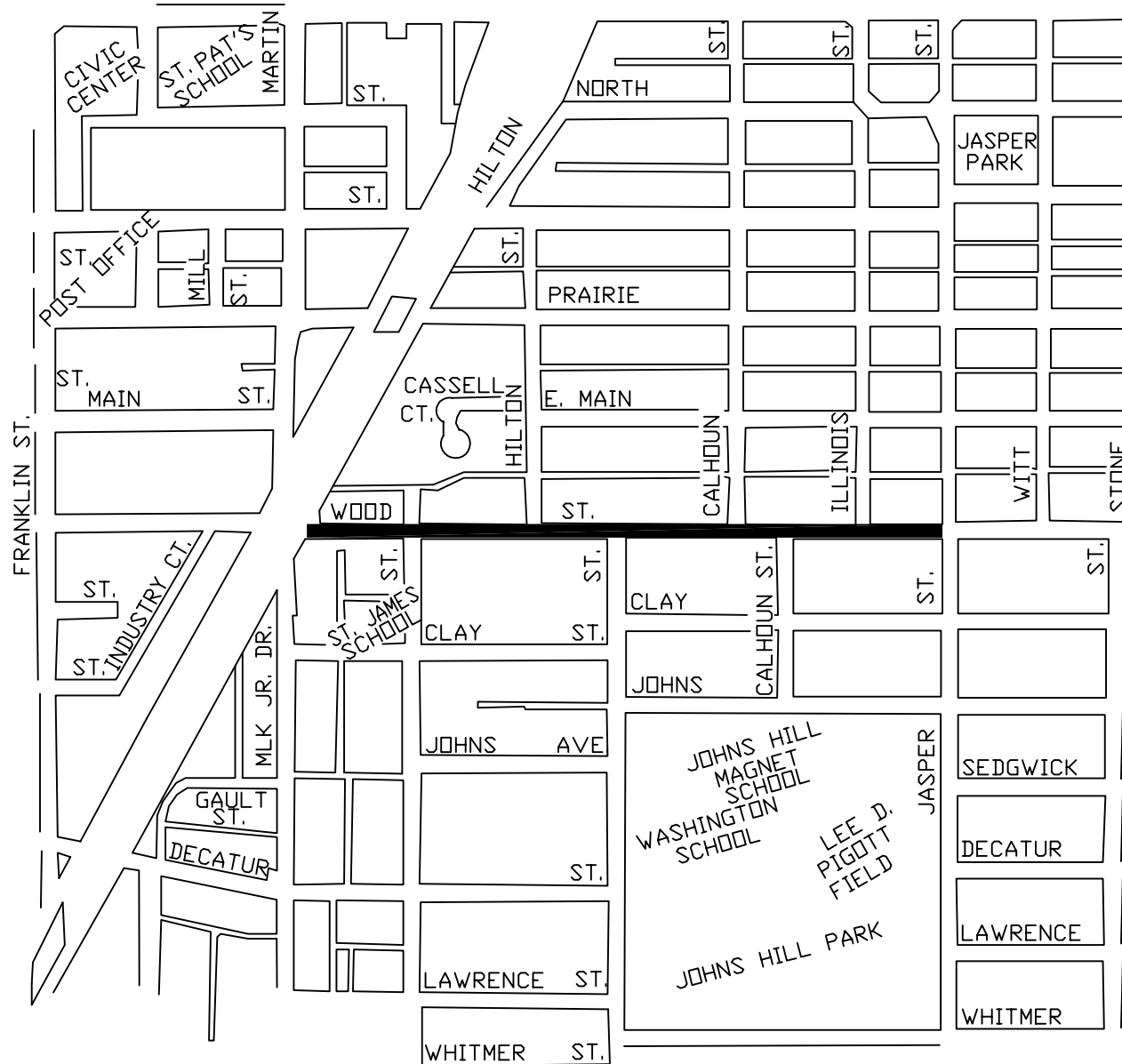
Illinois Commerce Commission
Stipulated Agreement 1855

Decatur, Macon County, Illinois
Crossing AAR/DOT #154 642P
Railroad Milepost BD-275.41

Ocean Trail Road Grade Crossing
with the
CSX Railroad

Illinois Commerce Commission
Stipulated Agreement 1829

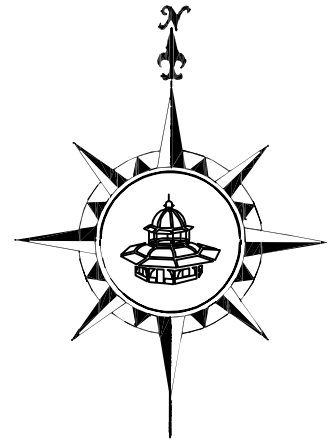
Decatur, Macon County, Illinois
Crossing AAR/DOT #154 634X
Railroad Milepost BD-272.82



2016-08 PROJECT
LOCATION MAP

WOOD STREET

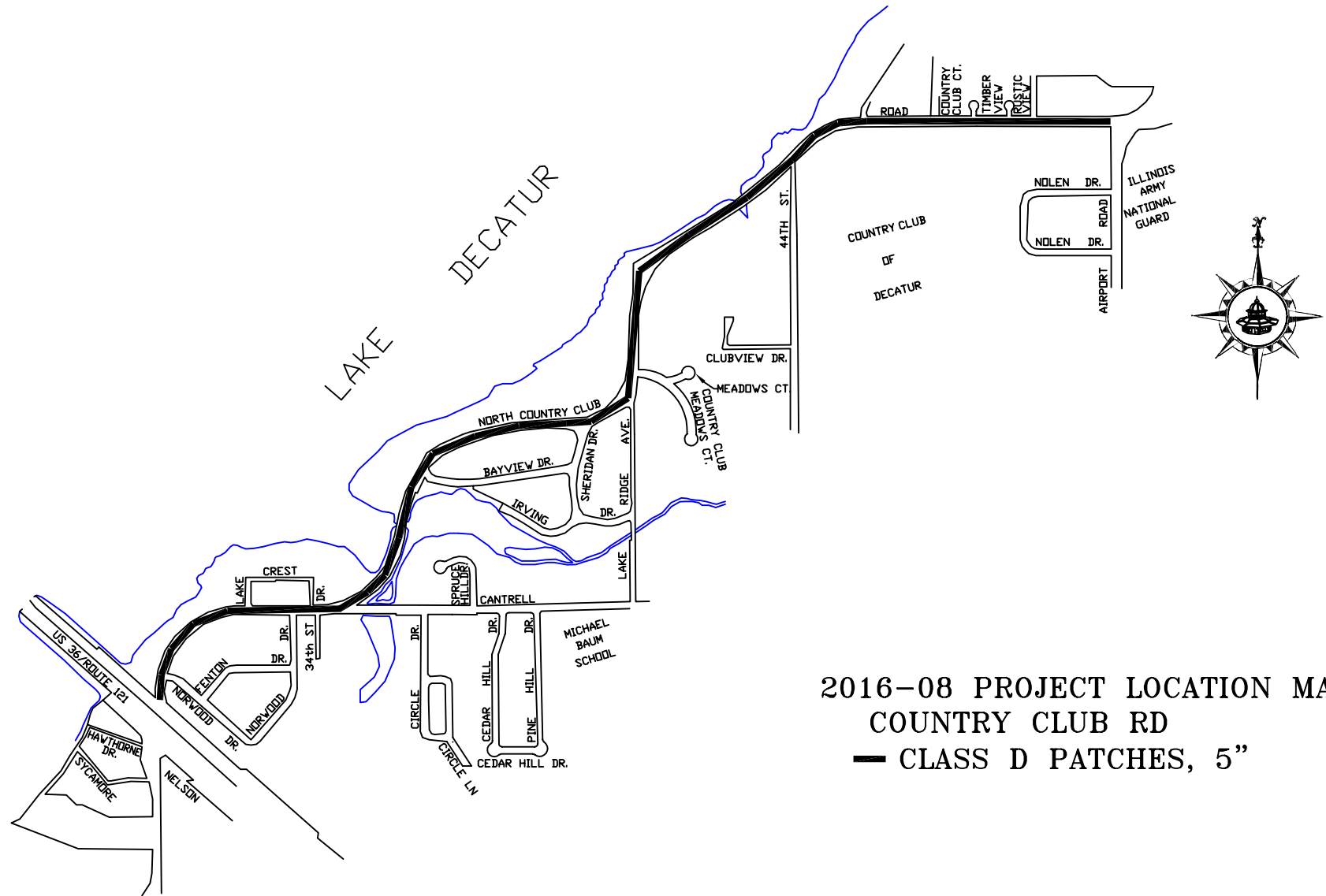
— CLASS D PATCHES, 5"



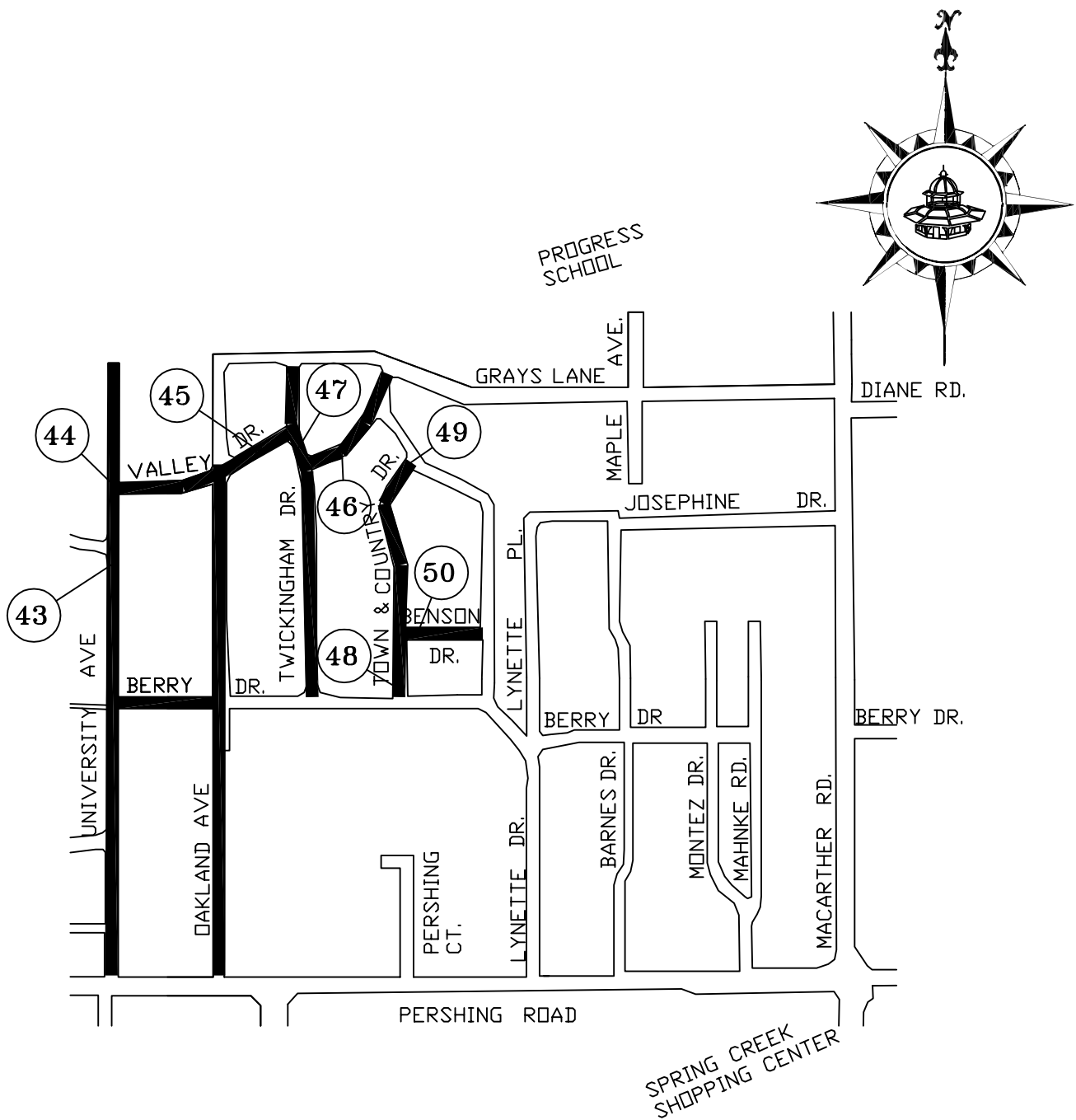
2016-08 PROJECT LOCATION MAP

MONROE ST

— CLASS D PATCHES, 3"



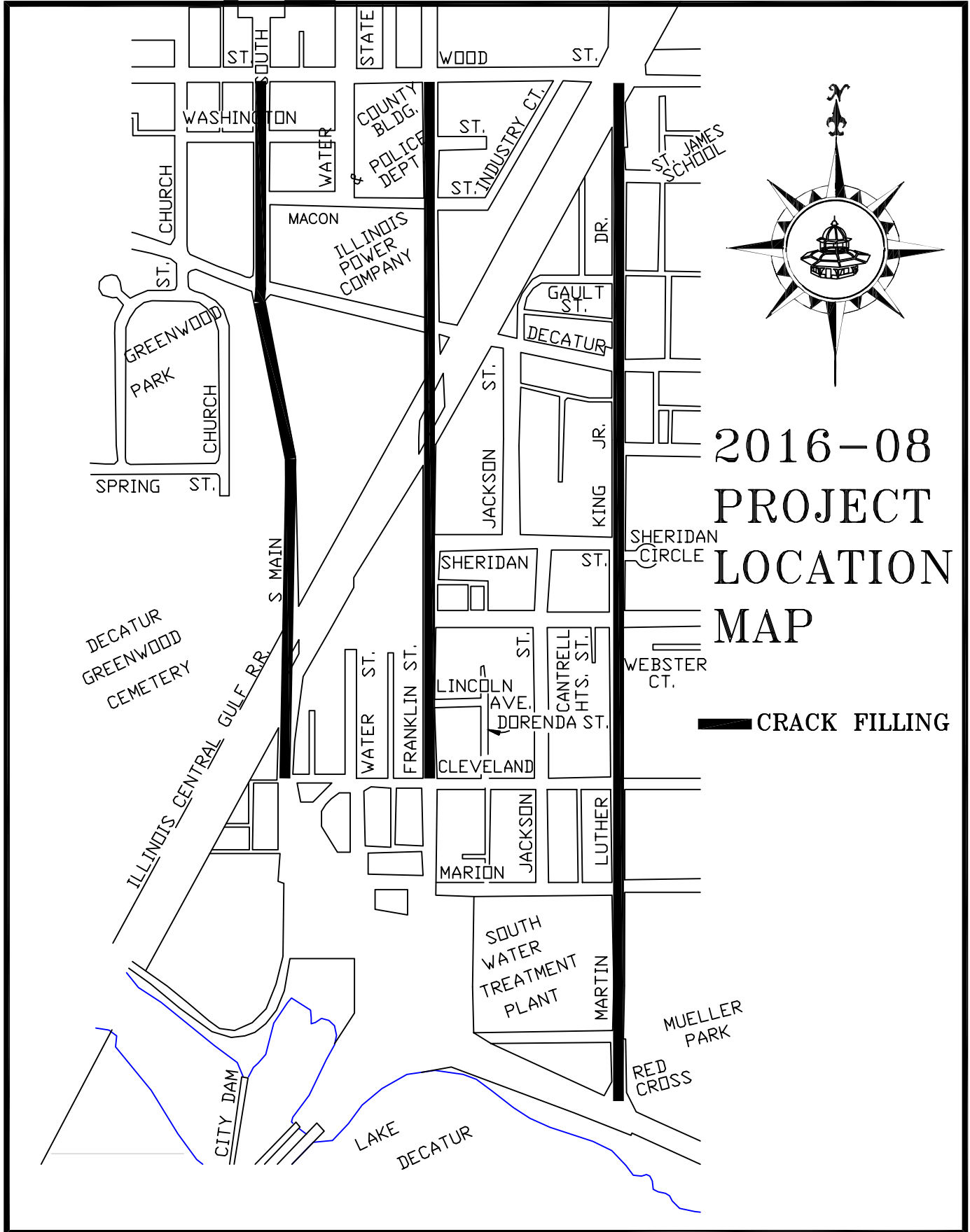
2016-08 PROJECT LOCATION MAP
COUNTRY CLUB RD
— CLASS D PATCHES, 5"



2016-08 PROJECT LOCATION MAP
GREENDELL NEIGHBORHOOD

XX CLASS D PATCHES, 5"

CRACK FILLING



Public Works

DATE: 7/20/2016

MEMO: 2016-53

TO: Honorable Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT:
Resolution Accepting the Bid and Authorizing the Execution of a Contract with R. W. Duntelman Company for the 2016 Local Motor Fuel Tax Street Improvement Project (Asphalt), City Project 2016-25

ATTACHMENTS:

Description	Type
Council Memo 2016-53 CP 2016-25	Cover Memo
Resolution for CP 2016-25	Resolution Letter
Council Bid Tab CP 2016-25	Backup Material
Contract Pages CP 2016-25	Backup Material
Location Maps CP 2015-26 Asphalt	Backup Material

**Public Works Memorandum
NO. 2016-53**

DATE: July 20, 2016

TO: Honorable Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Accepting the Bid and Authorizing the Execution of a Contract with R.W. Dunteman Co. for the 2016 Local Motor Fuel Tax Street Improvement Project (Asphalt), City Project 2016-25

SUMMARY RECOMMENDATION:

It is recommended that the City Council approve the resolution awarding the contract for the 2016 Local Motor Fuel Tax Street Improvement Project, (Asphalt), City Project 2016-25, to R.W. Dunteman Co., as the lowest, responsible bidder in the amount of \$978,114.60 and that the Mayor be authorized to execute the contract and the City Clerk to attest.

PRIOR COUNCIL ACTION:

February 16, 2016 – Council approved adding Chapter 51.4 of the City Code establishing a Local Motor Fuel Tax to be used to generate revenue for the construction and maintenance of municipal streets and extensions, sidewalk repairs and maintenance, curbing, grade separations and approaches and engineering services related to those items.

June 20, 2016 – Council approved resolution R2016-78 authorizing the City Manager to enter into a debt instrument to finance local street resurfacing and reconstruction in an amount not to exceed \$7,500,000. The plan was to spend around \$1,500,000 in 2016.

BACKGROUND:

Streets Inspected Annually

The Engineering Division inspects and rates approximately 1/2 of the City's streets on a yearly basis. The results of these inspections are input into a computer database which is used to project the future condition of the streets based on their current and historical condition, and surface type (i.e. brick, concrete, asphalt, etc.). This data is then paired with available funding and is used as a basis to aid City Engineering in the preparation of the City's yearly street improvement program. Staff then determines what type of improvement would be appropriate for each street.

Project Description

The 2016 asphalt project will perform street reconstructions on streets that have deteriorated over time due to age, freeze-thaw cycles, and traffic loads. The reconstructions will involve removing failed sections of pavement, and adding cement to the underlying soil to stiffen and strengthen the

road base. Asphalt milling and overlay work will occur along streets that have surface distresses where replacing the surface will help prevent more costly repairs in the future. There are also several concrete streets which will be overlaid with a layer of asphalt in an attempt to seal these old concrete roads and to create a smoother riding surface. In total, 5.02 lane miles of the City's 825 total lane miles will be rehabilitated as part of this project.

The proposed street list for Street Improvement is as follows (see attached location maps):

Street	Begin	End	Surface Treatment	Length (feet)	Length (Lane Miles)
Cleveland Ave.	MLK Jr. Dr.	Webster St.	Soil Cement Recon	476	0.18
Excelsior St.	North Fork Rd.	IL Route 105	Soil Cement Recon	1366	0.51
Baywood Dr.	Point Bluff Dr.	South Shores Dr.	Mill & Overlay	726	0.27
Edward St.	Grand Ave.	Garfield Ave	Mill & Overlay	2575	0.98
Benton Dr.	Mound Rd.	Ratchford Ln	Mill & Overlay	485	0.18
Forest Ave.	Westlawn Ave.	Dennis Ave.	Mill & Overlay	1600	0.61
Cerro Gordo St.	Oakland Ave.	Dunham St.	Concrete Overlay	639	0.24
Leafland Ave.	Church St.	Water St.	Concrete Overlay	665	0.25
Olive St.	Dead End	Monroe St.	Concrete Overlay	1212	0.46
Huron St.	Grand Ave.	Center St.	Concrete Overlay	700	0.27
Waggoner St.	Dead End	Huron St.	Concrete Overlay	843	0.32
Harison Ave.	Oak Crest Ct.	Summit Ave.	Concrete Overlay	618	0.23
Oakcrest Ct.	Harrison Ave.	Cul-de-sac	Concrete Overlay	70	0.03
Robinson Ave.	Country Club Rd.	Melwood Ave.	Overlay w/ Shoulder Strengthen	1290	0.49
			Total Length	13,265	5.02

Concrete areas needing work on these streets, consisting of curb ramps, curb and gutter, and catch basin work, will be performed under the 2016 Local Motor Fuel Tax Street Improvement Project (Concrete), City Project 2016-26.

Website

A website has been set up to track the progress of the projects being funded by the local motor fuel tax, www.buildingdecatur.com. It will contain project updates along with photos and videos.

Letting Results

The project scope and specifications were prepared by the Engineering Division. The project was advertised on June 29, 2016, and bids were opened on July 20, 2016. The results of the letting are as follows (bid tabulation attached):

<u>Bidder</u>	<u>Base Bid Price</u>	<u>Alternate Bid Price</u>	<u>Total Bid Price</u>	<u>Compared to Engineer's Est. Over (Under)</u>
R.W. Dunteman	\$896,317.96	\$81,796.64	\$978,114.60	(6.17%)
Engineer's Estimate	\$958,150.49	\$84,254.18	\$1,042,404.67	-----

Two contractors took out bid packages for the Local MFT Street Improvement Asphalt Project, and two submitted bids. One of the bids was non-responsive. R.W. Dunteman provided the lowest responsible bid at 6.17% below the engineer's estimate. A major reason the bid came in low was that asphalt related items came in at a lower price compared to last year, and the City relies on previous year prices and market trends to estimate costs. The alternate bid price is for all work associated with Forest Avenue in case the bid prices came in high. Since all of the bid prices came in lower than expected, Forest Avenue will be a part of this project and the total bid price will be awarded as part of this contract. R.W. Dunteman has not done work for the City in the past but they have completed asphalt projects satisfactorily with the State of Illinois, City of Wheaton, Illinois, Village of Glen Ellyn, Illinois, and other Chicago area towns. In Central Illinois they have completed projects for the Illinois Department of Transportation.

Contractors for City Projects shall comply with City Code Chapter 28, Article 10, "Minority Participation Goals for Public Works Contracts."

Contractors for City projects shall make a good faith effort to comply with the following minimum goals:

1. Ten (10) percent of the total dollar amount of the contract should be performed by Minority Business Enterprises if subcontracting opportunities are available; and,
2. Eighteen (18) percent of the total hours worked should be performed by minority workers.

Dunteman meets the minority business goals and proposes utilizing 10.2% minority subcontractors.

SCHEDULE:

Following approval of the contract by the City Council work on this project shall begin after a "Notice to Proceed" has been issued from the City. The Asphalt Street Improvement project is scheduled to be complete by October 28, 2016. A final project report will be prepared for Council at the conclusion of the project.

BUDGET/TIME IMPLICATIONS:

Budget Impact: Funding for a majority of this project is allocated in the Local Motor Fuel Tax Fund. Water valve box replacements will be funded by the Water Department out of the Water Main Replacement Fund (\$14,625). Sanitary sewer manhole replacements will be funded from the Sewer Fund (\$27,450). It is proposed that a total project expenditure of \$978,114.60 be authorized which includes \$936,039.60 of Local Motor Fuel Tax money and the amounts from the other funds listed. This amount represents the low bid amount of \$978,114.60.

Staff Impact: Staff time has been allocated for this project in the Capital Improvement Plan.

POTENTIAL OBJECTION: There are no known objections to this resolution and bid award.

INPUT FROM OTHER SOURCES: None

STAFF REFERENCE: Richard Marley, Public Works Director and Matt Newell, City Engineer. Richard Marley will be in attendance at the City Council meeting to answer any questions of the Council on this item.

This memorandum was prepared by Griffin Enyart, Civil Engineer II.

Attach: 3

cc: R W Duntelman Company

RESOLUTION NO. _____

**RESOLUTION ACCEPTING THE BID AND AUTHORIZING
THE EXECUTION OF A CONTRACT WITH R.W. DUNTEMAN COMPANY
FOR LOCAL MOTOR FUEL TAX STREET IMPROVEMENTS (ASPHALT)
CITY PROJECT 2016-25**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF DECATUR, ILLINOIS:**

Section 1. That the tabulation of bids received for City Project 2016-25, Local Motor Fuel Tax Street Improvements (Asphalt) project be, and they are hereby, received and placed on file.

Section 2. That the bid of R.W. Duntelman Company be accepted and a contract awarded accordingly and that said contract between R.W. Duntelman Company and the City of Decatur is for a total amount of \$978,114.60 in Local Motor Fuel Tax funds.

Section 3. That the Mayor and City Clerk be, and they are hereby authorized and directed to execute a contract between the City of Decatur, Illinois, and R.W. Duntelman Company, for said plan, in the amount of \$978,114.60 in Local Motor Fuel Tax funds.

PRESENTED and ADOPTED this 1st day of August, 2016.

Julie Moore Wolfe, Mayor

ATTEST:

Debra G. Bright, City Clerk

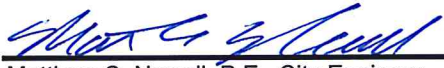
Project Name: Local Motor Fuel Tax Street Improvement Project, Asphalt Project Number: 2016-25 Bid Date: Wed. 07/20/2016 Time: 10:00 A.M. Fund: Local MFT, Storm Sewer, San. Sewer, Water Non Lake Capital Organization Code: 42484206, 78487906, 79487906, 81808118 Object Code: 489070, 489040, 489030, 488800	Engineer's Estimate City Engineering Division	R W Dunteman Co. 600 S Lombard Road Addison, IL 60101 Ph. 630-953-1500 Roland W. Dunteman, Pres rdunteman@rwdco.com
---	--	--

Item Number	Pay Item	QTY	Unit	Unit Price	Total	Unit Price	Total
30103000	SHAPING AND GRADING ROADWAY	4,493.56	SQ YD	\$7.50	\$33,701.70	\$2.85	\$12,806.65
30103005	PULVERIZE, SHAPE AND COMPACT	4,493.56	SQ YD	\$6.50	\$29,208.14	\$2.99	\$13,435.74
35200300	PROCESSING SOIL-CEMENT BASE COURSE, 8 INCH	4,493.56	SQ YD	\$11.00	\$49,429.16	\$6.52	\$29,298.01
35200500	CEMENT	3,235.00	100 WT	\$8.50	\$27,497.50	\$7.00	\$22,645.00
35200600	EARTH EXCAVATION	202.50	CU YD	\$45.00	\$9,112.50	\$49.65	\$10,054.13
40600290	BITUMINOUS MATERIAL (TACK COAT)	60,082.19	POUND	\$0.25	\$15,020.55	\$0.10	\$6,008.22
40600400	MIXTURE FOR CRACKS, JOINTS, AND FLANGEWAYS	13.00	TON	\$210.00	\$2,730.00	\$293.49	\$3,815.37
40600625	LEVELING BINDER (MACHINE METHOD), N50	737.58	TON	\$103.00	\$75,970.74	\$112.66	\$83,095.76
40600982	HOT MIX ASPHALT-BUTT JOINT	106.63	SQ YD	\$25.00	\$2,665.75	\$43.91	\$4,682.12
40600985	PCC SURFACE REMOVAL-BUTT JOINT	75.00	SQ YD	\$5.00	\$375.00	\$47.87	\$3,590.25
40603080	HOT MIX ASPHALT BINDER COURSE, IL-19, N50	503.28	TON	\$135.00	\$67,942.80	\$122.03	\$61,415.26
40603310	HOT MIX ASPHALT SURFACE COURSE, MIX "C", N50	2,969.52	TON	\$107.00	\$317,738.64	\$108.05	\$320,856.64
44000155	HOT MIX ASPHALT SURFACE REMOVAL, 1-1/2 INCH	7,738.89	SQ YD	\$3.90	\$30,181.67	\$4.24	\$32,812.89
44000157	HOT MIX ASPHALT SURFACE REMOVAL, 2 INCH	3,044.67	SQ YD	\$4.50	\$13,701.02	\$5.61	\$17,080.60
44000165	HOT MIX ASPHALT SURFACE REMOVAL, 3 INCH	4,493.56	SQ YD	\$6.80	\$30,556.21	\$7.46	\$33,521.96
44004250	PAVED SHOULDER REMOVAL (5 INCH)	1,720.00	SQ YD	\$15.00	\$25,800.00	\$8.53	\$14,671.60
44201709	CLASS D PATCHES, TYPE III, 5 INCH	51.40	SQ YD	\$100.00	\$5,140.00	\$97.73	\$5,023.32
44201711	CLASS D PATCHES, TYPE IV, 5 INCH	110.80	SQ YD	\$100.00	\$11,080.00	\$91.50	\$10,138.20
44212900	PAVEMENT PATCHING (PARTIAL DEPTH)	126.40	SQ YD	\$75.00	\$9,480.00	\$55.84	\$7,058.18
48202300	BITUMINOUS SHOULDER SUPERPAVE, 5 INCH	1,720.00	SQ YD	\$30.00	\$51,600.00	\$32.00	\$55,040.00
60255800	MANHOLES TO BE ADJUSTED WITH NEW TYPE 1 FRAME, CLOSED LID	17.00	EACH	\$1,650.00	\$28,050.00	\$1,525.00	\$25,925.00
60266600	VALVE BOXES TO BE ADJUSTED	5.00	EACH	\$230.00	\$1,150.00	\$175.00	\$875.00
60300350	MANHOLE FRAMES TO BE ADJUSTED	1.00	EACH	\$578.00	\$578.00	\$225.00	\$225.00
60300410	VALVE BOX FRAMES TO BE ADJUSTED WITH NEW FRAMES	13.00	EACH	\$1,730.00	\$22,490.00	\$1,125.00	\$14,625.00
78000100	THERMOPLASTIC PAVEMENT MARKING LETTERS/SYMBOLS	122.40	SQ FT	\$6.80	\$832.32	\$8.00	\$979.20
78000200	THERMOPLASTIC PAVEMENT MARKING, 4 INCH	5,312.00	FOOT	\$1.40	\$7,436.80	\$1.50	\$7,968.00
78000400	THERMOPLASTIC PAVEMENT MARKING , 6 INCH	920.00	FOOT	\$1.60	\$1,472.00	\$2.50	\$2,300.00
78000600	THERMOPLASTIC PAVEMENT MARKING, 12 INCH	230.00	FOOT	\$3.20	\$736.00	\$7.50	\$1,725.00
78000650	THERMOPLASTIC PAVEMENT MARKING, 24 INCH	155.00	FOOT	\$6.20	\$961.00	\$25.00	\$3,875.00
88600100	DETECTOR LOOP, TYPE 1	102.00	FOOT	\$25.00	\$2,550.00	\$26.19	\$2,671.38
Z0000124	SOIL CEMENT MIX DESIGN AND FIELD TESTING	1.00	L SUM	\$4,500.00	\$4,500.00	\$4,700.00	\$4,700.00
Z0000125	FINAL PROJECT REPORT	1.00	L SUM	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00
Z0048400	RAILROAD PROTECTIVE LIABILITY INSURANCE	1.00	L SUM	\$7,000.00	\$7,000.00	\$5,000.00	\$5,000.00
X3510140	AGGREGATE BASE COURSE, SPECIAL	332.10	TON	\$30.00	\$9,963.00	\$46.37	\$15,399.48
Z0009000	ALTERATIONS, CANCELLATIONS, EXTENSIONS, DEDUCTIONS, & EXTRA WORK	1.00	L SUM	\$60,000.00	\$60,000.00	\$60,000.00	\$60,000.00

ALTERNATE BID ITEMS

40600290	BITUMINOUS MATERIAL (TACK COAT)	8,852.26	POUND	\$0.25	\$2,213.07	\$0.01	\$88.52
40600400	MIXTURE FOR CRACKS, JOINTS, AND FLANGEWAYS	1.00	TON	\$210.00	\$210.00	\$378.07	\$378.07

Project Name: Local Motor Fuel Tax Street Improvement Project, Asphalt Project Number: 2016-25 Bid Date: Wed. 07/20/2016 Time: 10:00 A.M. Fund: Local MFT, Storm Sewer, San. Sewer, Water Non Lake Capital Organization Code: 42484206, 78487906, 79487906, 81808118 Object Code: 489070, 489040, 489030, 488800				Engineer's Estimate City Engineering Division		R W Dunteman Co. 600 S Lombard Road Addison, IL 60101 Ph. 630-953-1500 Roland W. Dunteman, Pres rdunteman@rwdco.com	
Item Number	Pay Item	QTY	Unit	Unit Price	Total	Unit Price	Total
40600982	HOT MIX ASPHALT SURFACE REMOVAL-BUTT JOINT	67.22	SQ YD	\$25.00	\$1,680.50	\$57.15	\$3,841.62
40603310	HOT MIX ASPHALT SURFACE COURSE, MIX "C", N50	443.99	TON	\$107.00	\$47,506.93	\$99.50	\$44,177.01
44000155	HOT MIX ASPHALT SURFACE REMOVAL 1-1/2 INCH	5,285.56	SQ YD	\$3.90	\$20,613.68	\$4.68	\$24,736.42
60255800	MANHOLES TO BE ADJUSTED WITH NEW TYPE 1 FRAME, CLOSED LID	1.00	EACH	\$1,650.00	\$1,650.00	\$1,525.00	\$1,525.00
60300410	VALVE BOX FRAMES TO BE ADJUSTED WITH NEW FRAMES	6.00	EACH	\$1,730.00	\$10,380.00	\$1,175.00	\$7,050.00
	TOTAL BASE BIDS (AS CORRECTED)				\$958,150.49		\$896,317.96
	Percent Over Under ENGINEER'S ESTIMATE						-6.45%
	TOTAL ALTERNATE BIDS (AS CORRECTED)				\$84,254.18		\$81,796.64
	Percent Over Under ENGINEER'S ESTIMATE						-2.92%
	TOTAL BASE BIDS + ALTERNATE BIDS (AS CORRECTED)				\$1,042,404.67		\$978,114.60
	Percent Over Under ENGINEER'S ESTIMATE						-6.17%


 Matthew C. Newell, P.E., City Engineer

7-21-16
 Date

CONTRACT

THIS CONTRACT, made and entered into this 1st day of August, 2016, by and between the City of Decatur, Illinois, hereinafter called "Owner", and R. W. Dunteman Company, hereinafter called the "Contractor".

WITNESSETH:

That for and in consideration of the payments, covenants, and agreements stated herein, the Contractor and Owner agree as follows:

1. The Contractor shall perform and complete in a Good and Workmanlike Manner all Work required in connection with **"2016 LOCAL MOTOR FUEL TAX STREET IMPROVEMENT PROJECT (ASPHALT), CITY PROJECT 2016-25"**, all in strict accordance with the Contract Documents, including any and all Addenda prepared by the City Engineer, with specifications and drawings are made a part of this Contract; and in strict compliance with the Contractor's Bid Proposal and the other Contract Documents herein mentioned, which are a part of the Contract; and the Contractor shall do everything required by this Contract and the other documents constituting a part thereof.
2. Payments are to be made to the Contractor by the Owner in accordance with and subject to the provisions embodied in the documents made a part of this Contract, or as prescribed by law.
3. Work under this Contract shall commence on the date specified in the written Notice to Proceed from the Owner to the Contractor. Upon receipt of said Notice, the Contractor shall diligently and continuously prosecute and substantially complete all Work under this Contract.
4. **A Completion Date is in effect for this project in accordance with Section 108 of the Illinois Department of Transportation, Standard Specifications for Road and Bridge Construction. The Completion Date for this project is October 28, 2016.**
5. This Contract consists of the following component parts, herein defined as the Contract Documents, all of which are as full a part of this Contract as if herein set out verbatim, or if not attached, as if hereto attached:

Advertisement for Bids
Information for Bidders
Bid Proposal
Addenda No.1, Dated July 7, 2016
Non-Collusion Affidavit
Contract (This Instrument)
Contract Change Orders
Performance Bond

General Conditions
Special Conditions
Standard Specifications
Project Drawings
Special Provisions
Supplemental Specifications
Appendix(s)

CONTRACT

The above named documents are essential parts of the Contract, and a requirement occurring in one is as binding as though occurring in all. They are intended to be complementary and to describe and provide for a complete work product.

In case of discrepancy, the order of precedence is as follows:

1. Contract Change Orders
2. Addenda
3. Contract
4. Special Provisions & Drawings
5. Special Conditions
6. Supplemental Specifications
7. General Conditions

In the event there is a conflict between any of the above listed documents, the provision of the document with the lower numerical value shall govern over those documents with a high numerical value.

The Contractor shall not take advantage of any apparent error or omission in the plans or specifications. In the event the Contractor discovers such an error or omission, the bidder shall immediately notify the Owner. The Owner will then make such corrections and interpretations as may be deemed necessary for fulfilling the intent of the plans and specifications.

6. It is agreed by the parties to this Contract that this Contract shall be executed in quadruplicate, one copy for the Contractor, and three copies for the Owner.

ATTEST:

CITY OF DECATUR, ILLINOIS

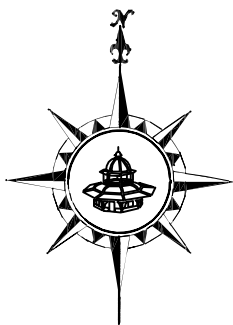
CITY CLERK

By _____
MAYOR

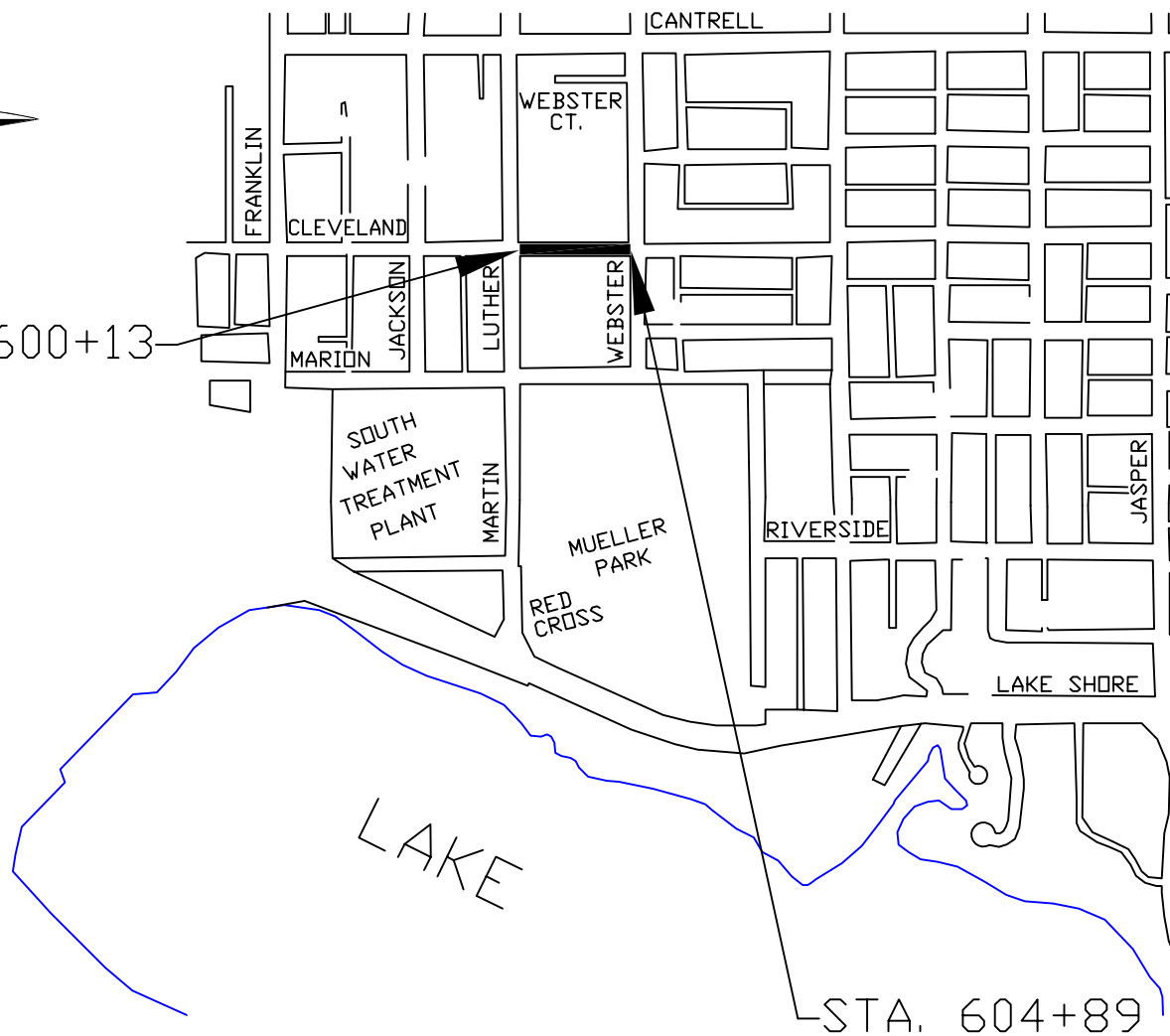
R. W. Dunteman Company

SECRETARY (Corporate Seal)

By _____
PRESIDENT



STA. 600+13



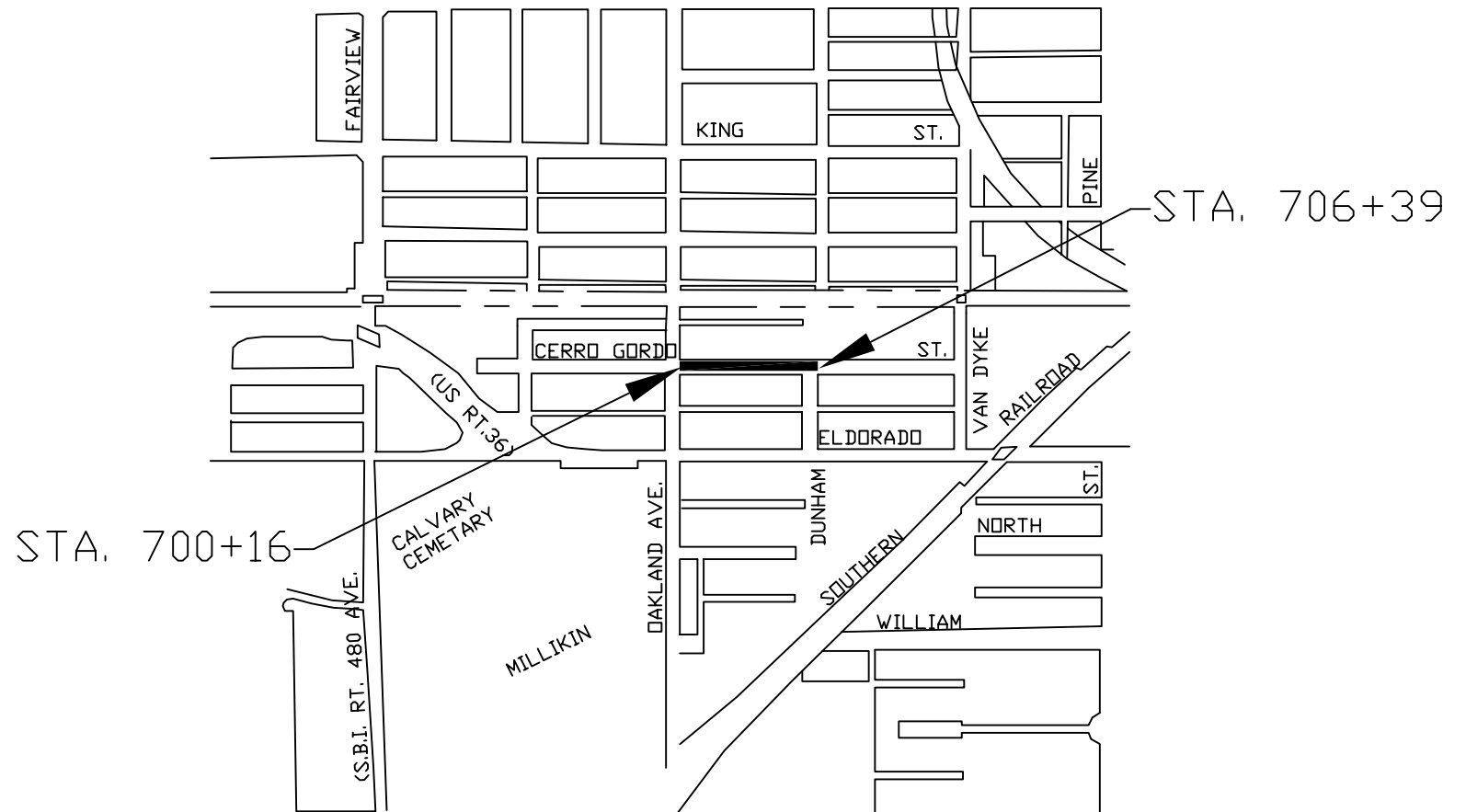
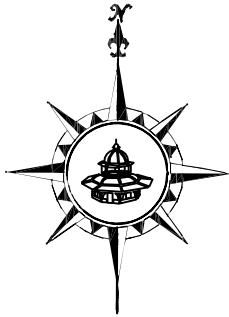
CLEVELAND AVENUE

CP 2016-25

LEGEND

— CEMENT SOIL MODIFIED BASE WITH 4" HMA

Page 81 of 126

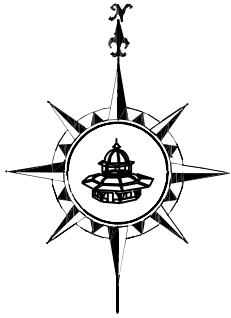


CERRO GORDO STREET

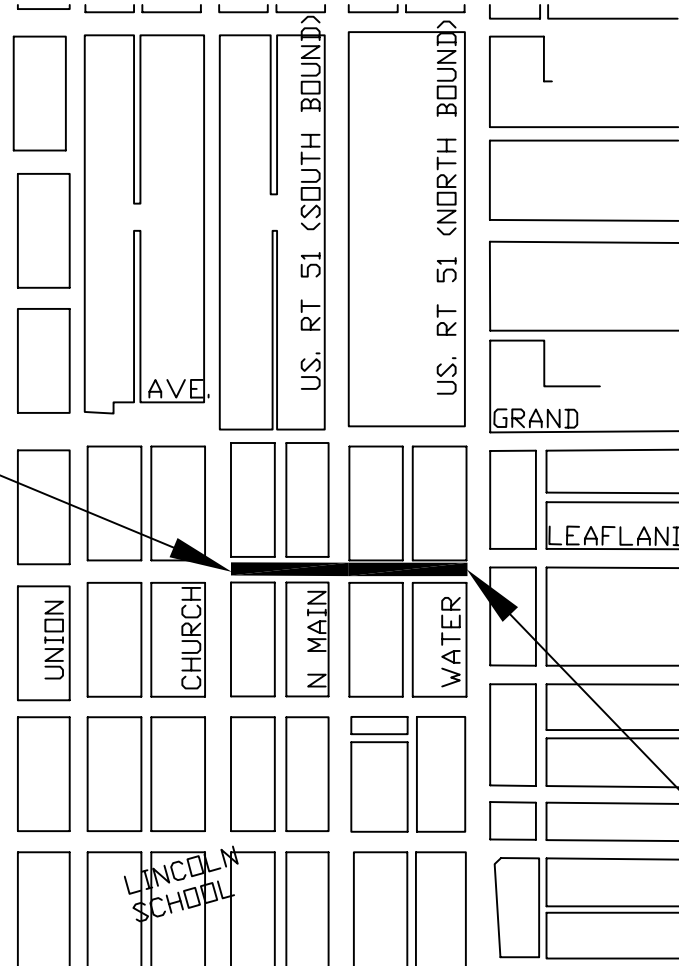
CP 2016-25

LEGEND

— 2.25" HMA OVERLAY



STA. 500+19



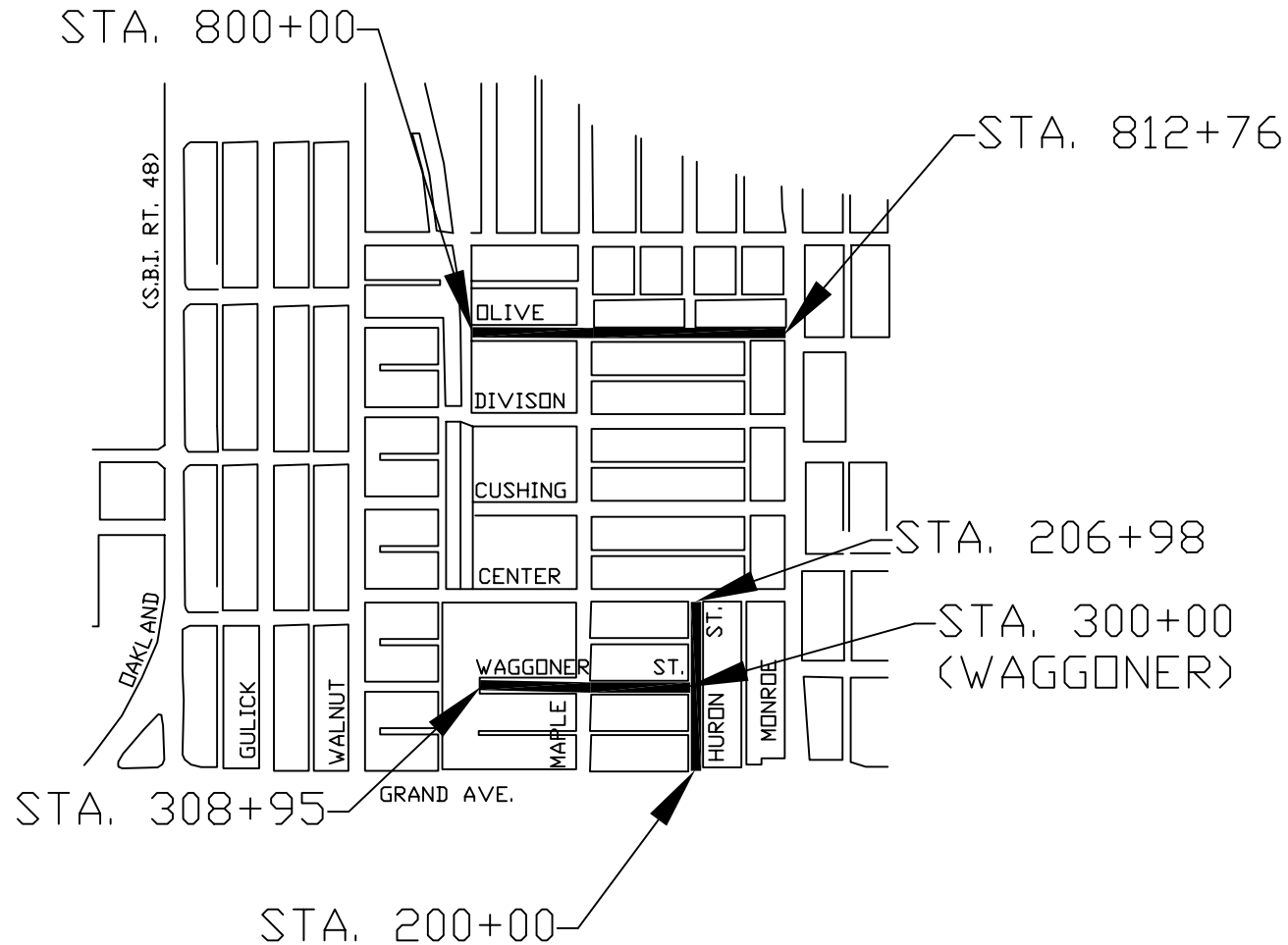
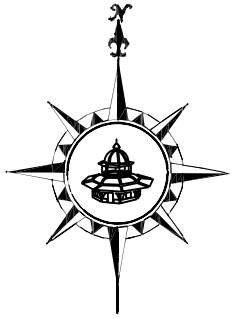
STA. 507+58

LEAFLAND AVENUE

CP 2016-25

LEGEND

— 2.25" HMA OVERLAY

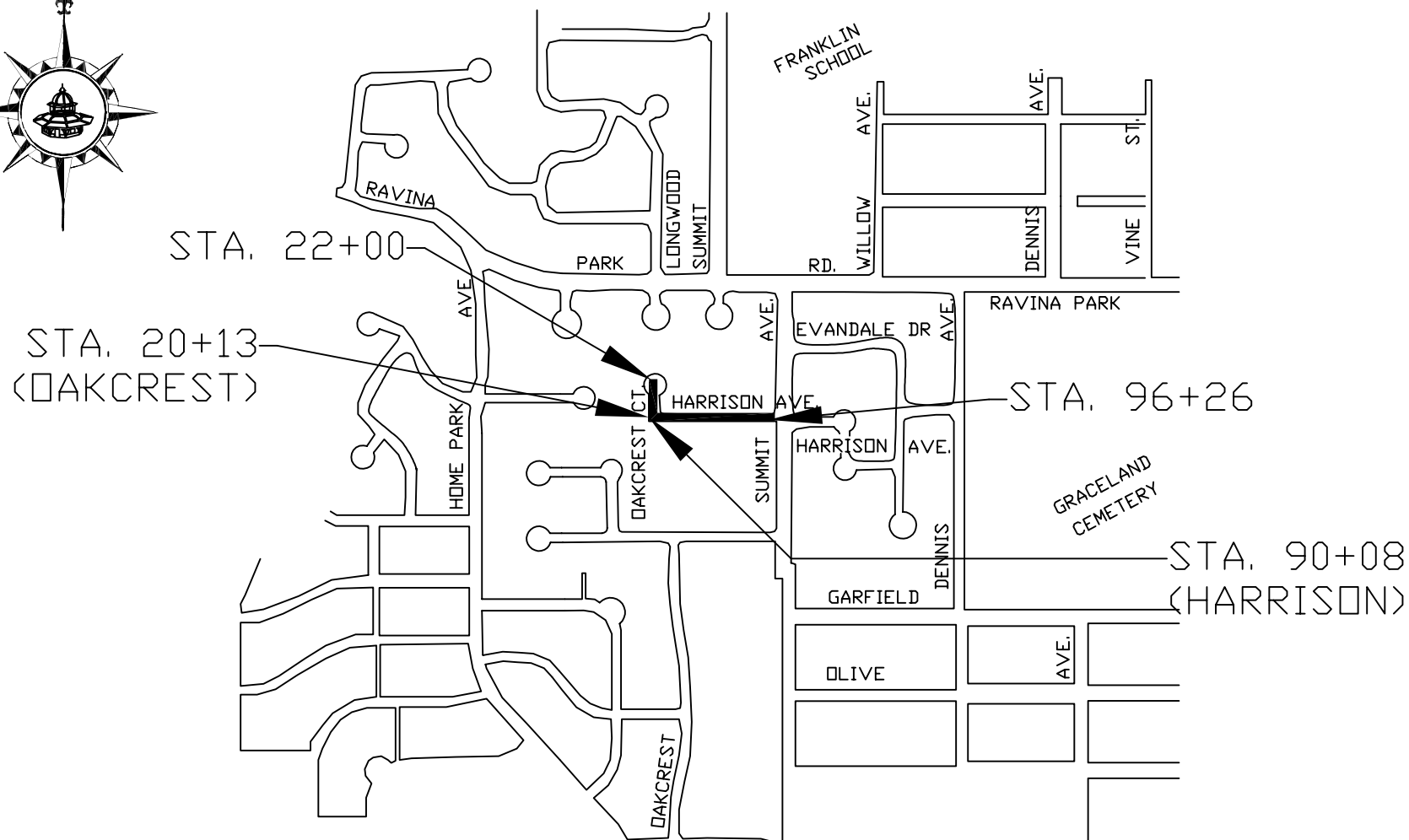
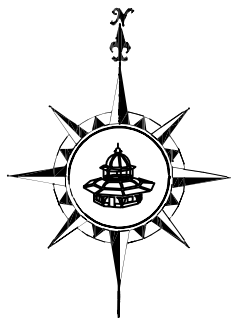


OLIVE, HURON, & WAGGONER STREET

CP 2016-25

LEGEND

— 2.25" HMA OVERLAY



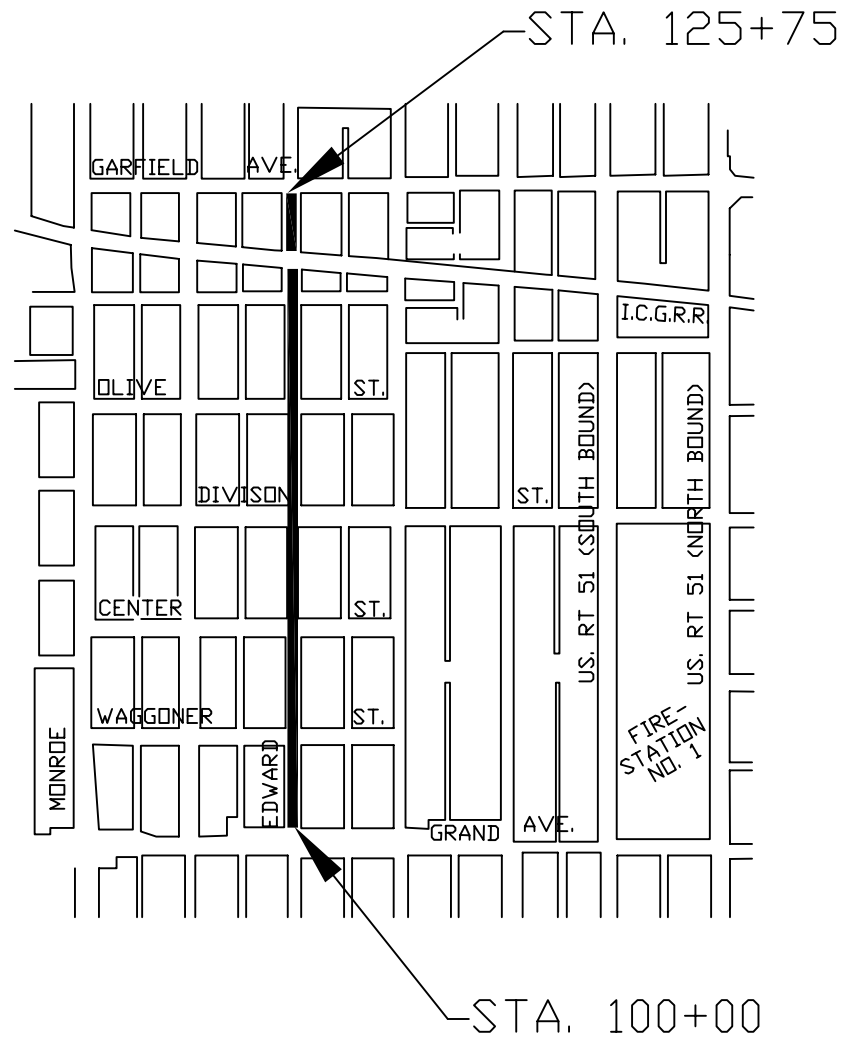
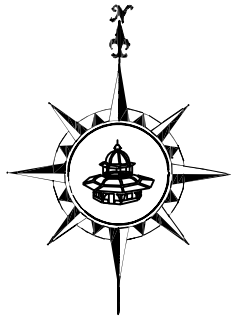
HARRISON AVENUE & OAKCREST COURT

CP 2016-25

LEGEND

-  2.25" HMA OVERLAY
-  PARTIAL DEPTH PAVEMENT PATCHING

Page 85 of 126

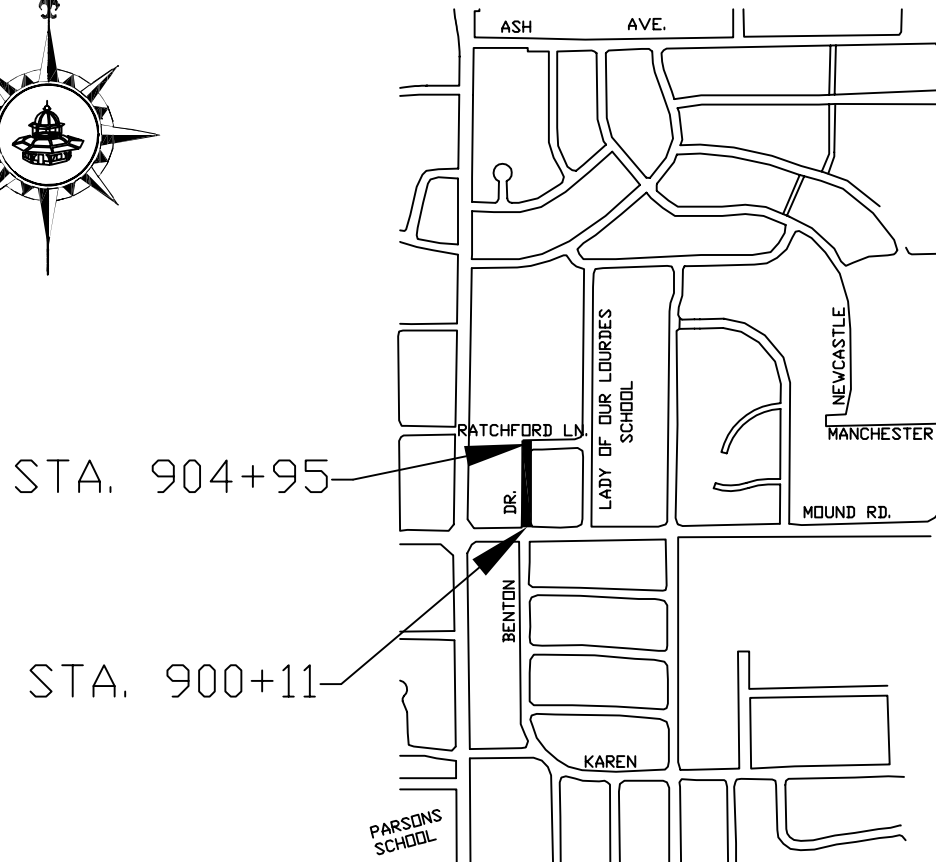
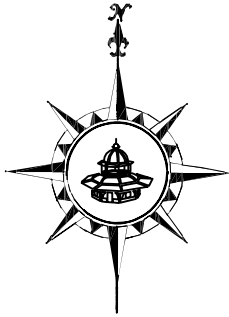


EDWARD STREET

CP 2016-25
LEGEND

— 1.5" MILL & HMA OVERLAY

Page 86 of 126

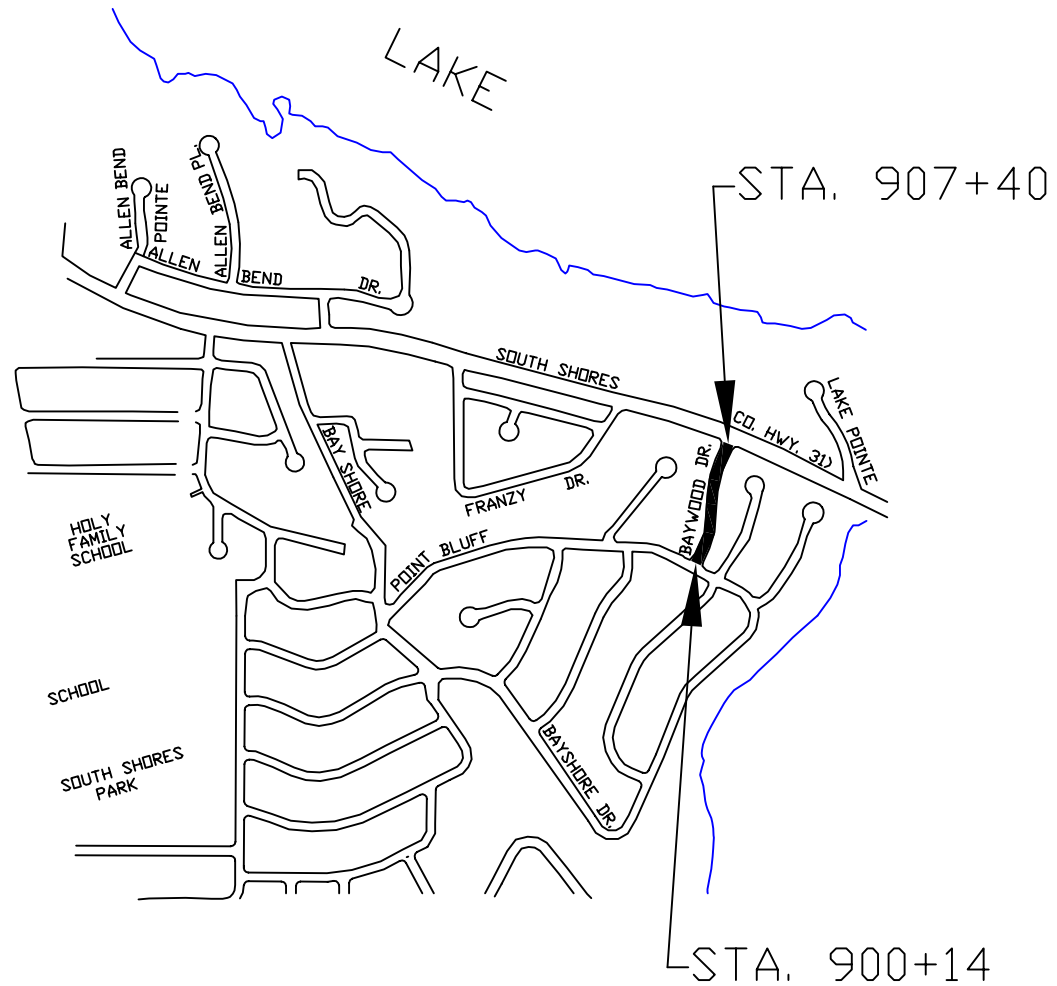
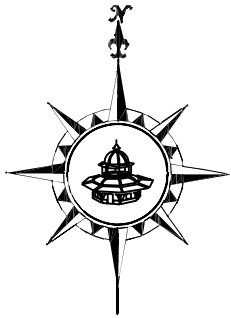


BENTON DRIVE

CP 2016-25
LEGEND

— 1.5" MILL & HMA OVERLAY

Page 87 of 126



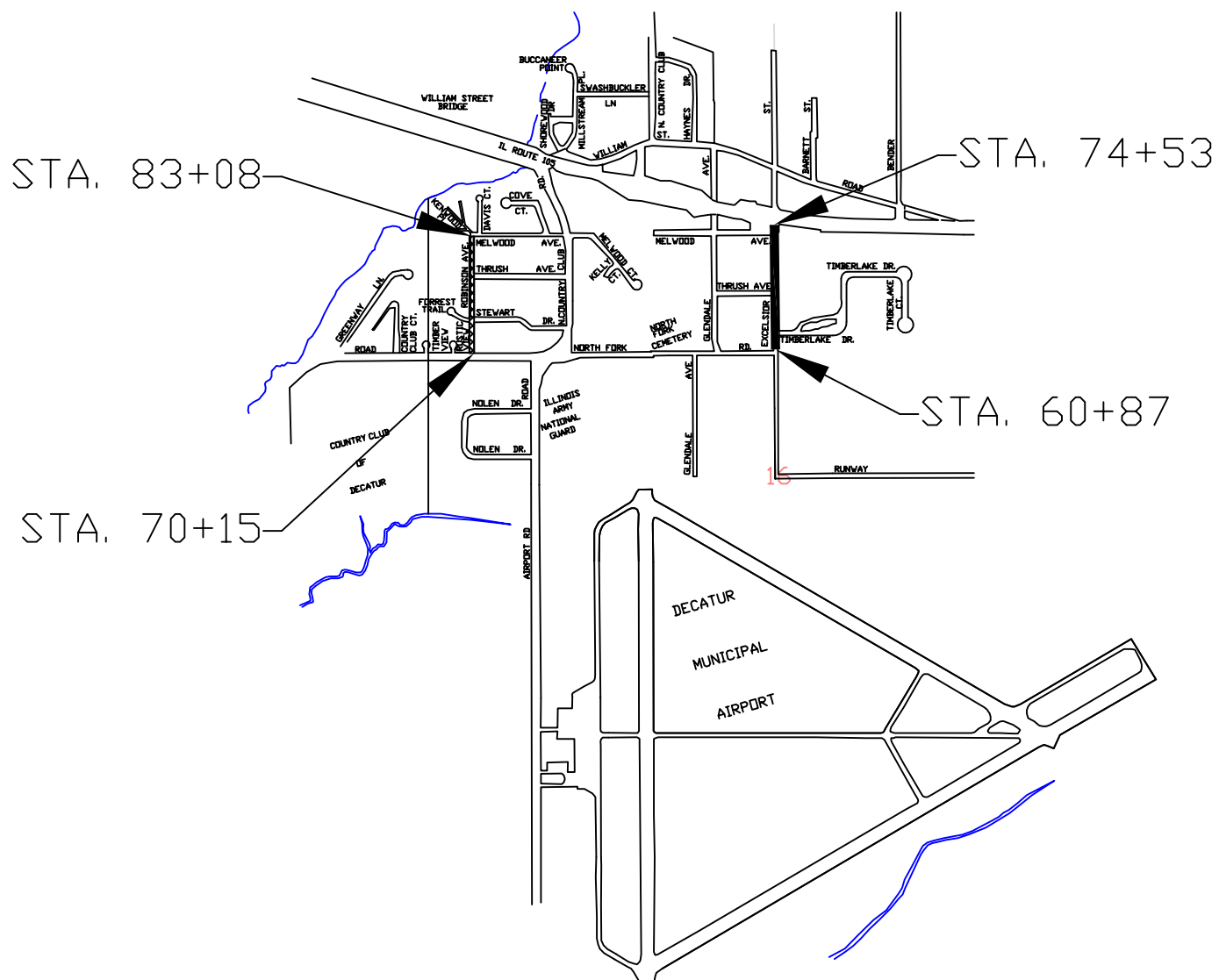
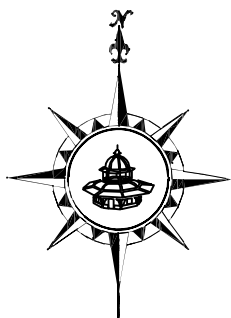
BAYWOOD DIRVE

CP 2016-25

LEGEND

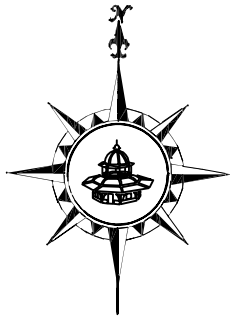
— 2" MILL & HMA OVERLAY

Page 88 of 126

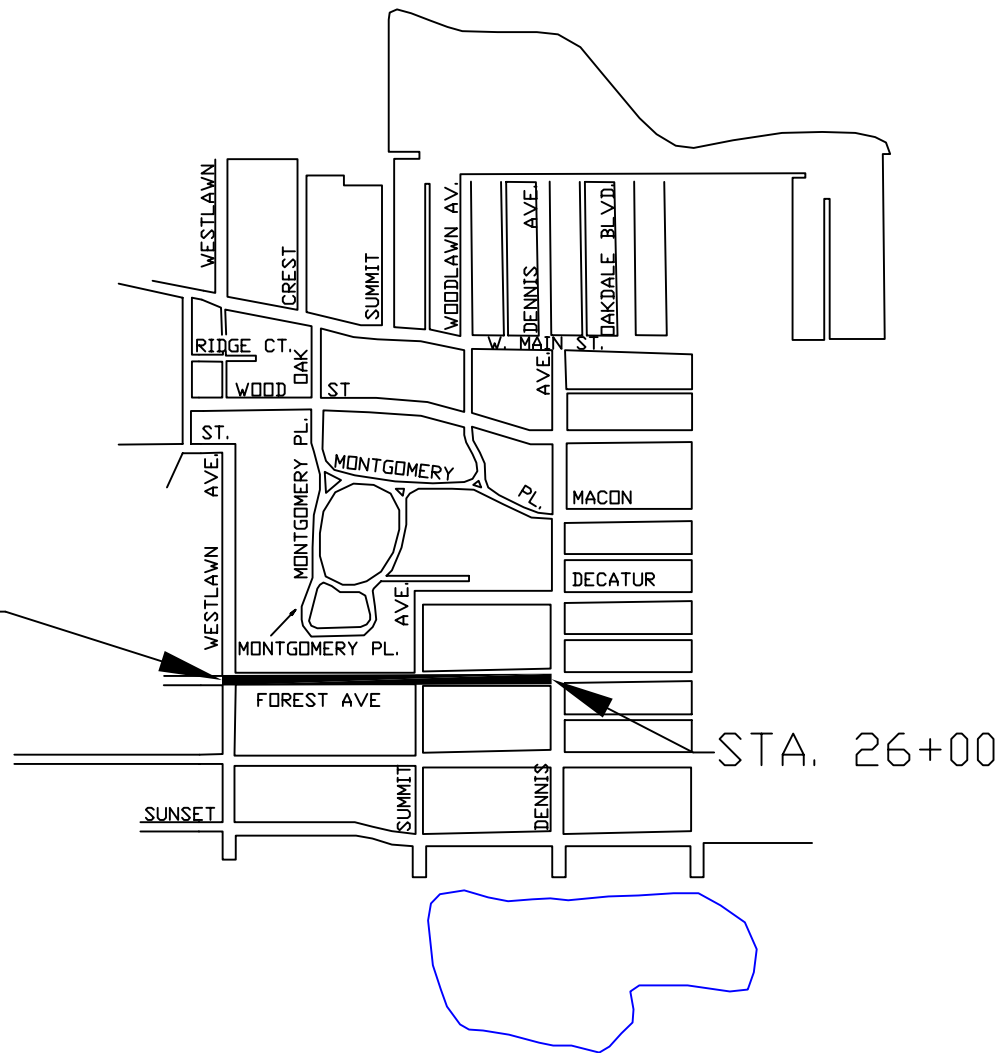


CP 2016-25
LEGEND

- CEMENT SOIL MODIFIED BASE WITH 4" HMA (EXCELSIOR)
- ▨ 1-1/2" HMA OVERLAY W/ SHOULDER STRENGTHEN (ROBINSON)



STA. 10+00



FOREST AVENUE

CP 2016-25

LEGEND

— 1.5" MILL & HMA OVERLAY

Public Works

DATE: 7/20/2016

MEMO: 2016-54

TO: Honorable Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT:

Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc. for Local Motor Fuel Tax Street Improvement Project, (Concrete), City Project 2016-26

SUMMARY RECOMMENDATION: For further information, please refer to the attached Council Memorandum No. 2016-54 and related attachments.

ATTACHMENTS:

Description	Type
Council Memo 2016-54 CP 2016-26	Cover Memo
Resolution for C.P. 2015-26	Resolution Letter
Bid Tab for C.P. 2016-26 Otto Baum Co	Backup Material
Contract Pages Only 2016-26	Backup Material
Location Maps for C.P. 2016-26	Backup Material

Public Works Memorandum
NO. 2016-54

DATE: July 20, 2016

TO: Honorable Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc. for the 2016 Local Motor Fuel Tax Street Improvement Project (Concrete), City Project 2016-26

SUMMARY RECOMMENDATION:

It is recommended that the City Council approve the resolution awarding the contract for the 2016 Local Motor Fuel Tax Street Improvement Project (Concrete), City Project 2016-26, to Otto Baum Company, Inc., as the lowest, responsible bidder in the amount of \$385,535.15 and that the Mayor be authorized to execute the contract and the City Clerk to attest.

PRIOR COUNCIL ACTION:

February 16, 2016 – Council approved adding Chapter 51.4 of the City Code establishing a Local Motor Fuel Tax to be used to generate revenue for the construction and maintenance of municipal streets and extensions, sidewalk repairs and maintenance, curbing, grade separations and approaches and engineering services related to those items.

June 20, 2016 – Council approved resolution R2016-78 authorizing the City Manager to enter into a debt instrument to finance local street resurfacing and reconstruction in an amount not to exceed \$7,500,000. The current plan is to spend \$1,500,000 in 2016.

BACKGROUND:

Streets Inspected Annually

The Engineering Division inspects and rates approximately 1/2 of the City's streets on a yearly basis. The results of these inspections are input into a computer database which is used to project the future condition of the streets based on their current and historical condition, and surface type (i.e. brick, concrete, asphalt, etc.). This data is then paired with available funding and is used as a basis to aid City Engineering in the preparation of the City's yearly street improvement program. Staff then determines what type of improvement would be appropriate for each street.

Project Description

The 2016 concrete project will include the reconstruction of Allen Bend Point due to the failure of its base material. The soil underneath Allen Bend Point will be mixed with cement to help stiffen the soil. The rest of this project will consist of pouring pavement patches, fixing curb ramps, curb

and gutter, and catch basins along the streets that will be paved as part of the 2016 Local Motor Fuel Tax Street Improvement Project (Asphalt), City Project 2016-25. In total, 0.13 lane miles of the City's 825 total lane miles will be rehabilitated as part of this project with much of the work being done to assist the work on the Asphalt Project list.

Following are the proposed locations where concrete work will be performed, (see attached location maps):

Street	Begin	End	Type of Work	Length (feet)	Length (Lane Miles)
Cleveland Ave.	MLK Jr. Dr.	Webster St.	Curb Ramps		
Forest Ave.	Westlawn Ave.	Dennis Ave.	Curb Ramps and Catch Basins		
Cerro Gordo St.	Oakland Ave.	Dunham St.	Pavement Patches and Curb Ramps		
Leafland Ave.	Church St.	Water St.	Pavement Patches and Curb Ramps		
Olive St.	Dead End	Monroe St.	Pavement Patches and Curb Ramps		
Huron St.	Grand Ave.	Center St.	Pavement Patches and Curb Ramps		
Waggoner St.	Dead End	Huron St.	Pavement Patches, Curb Ramps, and Catch Basins		
Harison Ave.	Oak Crest Ct.	Summit Ave.	Curb Ramps		
Benton Dr.	Mound Rd.	Ratchford Ln.	Curb Ramps		
Robinson Ave.	Country Club Rd.	Melwood Ave.	New Curb		
Allen Bend Pt.	Allen Bend Dr.	Cul-de-sac	Concrete Pavement Reconstruction	351	0.13
			Total Length	351	0.13

Website

A website has been set up to track the progress of the projects being funded by the local motor fuel tax, www.buildingdecatur.com. It will contain project updates along with photos and videos.

Letting Results

The project scope and specifications were prepared by the Engineering Division. The project was advertised on June 29, 2016, and bids were opened on July 20, 2016. The results of the letting are as follows, (bid tabulation attached):

<u>Bidder</u>	<u>Base Bid Price</u>	<u>Alternate Bid Price</u>	<u>Total Bid Price</u>	<u>Compared to Engineer's Est. Over (Under)</u>
Otto Baum Co., Inc.	\$344,731.16	\$40,803.99	\$385,535.15	(14.74%)
Entler Excavating Co., Inc.	\$359,264.82	\$37,972.50	\$397,237.32	(12.16%)
Engineer's Estimate	\$394,746.60	\$57,466.00	\$452,212.60	-----

Seven contractors took out bid packages for the Concrete Street Improvement Project and four submitted bids. Two of the submitted bids were non-responsive. Otto Baum Company provided the lowest responsible bid at 14.74% below the engineer's estimate. A major reason the bid came in low was that concrete related items came in at a lower price compared to last year, and the City relies on previous year prices and market trends to estimate costs. The alternate bid price is for all work associated with Forest Avenue in case the bid prices came in high. Since all of the bid prices came in lower than expected, Forest Avenue will be a part of this project and the total bid price will be awarded as part of this contract. Otto Baum Company has completed many projects such as this for the City.

Contractors for City Projects shall comply with City Code Chapter 28, Article 10, "Minority Participation Goals for Public Works Contracts."

Contractors for City projects shall make a good faith effort to comply with the following minimum goals:

1. Ten (10) percent of the total dollar amount of the contract should be performed by Minority Business Enterprises if subcontracting opportunities are available; and,
2. Eighteen (18) percent of the total hours worked should be performed by minority workers.

Otto Baum meets the minority business goals and proposes utilizing 24.8% minority subcontractors surpassing the 10% goal identified in the City Code.

SCHEDULE:

Following approval of the contract by the City Council work on this project shall begin after a "Notice to Proceed" has been issued from the City. The Concrete Street Improvement project is scheduled to be complete by October 28, 2016. A final project report will be prepared for Council at the conclusion of the project.

BUDGET/TIME IMPLICATIONS:

Budget Impact: Funding for a majority of this project is allocated in the Local Motor Fuel Tax Fund. Catch basin casting replacements will be funded out of the Storm Water Fund (\$28,394.50). It is proposed that a total project expenditure of \$385,535.15 be authorized which includes \$357,140.65 of Local Motor Fuel Tax money and the amounts from the other funds listed. This amount represents the low bid amount of \$385,535.15.

Staff Impact: Staff time has been allocated for this project in the Capital Improvement Plan.

POTENTIAL OBJECTION: There are no known objections to this resolution and bid award.

INPUT FROM OTHER SOURCES: None

STAFF REFERENCE: Richard Marley, Public Works Director and Matt Newell, City Engineer. Richard Marley will be in attendance at the City Council meeting to answer any questions of the Council on this item.

This memorandum was prepared by Griffin Enyart, Civil Engineer II.

Attach: 3

cc:

RESOLUTION NO. _____

**RESOLUTION ACCEPTING THE BID AND AUTHORIZING THE
EXECUTION OF A CONTRACT WITH OTTO BAUM COMPANY, INC.
FOR LOCAL MOTOR FUEL TAX STREET IMPROVEMENT PROJECT
(CONCRETE)
CITY PROJECT 2016-26**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF DECATUR, ILLINOIS:**

Section 1. That the tabulation of bids received for City Project 2016-26, Local Motor Fuel Tax Street Improvement Project, (Concrete) be, and they are hereby, received and placed on file.

Section 2. That the bid of Otto Baum Company, Inc., be accepted and a contract awarded accordingly and that said contract between Otto Baum Company, Inc. and the City of Decatur is for a total amount of \$385,535.15 in Local Motor Fuel Tax funds.

Section 3. That the Mayor and City Clerk be, and they are hereby authorized and directed to execute a contract between the City of Decatur, Illinois, and Otto Baum Company, Inc., for said plan, in the amount of \$385,535.15 in Local Motor Fuel Tax funds.

PRESENTED and ADOPTED this 1st day of August, 2016.

Julie Moore Wolfe, Mayor

ATTEST:

Debra G. Bright, City Clerk

Project Name: Annual Local MFT Street Improvement Project, Concrete Project Number: 2016-26 Bid Date: Wednesday, 07/20/2016 Time: 10:00 A.M. Fund: Local MFT Fund, Storm Sewer, San Sewer, Water Non-Lake Capital Organization Code: 42484206, 78487806, 79487906, 81808118 Object Code: 489070, 489040, 489030, 488800	Engineer's Estimate City Engineering Division	Otto Baum Co., Inc. 1788 Hubbard Ave Decatur, IL 62526 Ph. 217-876-1000 Fax 217-876-1014 Terry L. Baum, Pres. Matthew D. Allen, Sec mattallen@ottobaum.com	Entler Excavating Co., Inc. 819 N Sunnyside Rd Decatur, IL 62522 Ph. 217-428-1865 Fax 217-428-1895 Stuart Entler, Pres Karen Rohman karenentlerex@gmail.com
--	--	--	--

Item Number	Pay Item	QTY	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
30200350	PROCESSING MODIFIED SOIL, 8 INCH	1,300.00	SQ YD	\$11.00	\$14,300.00	\$24.25	\$31,525.00	\$6.65	\$8,645.00
35200500	CEMENT	936.00	100 WT	\$8.50	\$7,956.00	\$7.03	\$6,580.08	\$6.62	\$6,196.32
35200600	EARTH EXCAVATION	144.44	CU YD	\$45.00	\$6,499.80	\$33.77	\$4,877.74	\$25.00	\$3,611.00
40201000	AGGREGATE-TEMP ACCESS	15.00	TON	\$25.00	\$375.00	\$40.03	\$600.45	\$25.00	\$375.00
42000201	PORTLAND CEMENT CONCRETE PAVEMENT, 7 INCH (JOINTED)	1,300.00	SQ YD	\$60.00	\$78,000.00	\$46.87	\$60,931.00	\$80.00	\$104,000.00
42400200	PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH	2,550.00	SQ FT	\$12.00	\$30,600.00	\$9.70	\$24,735.00	\$9.50	\$24,225.00
42400800	DETECTABLE WARNINGS	235.00	SQ FT	\$50.00	\$11,750.00	\$32.43	\$7,621.05	\$30.00	\$7,050.00
44000100	PAVEMENT REMOVAL	1,300.00	SQ YD	\$12.00	\$15,600.00	\$16.40	\$21,320.00	\$15.00	\$19,500.00
44000600	SIDEWALK REMOVAL	2,630.00	SQ FT	\$4.20	\$11,046.00	\$3.73	\$9,809.90	\$3.75	\$9,862.50
44001700	COMBINATION CONCRETE CURB AND GUTTER REM. AND REPL.	468.00	FOOT	\$100.00	\$46,800.00	\$51.23	\$23,975.64	\$50.00	\$23,400.00
44200919	CLASS B PATCHES, TYPE II, 7 INCH	186.00	SQ YD	\$160.00	\$29,760.00	\$158.16	\$29,417.76	\$135.00	\$25,110.00
44200924	CLASS B PATCHES, TYPE III, 7 INCH	97.80	SQ YD	\$155.00	\$15,159.00	\$157.74	\$15,426.97	\$140.00	\$13,692.00
44200926	CLASS B PATCHES, TYPE IV, 7 INCH	191.80	SQ YD	\$150.00	\$28,770.00	\$154.78	\$29,686.80	\$135.00	\$25,893.00
44201297	DOWEL BARS, 1 INCH	360.00	EACH	\$31.00	\$11,160.00	\$12.10	\$4,356.00	\$16.00	\$5,760.00
44213200	SAW CUTS	2,181.00	FOOT	\$6.80	\$14,830.80	\$3.92	\$8,549.52	\$5.00	\$10,905.00
44213202	TIE BARS, 1 INCH	360.00	EACH	\$19.00	\$6,840.00	\$10.00	\$3,600.00	\$14.00	\$5,040.00
60250600	CATCH BASINS TO BE ADJUSTED WITH NEW TYPE 3 FRAME AND GRATE	8.00	EACH	\$2,000.00	\$16,000.00	\$1,771.25	\$14,170.00	\$1,775.00	\$14,200.00
60255800	MANHOLES TO BE ADJUSTED WITH NEW TYPE 1 FRAME, CLOSED LID	2.00	EACH	\$1,650.00	\$3,300.00	\$1,716.75	\$3,433.50	\$1,600.00	\$3,200.00
Z0000124	SOIL CEMENT MIX DESIGN AND FIELD TESTING	1.00	LSUM	\$4,500.00	\$4,500.00	\$3,297.25	\$3,297.25	\$6,100.00	\$6,100.00
Z0000125	FINAL PROJECT REPORT	1.00	LSUM	\$1,500.00	\$1,500.00	\$817.50	\$817.50	\$2,500.00	\$2,500.00
Z0009000	ALTERATIONS, CANCELLATIONS, EXTENSIONS, DEDUCTIONS & EXTRA WORK	1.00	LSUM	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00	\$40,000.00
ALTERNATE BID ITEMS									
42400200	PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH	880.00	SQ FT	\$12.00	\$10,560.00	\$9.70	\$8,536.00	\$9.50	\$8,360.00
42400800	DETECTABLE WARNINGS	80.00	SQ FT	\$50.00	\$4,000.00	\$32.43	\$2,594.40	\$30.00	\$2,400.00
44000600	SIDEWALK REMOVAL	930.00	SQ FT	\$4.20	\$3,906.00	\$3.73	\$3,468.90	\$3.75	\$3,487.50
44001700	COMBINATION CONCRETE CURB AND GUTTER REM. AND REPL.	228.00	FOOT	\$100.00	\$22,800.00	\$51.23	\$11,680.44	\$50.00	\$11,400.00
56500600	DOMESTIC WATER SERVICE BOXES TO BE ADJUSTED	1.00	EACH	\$700.00	\$700.00	\$163.50	\$163.50	\$500.00	\$500.00
60207105	CATCH BASINS, TYPE C, TYPE 3 FRAME AND GRATE	3.00	EACH	\$3,000.00	\$9,000.00	\$2,997.50	\$8,992.50	\$2,000.00	\$6,000.00
60250600	CATCH BASINS TO BE ADJUSTED WITH NEW TYPE 3 FRAME AND GRATE	3.00	EACH	\$2,000.00	\$6,000.00	\$1,744.00	\$5,232.00	\$1,775.00	\$5,325.00
Z0001110	GAS VALVE BOX TO BE ADJUSTED	1.00	EACH	\$500.00	\$500.00	\$136.25	\$136.25	\$500.00	\$500.00
	TOTAL BASE BID (AS CORRECTED)				\$394,746.60		\$344,731.16		\$359,264.82
	Percent Over Under ENGINEER'S ESTIMATE						-12.67%		-8.99%
	TOTAL ALTERNATE BID (AS CORRECTED)				\$57,466.00		\$40,803.99		\$37,972.50
	Percent Over Under ENGINEER'S ESTIMATE						-28.99%		-33.92%
	TOTAL BASE BID + ALTERNATE BID (AS CORRECTED)				\$452,212.60		\$385,535.15		\$397,237.32
	Percent Over Under ENGINEER'S ESTIMATE						-14.74%		-12.16%


 Matthew C. Newell, P.E., City Engineer

7-21-16
 Date

CONTRACT

THIS CONTRACT, made and entered into this 1st day of August, 2016, by and between the City of Decatur, Illinois, hereinafter called "Owner", and Otto Baum Company, Inc., hereinafter called the "Contractor".

WITNESSETH:

That for and in consideration of the payments, covenants, and agreements stated herein, the Contractor and Owner agree as follows:

1. The Contractor shall perform and complete in a Good and Workmanlike Manner all Work required in connection with **"2016 LOCAL MOTOR FUEL TAX STREET IMPROVEMENT PROJECT (CONCRETE), CITY PROJECT 2016-26"**, all in strict accordance with the Contract Documents, including any and all Addenda prepared by the City Engineer, with specifications and drawings are made a part of this Contract; and in strict compliance with the Contractor's Bid Proposal and the other Contract Documents herein mentioned, which are a part of the Contract; and the Contractor shall do everything required by this Contract and the other documents constituting a part thereof.
2. Payments are to be made to the Contractor by the Owner in accordance with and subject to the provisions embodied in the documents made a part of this Contract, or as prescribed by law.
3. Work under this Contract shall commence on the date specified in the written Notice to Proceed from the Owner to the Contractor. Upon receipt of said Notice, the Contractor shall diligently and continuously prosecute and substantially complete all Work under this Contract.
4. **A Completion Date is in effect for this project in accordance with Section 108 of the Illinois Department of Transportation, Standard Specifications for Road and Bridge Construction. The Completion Date for this project is October 28, 2016.**
5. This Contract consists of the following component parts, herein defined as the Contract Documents, all of which are as full a part of this Contract as if herein set out verbatim, or if not attached, as if hereto attached:

Advertisement for Bids
Information for Bidders
Bid Proposal
Addenda No. 1, Dated July 7, 2016
Non-Collusion Affidavit
Contract (This Instrument)
Contract Change Orders
Performance Bond

General Conditions
Special Conditions
Standard Specifications
Project Drawings
Special Provisions
Supplemental Specifications
Appendix(s)

CONTRACT

The above named documents are essential parts of the Contract, and a requirement occurring in one is as binding as though occurring in all. They are intended to be complementary and to describe and provide for a complete work product.

In case of discrepancy, the order of precedence is as follows:

1. Contract Change Orders
2. Addenda
3. Contract
4. Special Provisions & Drawings
5. Special Conditions
6. Supplemental Specifications
7. General Conditions

In the event there is a conflict between any of the above listed documents, the provision of the document with the lower numerical value shall govern over those documents with a high numerical value.

The Contractor shall not take advantage of any apparent error or omission in the plans or specifications. In the event the Contractor discovers such an error or omission, the bidder shall immediately notify the Owner. The Owner will then make such corrections and interpretations as may be deemed necessary for fulfilling the intent of the plans and specifications.

6. It is agreed by the parties to this Contract that this Contract shall be executed in quadruplicate, one copy for the Contractor, and three copies for the Owner.

ATTEST:

CITY OF DECATUR, ILLINOIS

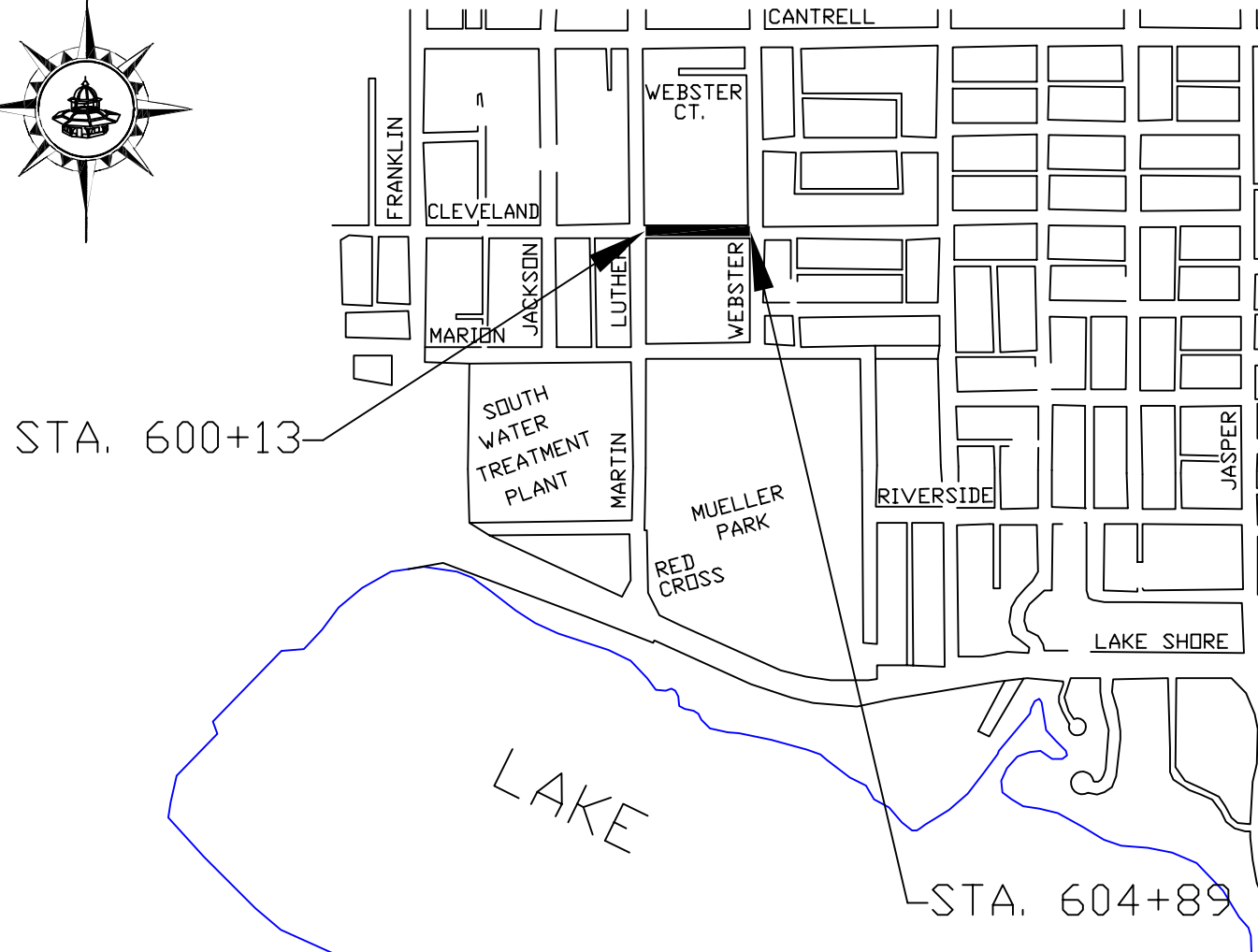
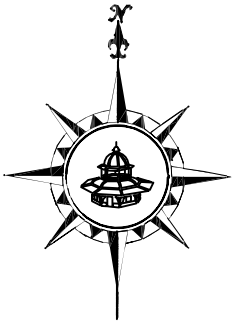
CITY CLERK

By _____
MAYOR

OTTO BAUM COMPANY, INC.

SECRETARY (Corporate Seal)

By _____
PRESIDENT

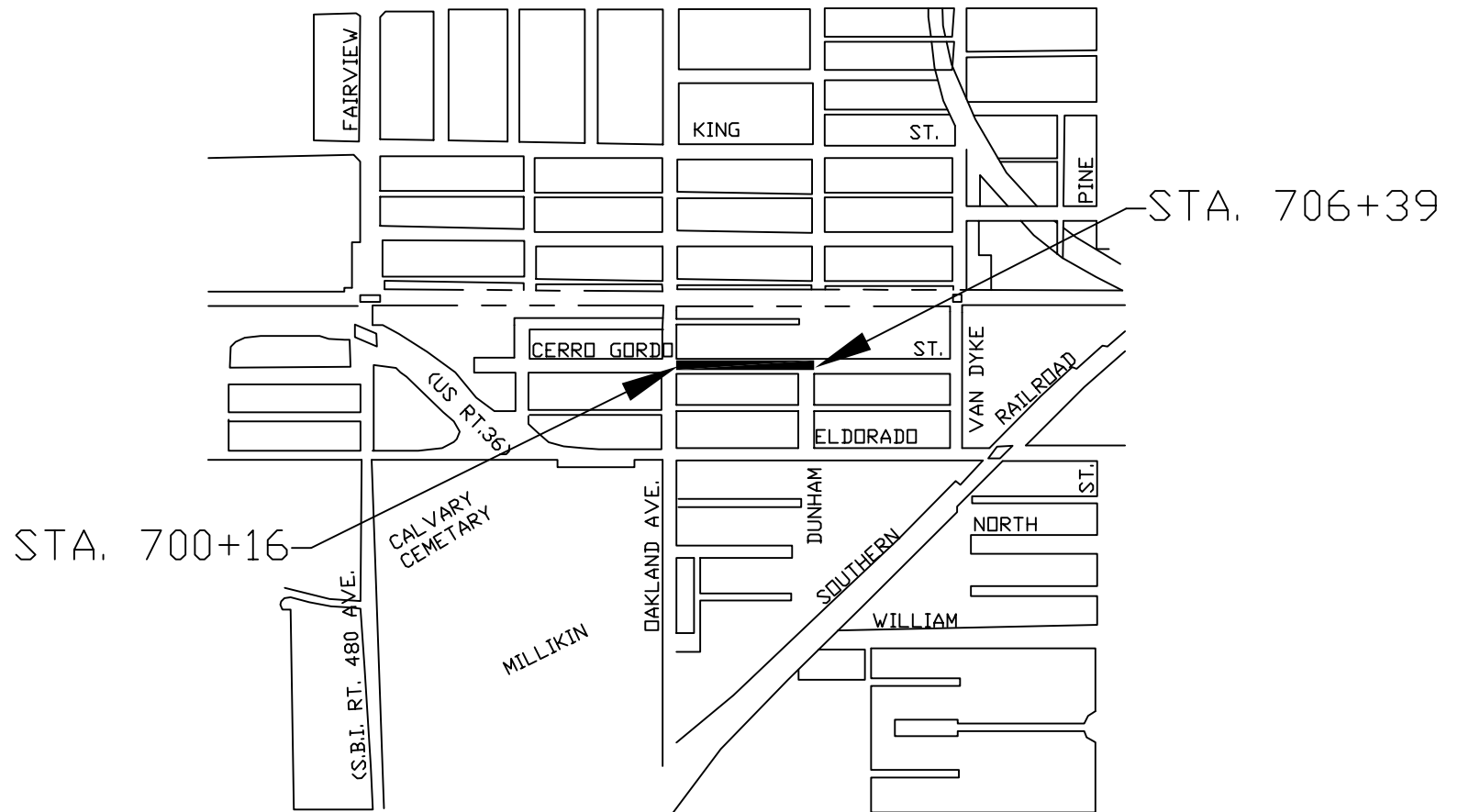
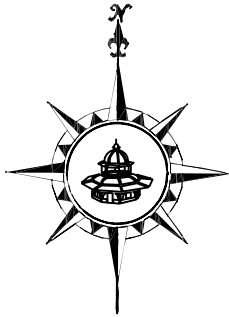


CLEVELAND AVENUE

CP 2016-26

LEGEND

— CURB RAMPS

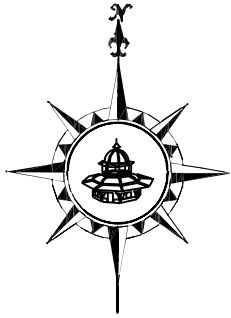


CERRO GORDO STREET

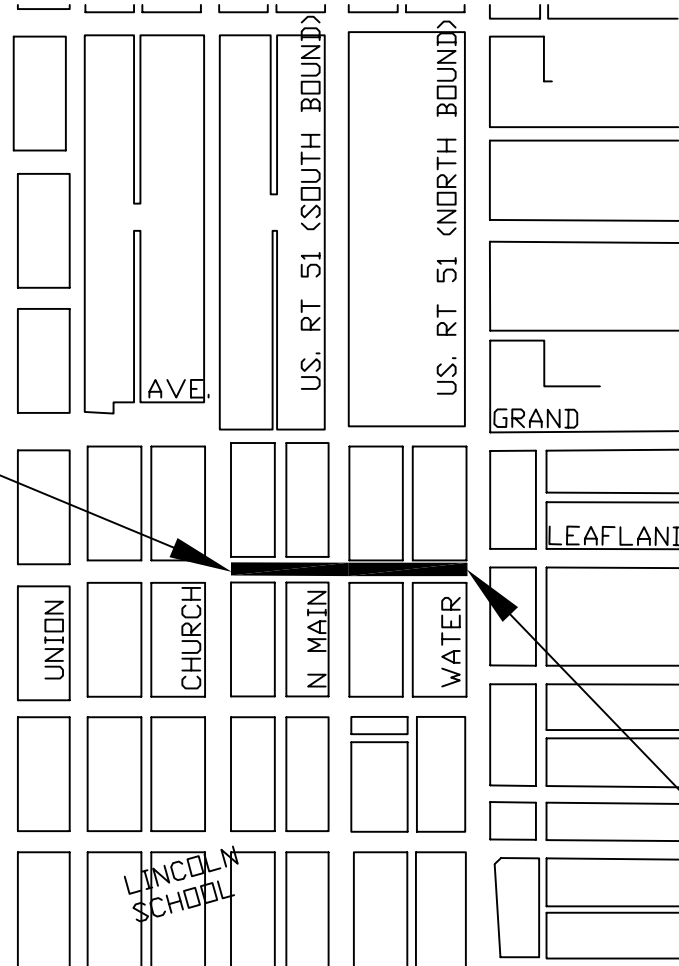
CP 2016-26

LEGEND

— CLASS B PATCHES AND CURB RAMPS



STA. 500+19



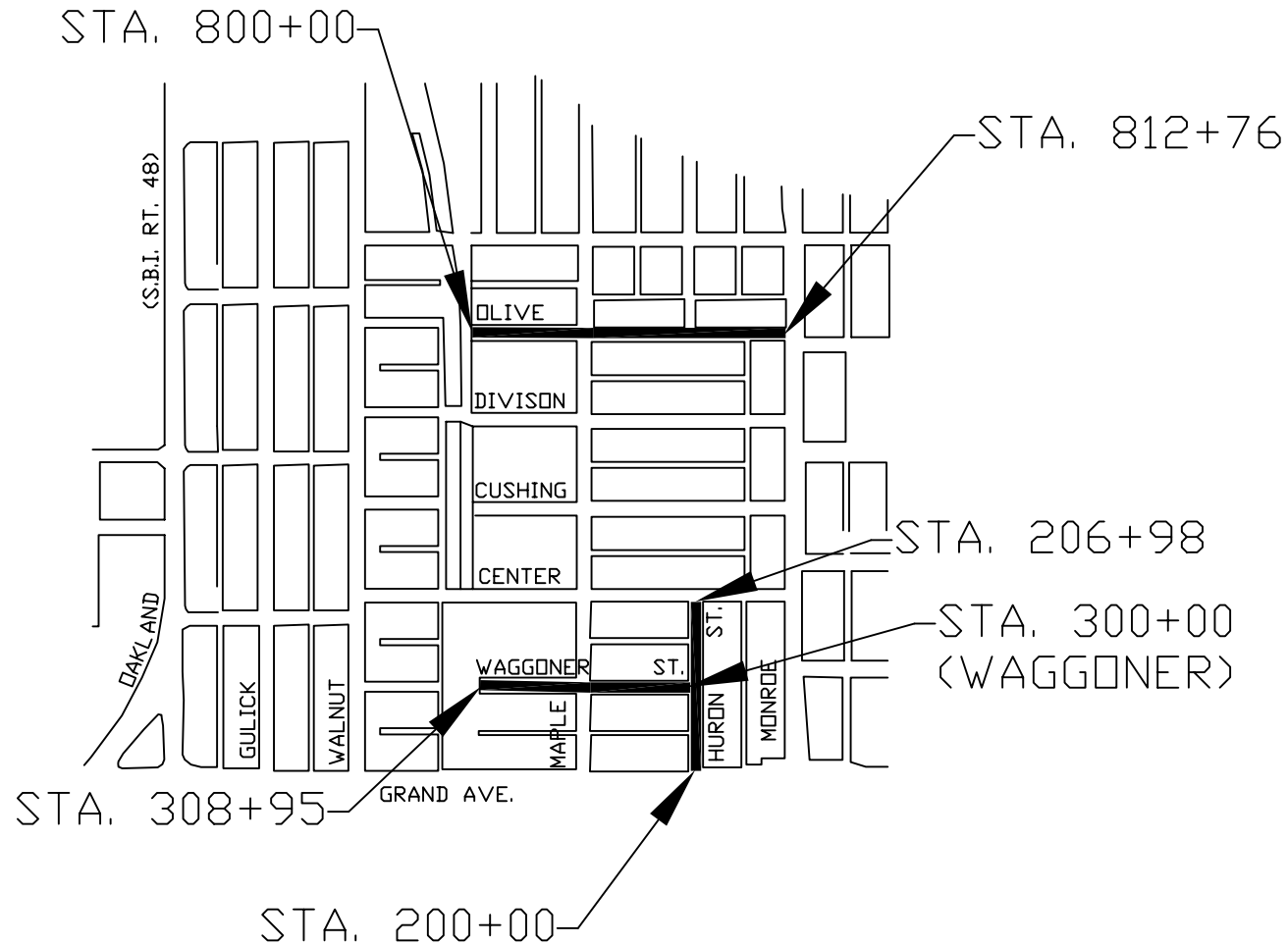
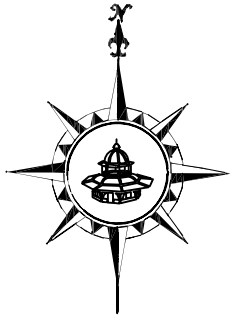
STA. 507+58

LEAFLAND AVENUE

CP 2016-26

LEGEND

— CLASS B PATCHES AND CURB RAMPS



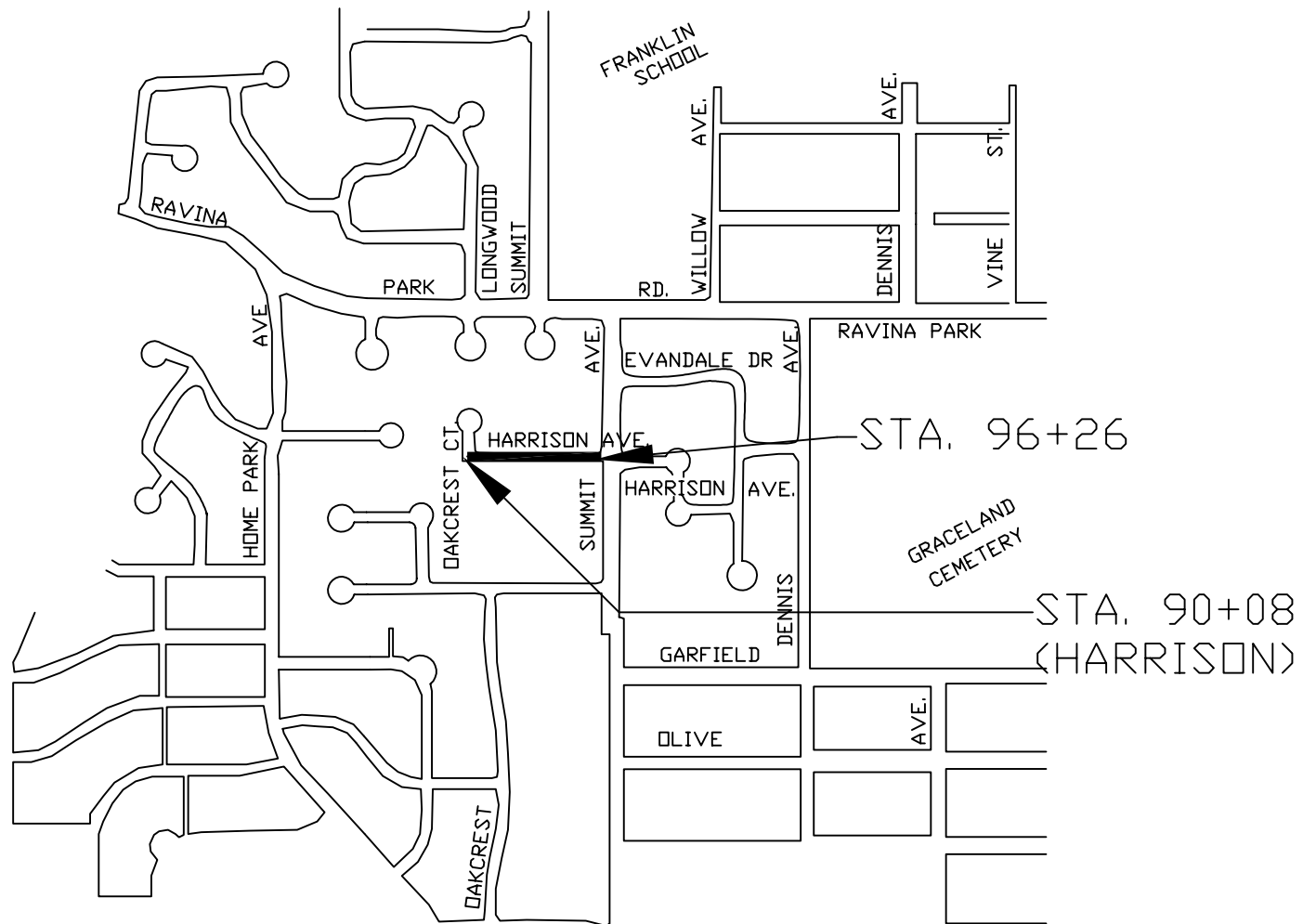
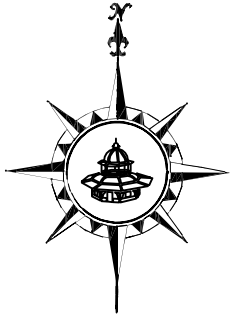
OLIVE, HURON, & WAGGONER STREET

CP 2016-25

LEGEND

— CLASS B PATCHES, CURB RAMPS, CATCH BASINS

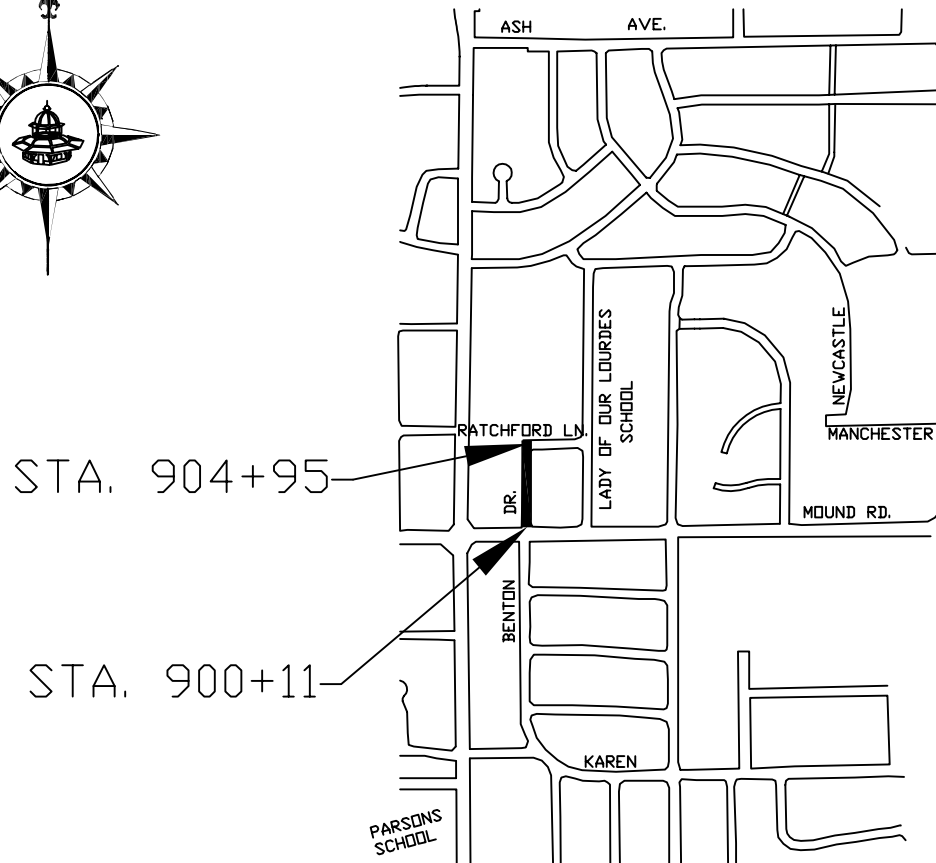
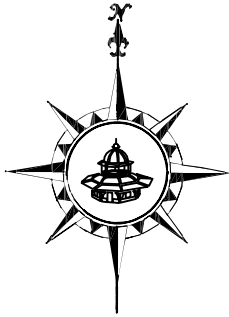
Page 103 of 126



HARRISON AVENUE & OAKCREST COURT

CP 2016-26
LEGEND

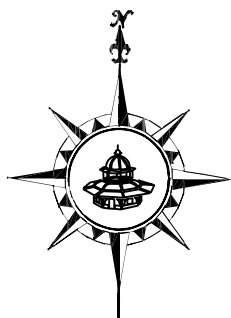
— CURB RAMPS



BENTON DRIVE

CP 2016-26
LEGEND

— CURB RAMPS



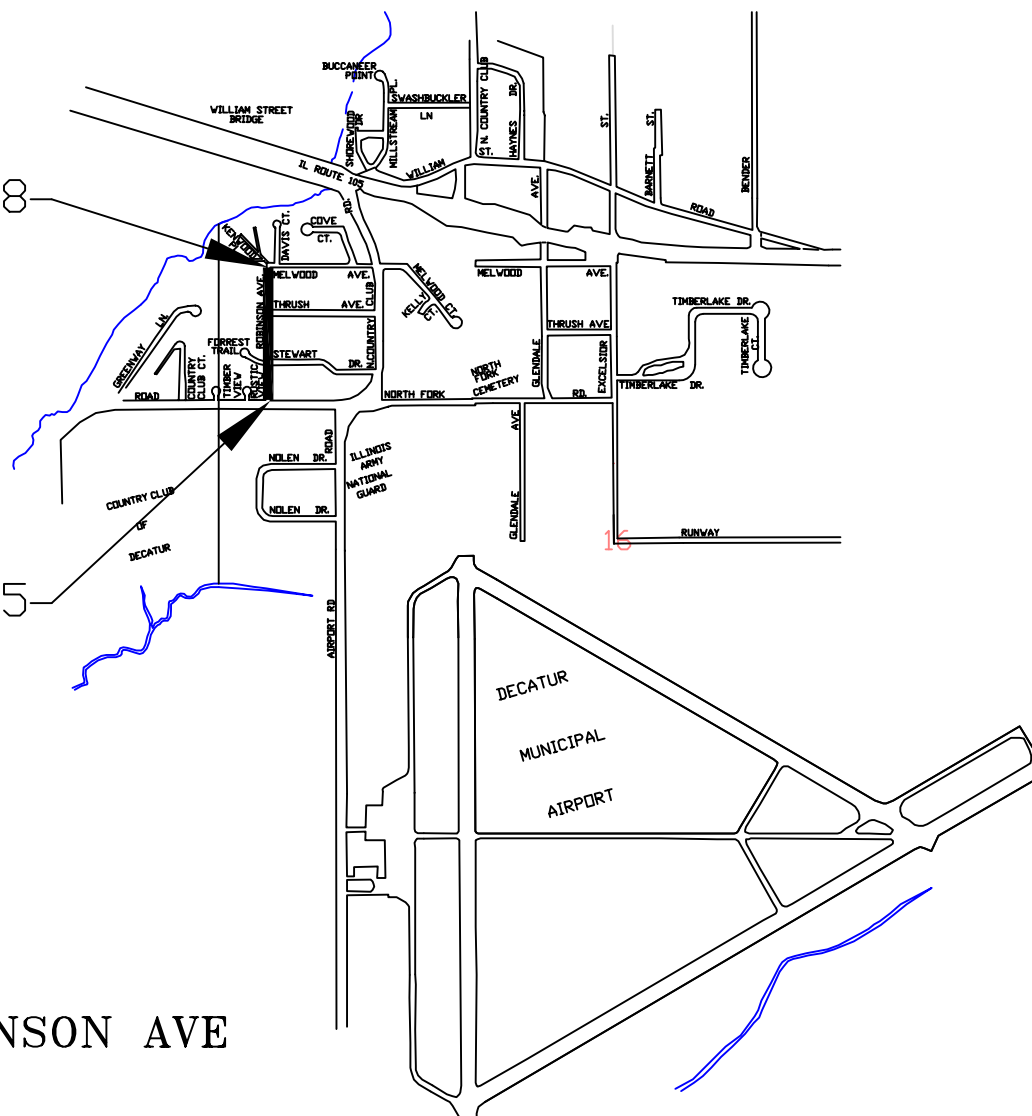
STA. 83+08

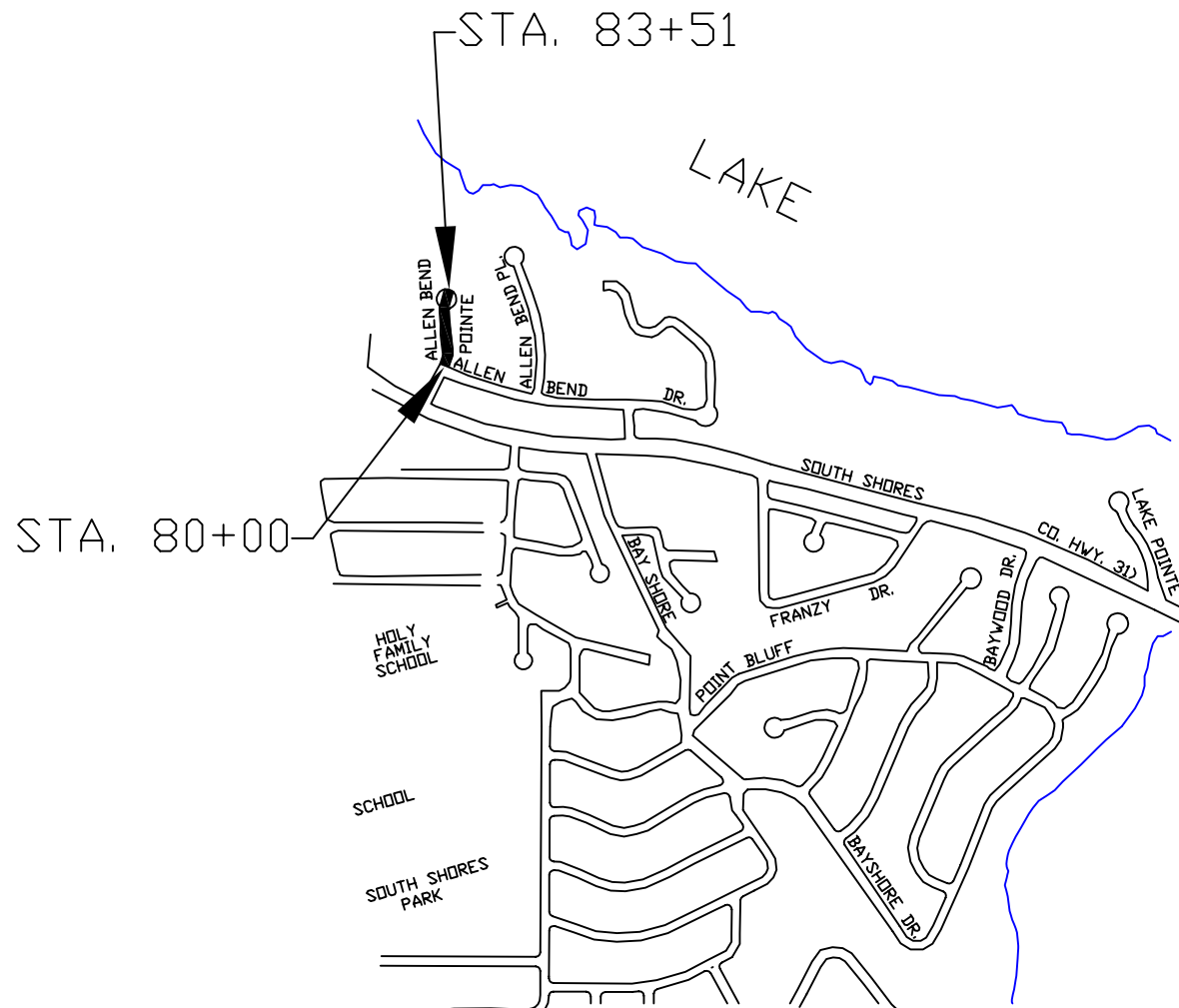
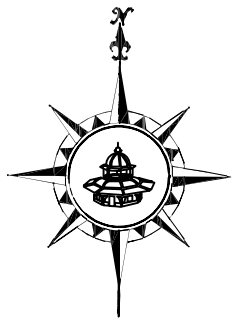
STA. 70+15

ROBINSON AVE

CP 2016-26
LEGEND

— NEW CURB





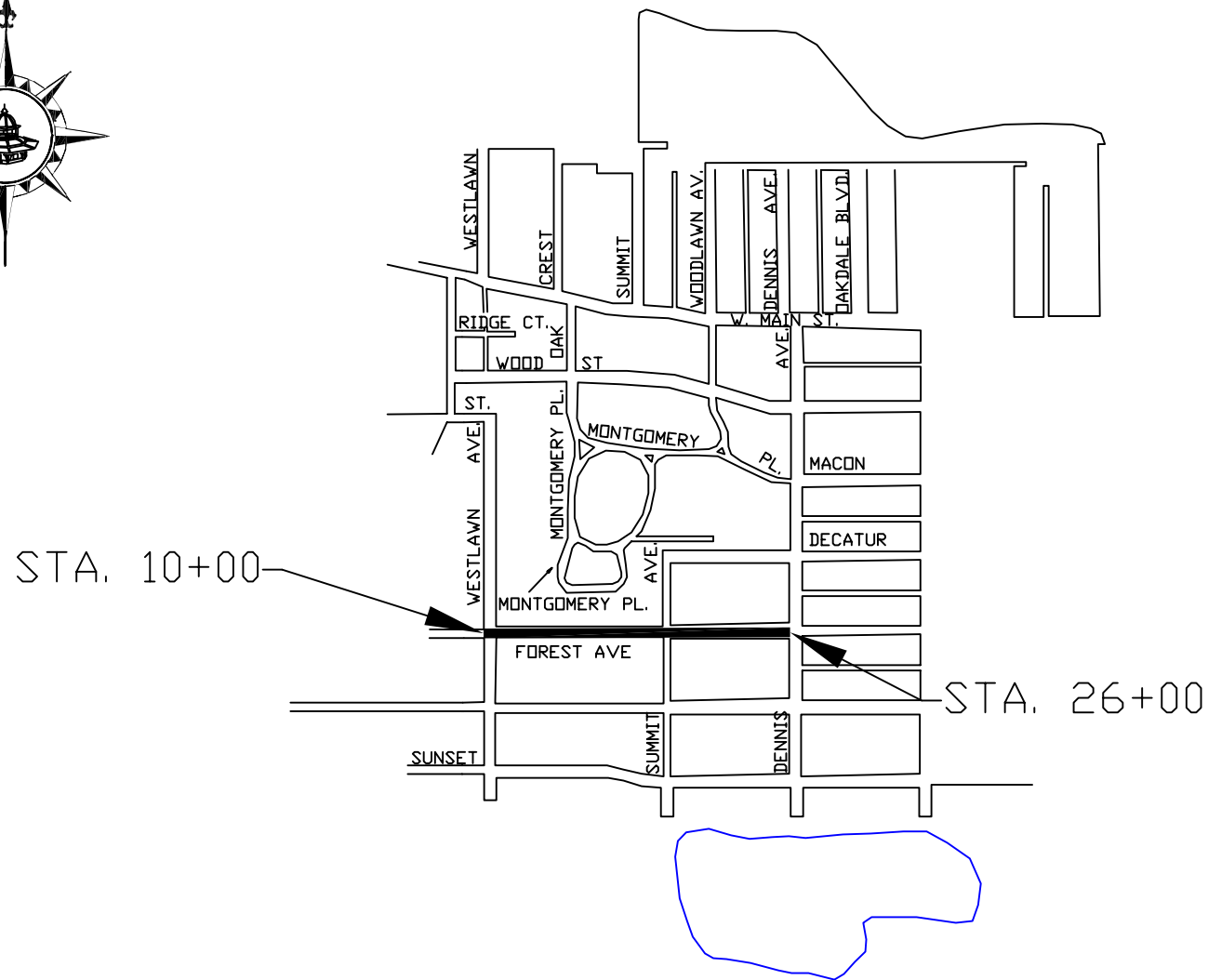
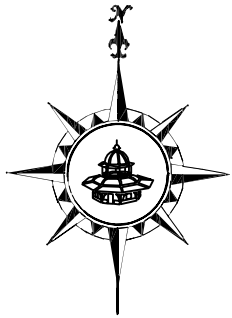
ALLEN BEND POINT

CP 2016-25

LEGEND

— 7" JOINTED PORTLAND CEMENT CONCRETE

Page 107 of 126



ALTERNATE: FOREST AVENUE

CP 2016-26

LEGEND

— CURB RAMPS AND CATCH BASINS

Page 108 of 126

Public Works

DATE: 7/19/2016

MEMO: 2016-52

TO: Honorable Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc. for Concrete Street Improvements, MacArthur Road, City Project 2016-11

SUMMARY RECOMMENDATION: For further information, please refer to attached Council Memorandum No. 2016-52 and related attachments.

COPY:

Otto Baum Company, Inc.
Kinney Contractors, Inc.
Entler Excavating Co., Inc.
Sangamo Construction Co.

ATTACHMENTS:

Description	Type
Council Memo 2016-52 CP 2016-11	Cover Memo
Resolution CP2016-11 Otto Baum	Resolution Letter
Council Bid Tab 2016-11	Backup Material
Contract Pages CP 2016-11 Otto Baum Co	Backup Material
Location Map MacArthur Rd CP2016-11	Backup Material

Public Works Memorandum
NO. 2016-52

DATE: July 19, 2016

TO: Honorable Mayor Moore Wolfe and City Council

FROM: Tim Gleason, City Manager
Richard G. Marley, P.E., Public Works Director

SUBJECT: Resolution Accepting the Bid and Authorizing the Execution of a Contract with Otto Baum Company, Inc. for Concrete Street Improvements Project, MacArthur Road, City Project 2016-11, Section No. 16-00611-00-RP

SUMMARY RECOMMENDATION:

It is recommended that the City Council approve the resolution awarding the contract for the Concrete Street Improvements Project, MacArthur Road, City Project 2016-11, to Otto Baum Company, Inc., as the lowest, responsible bidder in the amount of \$300,000 and that the Mayor be authorized to execute the contract and the City Clerk to attest. The resolution represents an expenditure of \$264,949.89 as the low bid plus \$35,050.11 for project contingencies.

PRIOR COUNCIL ACTION:

April 18, 2016 – Council approved Resolution R2016-46 appropriating \$300,000 of Motor Fuel Tax funds for the purpose of resurfacing streets and highways under the applicable provisions of the Illinois Highway Code.

BACKGROUND:

Streets Inspected Annually

The Engineering Division inspects and rates approximately 1/2 of the City's streets on a yearly basis. The results of these inspections are input into a computer database which is used to project the future condition of the streets based on their current and historical condition, and surface type (i.e. brick, concrete, asphalt, etc.). This data is then paired with available funding and is used as a basis to aid City Engineering in the preparation of the City's yearly street improvement program. Staff then determines what type of improvement would be appropriate for each street.

Project Description

This project will reconstruct a portion of MacArthur Road between a point north of Dancey Court and a point south of the MacArthur Bridge over Stevens Creek. The pavement has developed very large potholes over the course of the last several years that require frequent attention particularly in the winter months. This section of pavement is also showing signs of fatigue due to water infiltration and the age of the pavement. This fatigue results in more potholes. The pavement is over 40 years old. With the amount of pavement failure along with significant amounts of pothole

patching indicates that the pavement should be replaced. Other sections of MacArthur Road also show signs of fatigue but not at the same density.

The reconstruction will consist of removing all of the existing pavement and curbs, stabilizing the soil underneath by mixing in lime, then pouring new reinforced concrete pavement and curbs. One lane of traffic will be maintained throughout the project with traffic only allowed to flow north. Detours will be set up to direct traffic. The total project is expected to take up to 5 weeks.

Letting Results

The project scope and specifications were prepared by the Engineering Division and approved by the Illinois Department of Transportation (IDOT) for the use of Motor Fuel Tax funds. The project was advertised on July 6 and 13, 2016, and bids were opened on July 20, 2016. The results of the letting are as follows (bid tabulation attached):

<u>Bidder</u>	<u>Bid Price</u>	<u>Compared to Engineer's Est. Over (Under)</u>
Otto Baum Company, Inc.	\$264,949.89	(4.52%)
Kinney Contractors, Inc.	\$287,500.71	3.60%
Entler Excavating Company, Inc.	\$373,801.92	34.70%
Sangamo Construction Co.	\$384,379.78	38.52%
Engineer's Estimate	\$277,499.48	-----

Seven contractors took out bid packages for the Concrete Street Improvement Project, MacArthur Road and four contractors turned in a bid proposal. Otto Baum Company, Inc. provided the lowest responsible bid at 4.52% below the engineer's estimate. A major reason the bid came in low was that asphalt and concrete related items came in at a lower price compared to last year, and the City relies on previous year prices and market trends to estimate costs. Otto Baum Company, Inc. has successfully completed many jobs of this type for the City. Following approval of the Mayor and City Council, the bid tabulation will be forwarded to the Illinois Department of Transportation for final approval in accordance with the rules governing the disbursement of Motor Fuel Tax funds.

SCHEDULE:

Following approval of the contract by the City Council the contracts will be forwarded to the Illinois Department of Transportation (IDOT) in Effingham for approval. Work on this project shall begin after a "Notice to Proceed" has been issued from the City. This project is scheduled to be complete by the end of September or possibly into October depending on when the contractor starts.

BUDGET/TIME IMPLICATIONS:

Budget Impact: Funding for this project is allocated in the State Motor Fuel Tax Fund. State Motor Fuel Tax funds were appropriated on April 18, 2016. The appropriation provides \$264,949.89 for construction plus \$35,050.11 for project contingencies.

Staff Impact: Staff time has been allocated for this project in the Capital Improvement Plan.

MINORITY PARTICIPATION GOALS ON STATE MOTOR FUEL TAX FUNDED PROJECTS:

The City receives State Motor Fuel Tax funds which are used to perform contract maintenance on streets and bridges on a regular basis. The expenditure of State MFT funds is highly regulated by the Illinois Department of Transportation. The City's minority participation goals may not be applied to State MFT projects. To verify this information, City staff contacted the Director of IDOT's Office of Business & Workforce Diversity and was advised:

"IDOT's construction contractor's workforce goals are set by the Office of Federal Contract Compliance. Per the OFCCP Macon County's goal are 7.2% minority and 6.9% female. (per project)"

POTENTIAL OBJECTION: There are no known objections to this resolution and bid award.

INPUT FROM OTHER SOURCES: Illinois Department of Transportation

STAFF REFERENCE: Richard Marley, Public Works Director and Matt Newell, City Engineer. Richard Marley will be in attendance at the City Council meeting to answer any questions of the Council on this item.

This memorandum was prepared by Griffin Enyart, Civil Engineer II.

Attach: 3

cc: Otto Baum Company, Inc.
Kinney Contractors, Inc.
Entler Excavating Co., Inc.
Sangamo Construction Co.

RESOLUTION NO. _____

**RESOLUTION ACCEPTING THE BID AND AUTHORIZING
THE EXECUTION OF A CONTRACT WITH OTTO BAUM COMPANY, INC.
FOR CONCRETE STREET IMPROVEMENTS, MACARTHUR ROAD
CITY PROJECT 2016-11**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF DECATUR, ILLINOIS:**

Section 1. That the tabulation of bids received for City Project 2016-11, Concrete Street Improvements, MacArthur Road project be, and they are hereby, received and placed on file.

Section 2. That the bid of Otto Baum Company, Inc. be accepted and a contract awarded accordingly and that said contract between Otto Baum Company, Inc. and the City of Decatur is for a total amount not to exceed \$300,000.00 in State Motor Fuel Tax funds and is known as Section No. 16-00611-00-RP.

Section 3. That the Mayor and City Clerk be, and they are hereby authorized and directed to execute a contract between the City of Decatur, Illinois, and Otto Baum Company, Inc., for said plan, in the amount not to exceed \$300,000.00 in State Motor Fuel Tax funds.

PRESENTED and ADOPTED this 1st day of August, 2016.

Julie Moore Wolfe, Mayor

ATTEST:

Debra G. Bright, City Clerk

Project Name: Concrete Street Improvement, MacArthur Road Project Number: 2016-11, Section No. 16-00611-00-RP Bid Date: Wednesday, 07/20/2016 Time: 10:00 A.M. Fund: Motor Fuel Tax Organization Code: 46484606 Object Code: 489070				Engineer's Estimate City Engineering Division		Otto Baum Company, Inc. 1788 Hubbard Ave Decatur, IL 62526 Ph. 217-876-1000 Fax 217-876-1014 Terry L. Baum, Pres. Matthew D. Allen, Sec. mattallen@ottobaum.com		Kinney Contractors, Inc. 19342 E. Frontage Rd Raymond, IL 62560 Ph. 217-229-3322 Fax 217-229-3609 William L. Kinney, Pres. Robert J. Kinney, Sec. kinney@roadbuilder.net		Entler Excavating Co., Inc. 819 N. Sunnyside Rd. Decatur, IL 62522 Ph. 217-428-1865 Fax 217-428-1895 Stuart Entler, Pres., Sec. karenentlerex@gmail.com		Sangamo Construction Co. 2100 East Moffat Ave Springfield, IL 62702 Ph. 217-544-9871 Fax 217-544-9873 Allen Reyhan, Jr., Pres. Matthew Reyhan, Sec. office@sangamo.net	
Item Number	Pay Item	QTY	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
20200100	EARTH EXCAVATION	91.73	CU YD	\$40.00	\$3,669.20	\$28.70	\$2,632.65	\$40.00	\$3,669.20	\$25.00	\$2,293.25	\$105.45	\$9,672.93
30201500	LIME	29.01	TON	\$100.00	\$2,901.00	\$131.23	\$3,806.98	\$121.00	\$3,510.21	\$112.00	\$3,249.12	\$150.42	\$4,363.68
30200350	PROCESSING MODIFIED SOIL, 8 INCH	2,078.67	SQ YD	\$10.00	\$20,786.70	\$13.40	\$27,854.18	\$10.50	\$21,826.04	\$5.49	\$11,411.90	\$19.27	\$40,055.97
40201000	AGGREGATE - TEMPORARY ACCESS	44.29	TON	\$30.00	\$1,328.70	\$44.49	\$1,970.46	\$36.00	\$1,594.44	\$25.00	\$1,107.25	\$60.39	\$2,674.67
42000060	WELDED WIRE REINFORCEMENT	2,078.67	SQ YD	\$10.00	\$20,786.70	\$8.41	\$17,481.61	\$10.00	\$20,786.70	\$10.00	\$20,786.70	\$11.92	\$24,777.75
42000300	PORTLAND CEMENT CONCRETE PAVEMENT, 8 INCH	2,078.67	SQ YD	\$60.00	\$124,720.20	\$45.57	\$94,724.99	\$57.00	\$118,484.19	\$70.00	\$145,506.90	\$70.08	\$145,673.19
42300200	PORTLAND CEMENT CONCRETE PAVEMENT, 6 INCH	23.00	SQ YD	\$70.00	\$1,610.00	\$69.11	\$1,589.53	\$64.00	\$1,472.00	\$120.00	\$2,760.00	\$96.00	\$2,208.00
42400200	PORTLAND CEMENT CONCRETE SIDEWALK, 5 INCH	405.30	SQ FT	\$12.00	\$4,863.60	\$7.60	\$3,080.28	\$9.50	\$3,850.35	\$14.00	\$5,674.20	\$17.48	\$7,084.64
42400800	DETECTABLE WARNINGS	20.00	SQ FT	\$50.00	\$1,000.00	\$30.38	\$607.60	\$30.00	\$600.00	\$40.00	\$800.00	\$21.07	\$421.40
44000100	PAVEMENT REMOVAL	2,078.67	SQ YD	\$12.00	\$24,944.04	\$9.49	\$19,726.58	\$19.00	\$39,494.73	\$15.00	\$31,180.05	\$18.44	\$38,330.67
44000200	DRIVEWAY PAVEMENT REMOVAL	87.00	SQ YD	\$10.00	\$870.00	\$15.90	\$1,383.30	\$13.00	\$1,131.00	\$12.00	\$1,044.00	\$20.54	\$1,786.98
44000600	SIDEWALK REMOVAL	270.20	SQ FT	\$4.20	\$1,134.84	\$10.25	\$2,769.55	\$3.00	\$810.60	\$3.00	\$810.60	\$1.94	\$524.19
44000500	COMBINATION CONCRETE CURB & GUTTER REMOVAL	1,022.00	FOOT	\$10.00	\$10,220.00	\$7.60	\$7,767.20	\$10.00	\$10,220.00	\$75.00	\$76,650.00	\$9.51	\$9,719.22
60250600	CATCH BASINS TO BE ADJUSTED, TYPE 3 FRAME & GRATE	6.00	EACH	\$400.00	\$2,400.00	\$1,898.75	\$11,392.50	\$1,000.00	\$6,000.00	\$7.75	\$46.50	\$854.98	\$5,129.88
60255800	MANHOLES TO BE ADJUSTED WITH NEW TYPE 1 FRAME, CLOSED LID	4.00	EACH	\$1,650.00	\$6,600.00	\$1,790.25	\$7,161.00	\$1,100.00	\$4,400.00	\$6.00	\$24.00	\$854.98	\$3,419.92
60300410	VALVE BOX FRAMES TO BE ADJUSTED WITH NEW FRAMES	2.00	EACH	\$1,730.00	\$3,460.00	\$1,410.50	\$2,821.00	\$250.00	\$500.00	\$1,000.00	\$2,000.00	\$972.62	\$1,945.24
60605200	COMBINATION CONCRETE CURB & GUTTER, TYPE B-6.24 (DOWELLED)	1,022.00	FOOT	\$20.00	\$20,440.00	\$32.55	\$33,266.10	\$30.00	\$30,660.00	\$48.00	\$49,056.00	\$53.86	\$55,044.92
78001130	PAINT PAVEMENT MARKING, 6 INCH	130.00	FOOT	\$2.00	\$260.00	\$3.26	\$423.80	\$3.40	\$442.00	\$3.00	\$390.00	\$3.18	\$413.40
78001180	PAINT PAVEMENT MARKING, 24 INCH	41.00	FOOT	\$7.00	\$287.00	\$5.43	\$222.63	\$7.50	\$307.50	\$6.00	\$246.00	\$3.18	\$130.38
X3510140	AGGREGATE BASE COURSE, SPECIAL	67.25	TON	\$30.00	\$2,017.50	\$27.94	\$1,878.97	\$43.00	\$2,891.75	\$32.20	\$2,165.45	\$48.62	\$3,269.70
X4200001	HIGH-EARLY-STRENGTH PCC DRIVEWAY PAVEMENT, 6 INCH	40.00	SQ YD	\$80.00	\$3,200.00	\$58.59	\$2,343.60	\$70.00	\$2,800.00	\$110.00	\$4,400.00	\$102.00	\$4,080.00
X7010100	TRAFFIC CONTROL AND PROTECTION (SPECIAL)	1.00	L SUM	\$10,000.00	\$10,000.00	\$15,949.50	\$15,949.50	\$8,000.00	\$8,000.00	\$5,000.00	\$5,000.00	\$19,647.27	\$19,647.27
Z0000124	MODIFIED SOIL MIX DESIGN AND FIELD TESTING	1.00	L SUM	\$7,500.00	\$7,500.00	\$3,282.13	\$3,282.13	\$3,200.00	\$3,200.00	\$4,700.00	\$4,700.00	\$3,209.93	\$3,209.93
Z0000125	FINAL PROJECT REPORT	1.00	LSUM	\$2,500.00	\$2,500.00	\$813.75	\$813.75	\$850.00	\$850.00	\$2,500.00	\$2,500.00	\$795.85	\$795.85
	TOTAL BIDS (AS CORRECTED)				\$277,499.48		\$264,949.89		\$287,500.71		\$373,801.92		\$384,379.78
	Percent Over Under ENGINEER'S ESTIMATE						-4.52%		3.60%		34.70%		38.52%


Matthew C. Newell, P.E., City Engineer

7-20-16
Date

PROPOSAL SUBMITTED BY		
Otto Baum Company, Inc.		
Contractor's Name		
1788 Hubbard Ave		
Street	P.O. Box	
Decatur,	IL	62526
City	State	Zip Code

STATE OF ILLINOIS

COUNTY Macon
City of Decatur
 (Name of City, Village, Town or Road District)

FOR THE IMPROVEMENT OF
 STREET NAME OR ROUTE MacArthur Road
 SECTION NO. 16-00611-00-RP
 TYPES OF FUNDS Motor Fuel Tax Funds

☒ SPECIFICATIONS (required)

☒ PLANS (required)

☒ CONTRACT BOND (when required)

For Municipal Projects
 Submitted/Approved/Passed

☐ Mayor ☐ President of Board of Trustees ☐ Municipal Official

08/01/2016
 Date

Department of Transportation

☐ Concurrence in approval of award

 Regional Engineer

 Date

For County and Road District Projects
 Submitted/Approved

 Highway Commissioner

 Date

Submitted/Approved

 County Engineer/Superintendent of Highways

 Date

County Macon
Local Public Agency City of Decatur
Section Number 16-00611-00-RP
Route MacArthur Road

1. THIS AGREEMENT, made and concluded the 1st day of August, 2016,
Month and Year
between the City of Decatur
acting by and through its City Council known as the party of the first part, and
Otto Baum Company, Inc. his/their executors, administrators, successors or assigns,
known as the party of the second part.
2. Witnesseth: That for and in consideration of the payments and agreements mentioned in the Proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Bond referring to these presents, the party of the second part agrees with said party of the first part at his/their own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the plans and specifications hereinafter described, and in full compliance with all of the terms of this agreement and the requirements of the Engineer under it.
3. And it is also understood and agreed that the LPA Formal Contract Proposal, Special Provisions, Affidavit of Illinois Business Office, Apprenticeship or Training Program Certification, and Contract Bond hereto attached, and the Plans for Section 16-00611-00-RP, in Decatur, Illinois, approved by the Illinois Department of Transportation on June 27, 2016, are essential documents of this
Date
contract and are a part hereof.

4. IN WITNESS WHEREOF, The said parties have executed these presents on the date above mentioned.

Attest: The City of Decatur
Clerk By Julie Moore Wolfe, Mayor Party of the First Part
Debra G. Bright, City Clerk
(Seal)

(If a Corporation)

Corporate Name _____

By _____
President Party of the Second Part

(If a Co-Partnership)

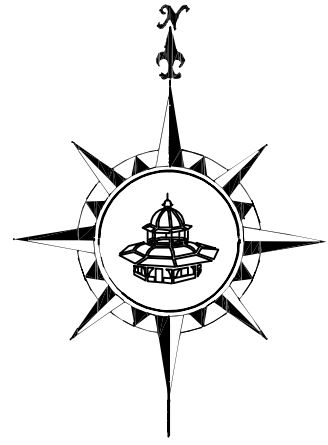
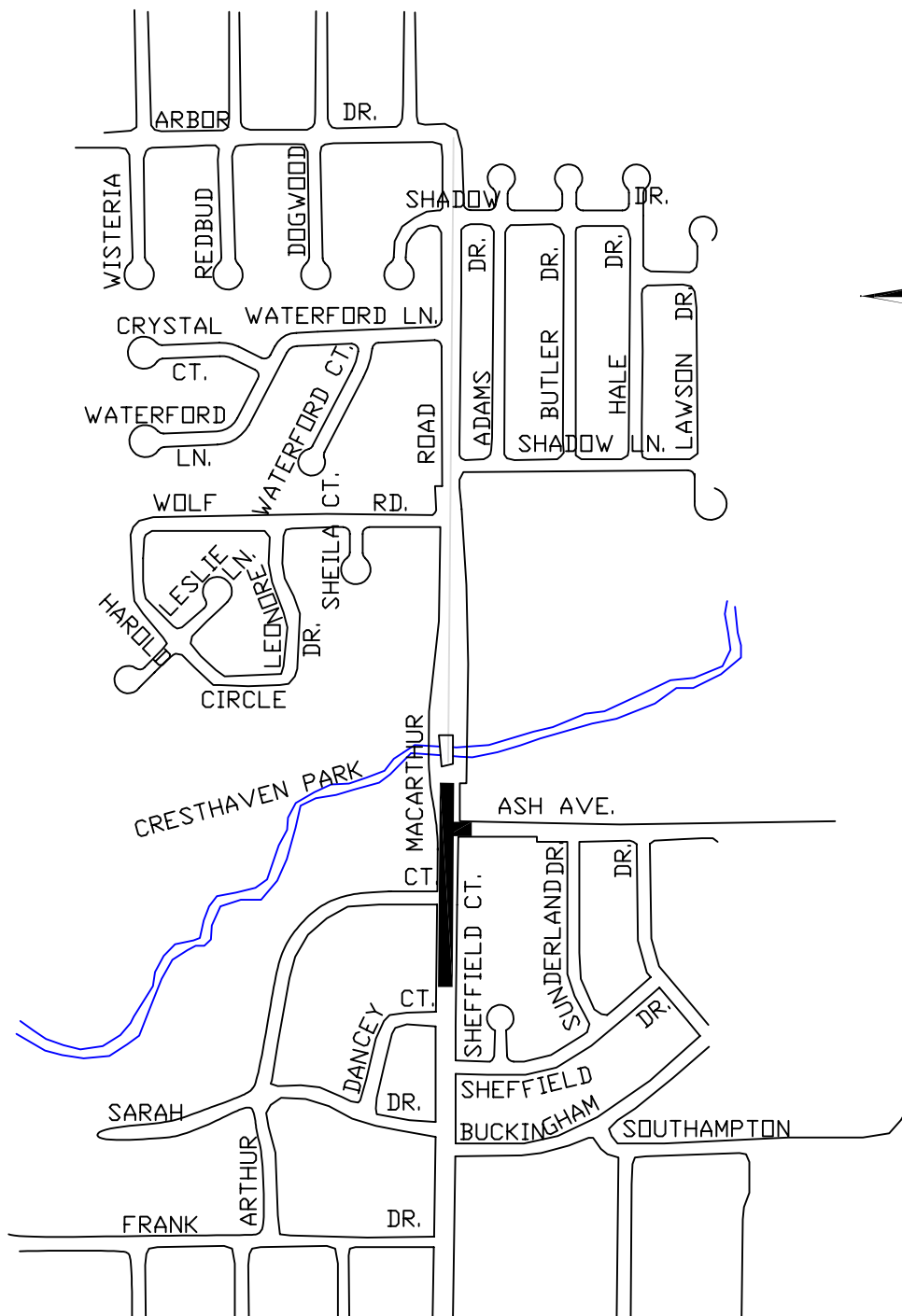
Attest: _____
Secretary

Partners doing Business under the firm name of

Party of the Second Part

(If an individual)

Party of the Second Part



2016-11 PROJECT LOCATION MAP

MACARTHUR RD

CONCRETE RECONSTRUCTION

Management Services

DATE: 8/1/2016

MEMO: MIS MEMORANDUM 2016-06

TO: Honorable Mayor and City Council Members

FROM: Tim Gleason, City Manager
Gerard J. Bauer, Assistant City Manager for Administration
James Edwards, Manager, MIS Division

SUBJECT: Annual Maintenance Agreement for Incode Software

SUMMARY RECOMMENDATION:

Staff recommends that City Council approve the attached resolution, authorizing the City Manager to renew the annual software maintenance agreement for the Incode Court Case Management Suite with Tyler Technologies, Inc.

BACKGROUND: Council previously approved an agreement with Tyler Technologies, Inc. for the City to use their Incode Court Case Management Suite software for the Administrative Code Enforcement System (“ACES”). The annual software maintenance fee is based upon the initial contract cost, and it covers both support for the software and licensing updates. The period covered is September 1, 2016 to August 31, 2017. The Incode Court Case Management Suite is used by City Legal, Neighborhood Services, and Finance Departments for municipal court administration. The current invoice includes a 5% increase over the support cost for the current maintenance period.

POTENTIAL OBJECTIONS: None anticipated.

INPUT FROM OTHER SOURCES:

None.

STAFF REFERENCE: James Edwards, MIS Manager (450-2236)

BUDGET/TIME IMPLICATIONS: The \$30,045 will be paid from the MIS Operating funds and is provided for in the FY 2016 budget.

ATTACHMENTS:

Description	Type
Incode Resolution	Resolution Letter

RESOLUTION NO. R_____

**RESOLUTION AUTHORIZING RENEWAL
TYLER TECHNOLOGIES, INC. MAINTENANCE SUPPORT
- INCODE COURT CASE MANAGEMENT SUITE -**

BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF DECATUR, ILLINOIS:

Section 1. That the invoice presented to the Council herewith from Tyler Technologies, Inc. for maintenance support for the Incode Court Case Management Suite, be, and the same is hereby, received, placed on file and approved.

Section 2. That the City Manager or his designee be, and he is hereby, authorized and directed to make payment to Tyler Technologies in an amount not to exceed \$30,045.00 on behalf of the City of Decatur for maintenance support for the Incode Court Case Management Suite.

PRESENTED AND ADOPTED this 1st day of August, 2016.

JULIE MOORE WOLFE, MAYOR

ATTEST:

DEBRA G. BRIGHT, CITY CLERK



Remittance:
Tyler Technologies, Inc.
(FEIN 75-2303920)
P.O. Box 203556
Dallas, TX 75320-3556

Invoice

Invoice No	Date	Page
025-162293	08/01/2016	1 of 1

Empowering people who serve the public®

Questions:

Tyler Technologies - Local Government
Phone: 1-800-772-2260 Press 2, then 2
Fax: 1-866-673-3274
Email: ar@tylertech.com



Bill To: City of Decatur
#1 Gary K. Anderson Plaza
Decatur, IL 62523

Ship To: City of Decatur
#1 Gary K. Anderson Plaza
Decatur, IL 62523

Customer No.	Ord No	PO Number	Currency	Terms	Due Date
41741	69303		USD	NET30	08/31/2016

Date	Description	Units	Rate	Extended Price
	Contract No.: Decatur, IL Incode Court Case Management Suite	1	30,045.00	30,045.00

Maintenance Start: 01/Sep/2016, End: 31/Aug/2017

ATTENTION

Order your checks and forms from
Tyler Business Forms at 877-749-2090 or
tylerbusinessforms.com to guarantee
100% compliance with your software.

Subtotal	30,045.00
Sales Tax	0.00
Invoice Total	30,045.00

COUNCIL MEMORANDUM

NO. 2016-32

TO: Honorable Mayor Julie Moore Wolfe and City Council
FROM: Richelle D. Irons, Director of Neighborhood Services
SUBJECT: 2016 Summer Clean-Up Summary
DATE: August 1, 2016

In early 2015, the Decatur City Council directed the Department of Neighborhood Services to utilize funding from the Neighborhood Improvements fund to organize City-wide Cleanup Initiatives.

City staff held four (4) City-wide Cleanups during 2015, a spring cleanup in April 2016 and a summer cleanup on June 22nd. Large roll-offs were set up in the Decatur Civic Center parking lot and residents were allowed to dispose of large items i.e. mattresses, furniture and tires free of charge.

According to Advanced Disposal the amount of tonnage collected during this cleanup totaled over 25.26 tons or 18 loads. R&R Services disposed of 659 tires at a discounted rate.

Our original agreement with Advanced Disposal was for 3-4 roll-offs at a time, for a total of 15 donated roll offs this year to assist with the cleanups. We exceeded our donation amount with the first cleanup. Advanced Disposal has more than accommodated our need to dispose of additional items.

The total amount spent was approximately \$5,450 for the June 22nd cleanup, which included roll offs, dumping fees, supplies, marketing and disposal of tires. A special thank you to Advanced Disposal for rendering their services, the Decatur Civic Center staff and R&R Services who disposed of tires at a discounted rate.

From the tremendous turn-out, the Neighborhood Services Department feels it is in the best interest to continue offering this service to Decatur residents. The last cleanup date for the year will be held on Saturday, September 10, 2016 from 8-12 noon in the Decatur Civic Center parking lot.

If you have any questions contact Richelle D. Irons, Neighborhood Services Director at rirons@decaturil.gov or 424-2864.



Progress Report to City of Decatur Period Covered: March – June 2016

This report summarizes activities and progress during this period under the agreement between the Agricultural Watershed Institute (AWI) and the City of Decatur for financial support of watershed research, on-farm demonstrations, and educational activities.

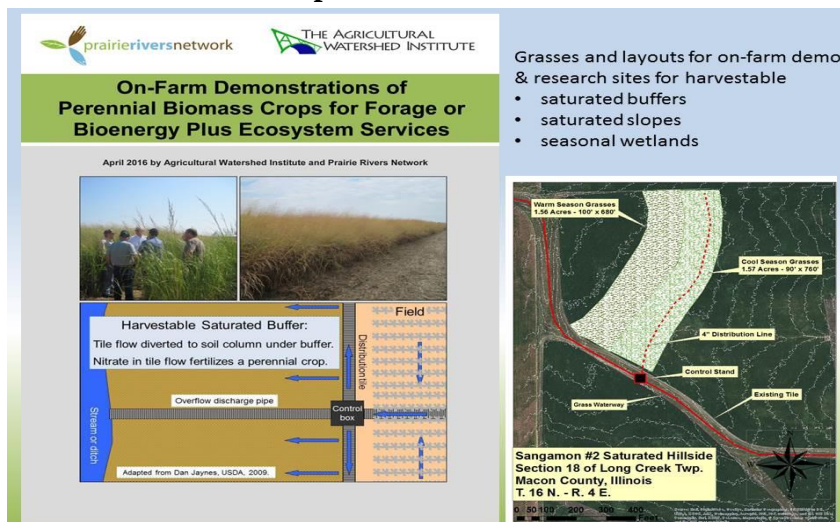
Sediment and nutrient reduction / TMDL implementation:

The **Total Maximum Daily Load (TMDL) implementation plans** completed by AWI for the Big Creek/Long Creek watershed located east of Decatur in Macon County and the Big Ditch watershed near Rantoul in Champaign County continue to guide activities by AWI and partners to reduce sediment and nutrient loads impacting Lake Decatur.

As previously reported, Macon County SWCD, AWI, and other partners submitted a successful application for a USDA **Regional Conservation Partnership Program (RCPP)** project to provide federal funding for on-farm conservation practices. AWI participates in recruiting partners and identifying sites for BMPs including **bioreactors, saturated buffers, and drainage water management systems**. During this reporting period, AWI worked with MCSWCD and NRCS to complete monitoring arrangements for a bioreactor in Friends Creek watershed. Installation was completed. Tim McMahon of AWI started collecting samples, which are being tested for nitrate by the Sanitary District and Decatur Water Department labs.

During this reporting period, AWI in collaboration with Prairie Rivers Network completed the final report for a project funded in part by the Lumpkin Family Foundation to plan on-farm demonstration of **harvestable saturated buffers or slopes and harvestable seasonal wetlands**.

Six sites in three watersheds were identified. Plans were prepared by AWI for these innovative practices. Two of the proposed saturated slopes are in the Macon County portion of the Lake Decatur watershed. This slide shows the report cover and the preliminary layout of one of the saturated slopes. We have begun working on funding options to install and monitor the systems. These practices



are included in our TMDL plans and represent innovative approaches to reduce soil and nutrient loss by converting sloping or poorly drained land to perennial crops. During this period, we met with Illinois EPA watershed staff to discuss inclusion of these innovative cropping and drainage systems in a Section 319 implementation grant application.

Water resources planning and management:

As ongoing activities during this period, AWI staff participated in meetings and activities of various watershed stakeholder groups including:

- The Heart of the Sangamon Ecosystem Partnership
- Oakley Township Sediment Basin Advisory Committee (Tim McMahon)
- Macon County Community Environmental Council (CEC) board (Steve John)
- Friends of Lincoln Trail Homestead State Park (Steve)
- Steering committee exploring creation of a statewide Environmental Utility (Steve)
- Green Lands Blue Waters steering committee and Watershed Initiative committee (Steve)

AWI continues to manage prairie establishment for the City's **Corley landfill "mud-to-parks" project**. Prairie grasses and forbs were planted in 2015 and were dormant over the winter. When spring growth began during this period, AWI provided weed control assistance for removal of teasel (an invasive weed) along the borders of the prairie planting.

Steve John continues to be an active member of the statewide steering committee exploring creation of an Illinois **Environmental Utility** (EU). This innovative concept grew out of the Mississippi River Nutrient Dialogues and is directly related to implementation of the new Illinois Nutrient Loss Reduction Strategy (NLRs). Many of the strategies recommended in the NLRs reduce soil erosion and sedimentation, as well as nutrient loss. During this period, the steering committee met both in person and by conference call and work proceeded by a consulting firm, Ross Strategic, to prepare a white paper on the EU concept. Steve helped to arrange telephone interviews by Ross Strategic with key stakeholder groups and participated in two conference calls with water quality researchers. The white paper is scheduled for completion in the next two months and is expected to guide future efforts related to the Environmental Utility concept.

During this reporting period, AWI participated in a team led by University of Illinois scientists to complete and submit a major proposal for the National Science Foundation's **"Innovations at the Nexus of Food, Energy, and Water Systems"** (INFEWS) grant program. Local and global-scale challenges and opportunities for food, energy, and water have become a major focus for NSF. The U of I proposal that includes AWI as a subgrantee is headed by Professor Ximing Cai and titled "Enhancing food-energy-water system resilience in mid-sized cities through technology innovation, institutional reform and system optimization". The proposal includes Decatur and the Upper Sangamon watershed as one of two U.S. study sites. (A city and watershed in China are also included in the proposal.) Innovative scenarios to be studied for the Decatur area are expected to include perennial grasses grown for animal feed, bioenergy, and water quality enhancement (sediment and nutrient reduction) in the Lake Decatur watershed. These scenarios closely reflect the focus of AWI's work on perennial biomass crops. Steve John and Greg McIsaac of AWI participated in meetings of the proposal team and writing/reviewing sections of the proposal. Keith Alexander provided a Letter of Collaboration for the City. The

Sanitary District and ADM also provided Letters of Collaboration. This grant program does not require matching funds. The proposal was submitted to NSF in March and is still pending.

Perennial biomass crops for renewable energy, forage, and water quality:

A major focus of AWI activity continues to be on our Local Bioenergy Initiative. City funding is applied to work in, or directly benefitting, the Lake Decatur watershed. Initiative goals are: (1) Establish the Lake Decatur watershed as a showcase for R&D perennial biomass and water quality; (2) Advance learning networks in Illinois and the Midwest on perennial biomass crops for watershed enhancement; and (3) Promote economic development related to perennial biomass supply chains, markets, and enterprises.

Activities related to perennial biomass and watershed management during this period include:

- As a member of the Green Lands Blue Waters (GLBW) steering committee and Watershed Initiative core group, Steve participated in conference calls, preparations for the annual GLBW conference to be held in November, and development of a pre-proposal to the MacArthur Foundation to support a multi-state project on perennial crops.
- Steve continues to serve on the Illinois Biomass Working Group (IBWG) and Midwest Conservation Biomass (MCBA) steering committees. During this period, he consulted with the MCBA director about plans to increase adoption of grassland polycultures. He met with IBWG members and provided input for a proposal to the USDA Agriculture and Food Research Initiative's Sustainable Bioenergy and Bioproducts grant program.
- The Lumpkin perennial grass project report completed this period (see above) is part of the Biomass Initiative.
- Tim arranged for grasses to be baled at the Caterpillar—AWI Prairie for Bioenergy demonstration plots and sold for use as warm season prairie hay.
- Participated in webinars and calls related to market development for Kernza, a perennial wheat variety developed by plant breeders at the Land Institute, a GLBW member organization. Met with principals of National Foodworks Services about marketing opportunities potentially involving NFS.

Market and enterprise development remains a critical part of the long-term strategy to establish the Lake Decatur watershed as a national showcase for perennial crops grown for renewable energy and water quality. During this period, we continued to work with GLBW and MCBA to overcome economic and technical barriers to wide adoption of perennial biomass crops for heating, power generation, and advanced biofuels. We met with Ryan McCrady and ADM scientists to discuss the potential of biomass crops to be used for animal feed, bioenergy, and bioproducts and also to reduce sediment and nutrient loads in Lake Decatur.

Our previous progress report described two draft documents written by Steve. During the current period, Steve circulated these documents were circulated to Greg McIsaac and several other scientists for review and prepared revised drafts based on their comments. These documents are:

- **Perennial Biomass Crops for Multifunctional Agriculture: A New Paradigm**

This draft paper is nearly ready to be submitted for publication in an on-line journal once final editing is completed. It describes large scale transformations of the Midwest agricultural landscape and economy that occurred during the 20th Century. Two of these transformations are closely associated with Decatur businesses: processing and promotion of soybeans by the A.E. Staley Manufacturing Company in the 1920s and '30s and the first Archer Daniels Midland corn ethanol plant in 1978. The paper describes how perennial biomass crops grown for forage and bioenergy plus environmental benefits can play a major role in making agriculture more resilient and reducing greenhouse gas emissions and the Gulf of Mexico dead zone in the 21st Century. It addresses obstacles that need to be overcome and offers ideas for significant adoption of multifunctional perennial cropping systems over the next 20 years.

- **Proposal for a GLBW Perennial Biomass Initiative**

This document is a companion to the Perennial Biomass paper. The paper is intended for publication and wide distribution. This proposal is intended mainly for the GLBW steering committee and the McKnight Foundation. In brief, the proposal summarizes the ideas in the paper and recommends that GLBW take a lead role in a multi-state Initiative to overcome obstacles and take advantage of opportunities for adoption of perennial biomass crops. A GLBW Perennial Biomass Initiative would in effect be a region-wide version of AWI's Local Bioenergy Initiative. If approved by the GLBW steering committee and funded through foundation grants or other sources, the proposed Initiative will bring additional visibility and resources to AWI's efforts in the Upper Sangamon watershed and will connect our Lake Decatur efforts more formally with universities, nonprofit organizations, and businesses throughout the Midwest.

As previously reported, AWI collaborated with Argonne National Laboratory and other partners on a grant proposal for the U.S. Department of Energy's "**Landscape Design for Sustainable Bioenergy Systems**" program. The Argonne project was not funded in full but DOE found the proposal to have merit and could be considered for a grant if funding becomes available. During this period, AWI participated in several meetings and conference calls with Argonne National Laboratory and other partners to refine our concepts for coproduction of perennial biomass crops and enhanced water quality and (as noted above) explore funding opportunities for on-farm demonstration and research. Greg McIsaac and Steve John have been invited to participate in DOE's Bioenergy Technologies Office invitation-only workshop titled **Bioenergy Solutions to Gulf Hypoxia** to be held in Washington DC on August 30-31.