



City of Pekin

**CITY COUNCIL MEETING
MONDAY, MARCH 29, 2021
5:30 PM**

Notice is hereby given that a special meeting of the City Council of the City of Pekin, Illinois will be held on Monday, March 29, 2021 at 5:30 p.m. in the City Hall Council Chambers, 111 South Capitol Street, Pekin, Illinois 61554. The public may attend with proper social distancing.

To join in the meeting follow this link: <https://zoom.us/j/6898035689>. By phone, dial in and listen to the Meeting as follows: 1-312-626-6799; then enter Meeting ID 689 803 5689. Prior to the meeting, you can also submit a public comment remotely by email, by 3 PM the day of the Meeting, by sending an email to the City Clerk at smcmillan@ci.pekin.il.us and inserting in the subject line for the email "Public Comment for Meeting on March 29, 2021".

To view meeting online go to: <http://pekinil.iqm2.com> (click banner at the top that states "View live meeting") or Channel 22

1. Pledge of Allegiance

2. Call to Order

3. Approve Agenda

4. Public Input

5. New Business

5.1. Resolution No. 239 - 20/21 to Approve Change Order to the Contract with Leander Construction for the Phase 3A CSO Project

ACTION REQUESTED: Approve and Adopt the Resolution.

6. Any Other Business To Come Before The Council

7. EXECUTIVE SESSION 5 ILCS 120/2 (c) (2.) Collective Negotiating Matters Between the Public Body and its Employees or their Representatives or Deliberations Concerning Salary Schedules for One or More Classes of Employees

8. Adjourn



REQUEST FOR COUNCIL ACTION

Agenda Date: March 29, 2021
To: Council Members
From: Josie Esker, City Engineer

AGENDA ITEM: Resolution No. 239 - 20/21 Approve Change Order for Phase 3A CSO Project

ACTION REQUESTED: Approve and Adopt the Resolution.

DESCRIPTION: This item is for a change order to the existing Combined Sewer Overflow contract with Contractor, Leander Construction. The change order for \$126,770.05 is an addition to the current contract of \$5.5 million because of unpredictable developments in the work. Site specific materials are being required by the Railroad above and beyond what the Railroad required when they reviewed the project plans and specifications. Both staff and consultant Engineer, Hanson Professional Services, feel that the unit prices in the change order are reasonable and should be accepted, as not to delay the project.

FINANCIAL IMPACT:

Requested Amount: \$126,770.05
 Line Item: 231-000-150700
 Budgeted Amount: \$6,700,000.00
 Remaining Funds: \$5,186,409.21

IMPACT IF APPROVED: The change order will be approved.

IMPACT IF DENIED: The change order will not be approved and the project will not be completed

ALTERNATIVES: None

RELATED TO THE 2019-2021 CITY COUNCIL GOALS:

X	5 Year CIP. The Five-Year Capital Improvement Plan reflects all current and future capital improvement needs of the City of Pekin. The Plan is designed to be updated annually by staff and submitted to the Council for review and approval prior to the annual budget process.
	Enhance Code Enforcement Services. The Council understands the importance of a strong Code Enforcement Program in that it has an impact on many facets of living and doing business inside the City of Pekin.
	Business Friendly Community. The Council strives to bring new businesses to Pekin while helping to maintain and expand all existing businesses. It is therefore essential to work cooperatively to make Pekin a "Business-Friendly" Community.
	Efficient and Effective Municipal Operations. A fundamental responsibility of elected officials, City Staff and Employees is the exercise of good stewardship over public funds. Therefore, it is important that municipal services be delivered with maximum efficiency and effectiveness.
	Employee Residency. It is the goal of the Council to develop a policy that encourages more full-time non-union employees who participate in a City funded pension program to reside within the city limits of Pekin.

REQUIRED SIGNATURES

Finance Department (Certification of Availability of Funds):

Date:

City Manager:

Mark A. Rothert

Mark A. Rothert, City Manager

3/26/2021

Date:

Resolution No. 239 - 20/21 to Approve Change Order to the Contract with Leander Construction for the Phase 3A CSO Project

5.1

WHEREAS, On August 10th, 2020, resolution 152-20/21 awarded the Phase 3A CSO Project to Leander Construction; and

WHEREAS, unpredictable developments in the work warrant a change order in the amount of \$126,770.05; and

WHEREAS, the City Council of the City of Pekin finds that the unit prices in the change order from Leander Construction attached hereto as Exhibit A, to be reasonable and responsible;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. The City Engineer is authorized to accept the change order in Exhibit A and direct Leander Construction to proceed with the work.

ADOPTED AND APPROVED at a regular meeting of the City Council of the City of Pekin this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK

Change Order No. 1

Date: 3/30/2021

Owner: City of Pekin, IL
Contractor: Leander Construction, Inc.
Engineer: Farnsworth Group, Inc.
Project: City of Pekin, Combined Sewer Overflow (CSO) Long Term Control Plan
Improvements Phase 3A

The Contract is modified as follows upon execution of this Change Order:

Description: See Attachment #1 – List of Change Order Items and Justifications

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>5,532,707.02</u>	Original Contract Times: Calendar Days Substantial Completion: <u>272</u> Ready for Final Payment: <u>293</u> days
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ <u>N/A</u>	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>5,532,707.02</u>	Contract Times prior to this Change Order: Substantial Completion: <u>272</u> Ready for Final Payment: <u>293</u> days
[Increase] of this Change Order: \$ <u>126,770.05</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ <u>5,659,477.07</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>272 5-30-2021</u> Ready for Final Payment: <u>293 6-20-2021</u> days dates

RECOMMENDED:
By: Patrik Sheridan, FGI, Inc.
Title: Engineer
Date: 3-22-2021
Sen. Project Mgr.

ACCEPTED:
By: _____
Title: Owner
Date: _____

ACCEPTED:
By: 
Title: Project Manager
Date: 03.22.2021
Digitally signed by Bobby Asbury
DN: C=US,
E=bobby@leanderconstructioninc.com,
O=Leander Construction, OU=CSO Project
Manager, CN=Bobby Asbury
Date: 2021.03.22 06:29:18 -05'00'

Attachment: Exhibit A - Change Order No. 1 Pekin LTCP 3A (2553 : Resolution No. 239 - 20/21 Approve Change Order for Phase 3A CSO

ATTACHMENT #1**Change Order Items and Justification**

1. Revision and increases to select unit price items of the Railroad service spur and mainline track improvements. These site specific materials are being required by the Railroad entity identified by the Railroad as the work progresses and are over and above unit price items identified in the base bid contract. The design and bid contract documents and plans were reviewed and approved by the Railroad agency prior to construction permit. The items of this change order are current site work specific revisions or additions to the bid document items and quantities



Leander Construction Inc
24472 N. County Highway 6
Canton, IL 61520
Phone: 309-647-7400

A/E : Farnsworth Group - Bloomington
2709 McGraw Drive
Bloomington, IL 61704
Phone: 309-663-8435
Project #N/A

Date: Friday, March 19, 2021

Owner : City of Pekin
 111 South Capitol Street
 Pekin, IL 61544

Project: Pekin CSO Phase 3A
 Intersection of Fayette & Front Street
 Pekin, IL 61544

Change Order Request #: 1 -Additional RR Unit Pricing

Reference: New Unit Prices

Details:

Switch-Tie Unit Price
New Rail @ Crossing Unit Price
Wood Timber Crossing Unit Price

Item : 1 Additional RR Unit Pricing

Phase	Description	U.O.M.	Cost Type	Unit Cost	Estimated Cost
<u>Subs</u>					
130000-000-00-01	SW Ties 9'	25.00 EA	Subs	357.79	8,944.75
130000-000-00-02	SW Ties 10'	18.00 EA	Subs	369.17	6,645.06
130000-000-00-03	SW Ties 11'	17.00 EA	Subs	379.80	6,456.60
130000-000-00-04	SW Ties 12'	13.00 EA	Subs	390.79	5,080.27
130000-000-00-05	SW Ties 13'	15.00 EA	Subs	401.79	6,026.85
130000-000-00-06	SW Ties 14'	6.00 EA	Subs	412.78	2,476.68
130000-000-00-07	SW Ties 15'	10.00 EA	Subs	423.78	4,237.80
130000-000-00-08	SW Ties 16'	12.00 EA	Subs	434.77	5,217.24
130000-000-00-09	New Rails @ Crossings	640.00 LF	Subs	52.52	33,612.80
130000-000-00-10	Timber Crossings	32.00 TF	Subs	1,502.25	48,072.00
Subtotal Item 1					126,770.05

Cost Type Recap:

4 Subcontracts

% Mark up

0.00%

Mark up Amt

0.00

Cost Types w/mrkup

126,770.05

Subtotal Item 1 w/mrkup

126,770.05

Bonds & Insurance

0.00%

0.00

Small Tool - % Labor

0.00%

0.00

Safety - % Labor

0.00%

0.00

Requested Total For Item 1 - Additional RR Unit Pricing

\$126,770.05

Leander reserves the right to modify or cancel proposal if not Accepted within 30 days

Total For Change Order Request

1

\$126,770.05

Total Additional Contract Work Days Required

0

Approved By: City of Pekin

Signed: _____

Date: _____

Submitted By: Leander Construction Inc

Signed: _____

Date: _____

Digitally signed by Bobby Asbury
 DN: C=US,
 E=bobby@leanderconstructioninc.com,
 O=Leander Construction, OU=Sr
 Project Manager, CN=Bobby Asbury
 Date: 2021.03.19 08:39:04-05'00'

Description	Qty	UOM	TN Track Unit Price	LCI 5% Subcontract or Mrkup	Mrkup Unit Price	LCI 2% Bonds & Ins Mrkup	Agreed to Contract Unit Price	Estimated Total
SW Tie 9'	25	EA	\$ 334.07	\$ 16.70	\$ 350.77	\$ 7.02	\$ 357.79	\$ 8,944.72
SW Tie 10'	18	EA	\$ 344.70	\$ 17.24	\$ 361.94	\$ 7.24	\$ 369.17	\$ 6,645.13
SW Tie 11'	17	EA	\$ 354.62	\$ 17.73	\$ 372.35	\$ 7.45	\$ 379.80	\$ 6,456.57
SW Tie 12'	13	EA	\$ 364.88	\$ 18.24	\$ 383.12	\$ 7.66	\$ 390.79	\$ 5,080.22
SW Tie 13'	15	EA	\$ 375.15	\$ 18.76	\$ 393.91	\$ 7.88	\$ 401.79	\$ 6,026.78
SW Tie 14'	6	EA	\$ 385.42	\$ 19.27	\$ 404.69	\$ 8.09	\$ 412.78	\$ 2,476.71
SW Tie 15'	10	EA	\$ 395.69	\$ 19.78	\$ 415.47	\$ 8.31	\$ 423.78	\$ 4,237.84
SW Tie 16'	12	EA	\$ 405.95	\$ 20.30	\$ 426.25	\$ 8.52	\$ 434.77	\$ 5,217.27
New Rails in Crossing	640	LF	\$ 49.04	\$ 2.45	\$ 51.49	\$ 1.03	\$ 52.52	\$ 33,613.98
Timber Crossing	32	TF	\$ 1,402.66	\$ 70.13	\$ 1,472.79	\$ 29.46	\$ 1,502.25	\$ 48,071.96

Wanted to add some narrative to the request for adjustment regarding the Switch ties on the Pekin Project.

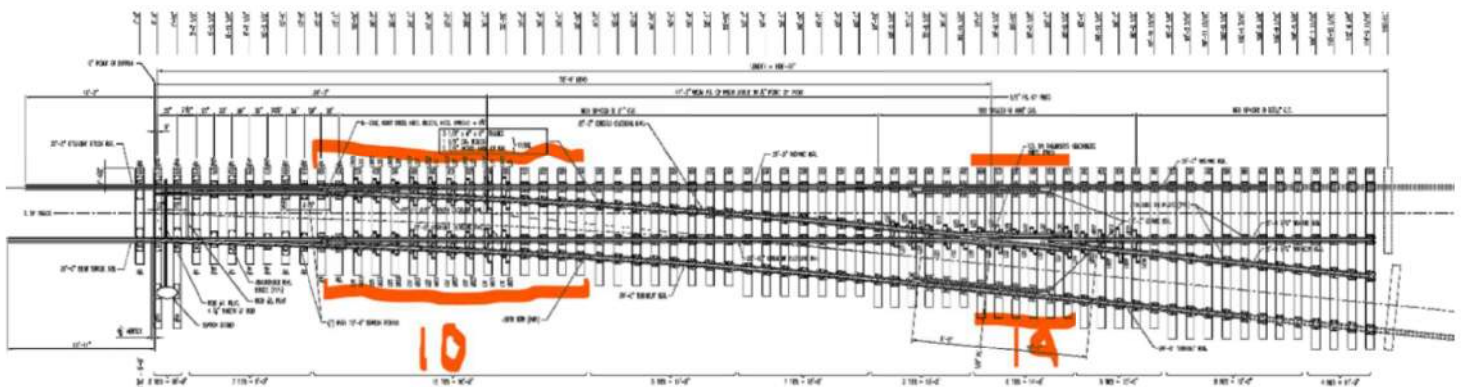
The original bid form did not include any switch ties but per an addendum, there were (75)-10' Ties and (4)-14' ties added. Per the drawing below those isolated to 2 areas in a standard turnout. Requiring only those areas be rehabilitated including removing failing ties, replacing the ties and gauging the track that has been disturbed. Gauging is a term utilized to respace the rail 56.5" apart from each other.

With the updated list of switch ties, the entire turnout will replace the marked ties but have to gauge the entire turnout.

This is, in our opinion, a change of scope and will require more work to accomplish.

SW Tie 9	25	EA	\$334.07	\$8,351.80
SW Tie 10	18	EA	\$344.70	\$6,204.67
SW Tie 11	17	EA	\$354.62	\$6,028.47
SW Tie 12	13	EA	\$364.88	\$4,743.39
SW Tie 13	15	EA	\$375.15	\$5,627.22
SW Tie 14	6	EA	\$385.42	\$2,312.52
SW Tie 15	10	EA	\$395.69	\$3,956.92
SW Tie 16	12	EA	\$405.95	\$4,871.42

TN Track Unit Prices



Regarding the new rail in the crossing, the new rail will be in 80' sections and require welding to span the crossing to eliminate bolted joints. I will require (8)-80' pieces of 115RE (to match existing rail) and 4 thermite welds to allow 4 strings 120LF long.

New Rail in Crossings (3)	640	LF	\$49.04	\$31,383.24	TN Track Unit Prices
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Per Mr. Samms specifications, I estimated the costs to install a new 32TF Full Depth timber crossing at the ADM Access Road. My cost estimate includes:

- Labor and equipment to install
- (32) TF - 115 full depth timber panels
- (200) EA - Timber Crossing Lag Screws
- (3.5) NT - New 115RE (80)LF sections
- (4) EA - 136 Weld Labor and Kit
- (3) KEFS - 5/8 x6 spikes 100lb kegs
- (1100) Drive On Anchors 5 1/2"

TN Track Unit Prices

Note: 10' ties and ballast were not included as they are accounted for in the original project quote.

Timber Crossing Install	32	TF	\$1,402.66	\$44,885.04
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