



## Memorandum

**To:** Honorable Mayor and Members of the City Council  
Administration and Public Works Committee

**From:** David Stoneback, Public Works Agency Director  
Lara Biggs, Bureau Chief – Capital Planning / City Engineer  
Paul Moyano, Senior Project Manager

**Subject:** Clearwell 9 (Treated Water Storage) Replacement Project  
Approval of Construction Contract (Bid 18-30)

**Date:** November 1, 2018

### Recommended Action:

Staff recommends that City Council authorize the City Manager to execute a contract for the Clearwell 9 Replacement Project (Bid No. 18-30) with Thieneman Construction, Inc. (17219 Foundation Parkway, Westfield, IN) in the amount of \$19,213,700.00, contingent upon receiving the appropriate loan funding from the Illinois Environmental Protection Agency (IEPA).

### Funding Source:

It is anticipated that the IEPA will provide loan funding from the State Revolving Fund in an amount up to \$22,800,000.00 for engineering and construction of this project. With this funding, all eligible engineering and construction costs would be funded by a loan repaid over 20 years at 1.84% interest.

IEPA loan funding for this work will be routed through the Water Fund, Capital Improvement (Account 513.71.7330.65515-733107), which has an FY 2019 budget allocation of \$13,400,000 for this project.

### Livability Benefits:

**Built Environment:** Manage water resources responsibly

**Reduce Environmental Impact:** Improve energy and water efficiency

**Support Strong and Safe Communities:** Enhance Resiliency to natural and human hazards

Background:

The scope of work for this project includes the dismantling and reconstruction of a five million gallon reservoir at the Evanston Water Treatment Plant, and associated structural, electrical, civil, and mechanical works. The reservoir is within an easement from Northwestern University, located across the street from the Water Treatment Plant, as shown on the attached location map. The contract period is 730 calendar days.

This project is anticipated to receive a loan from the IEPA State Revolving Fund. The IEPA has approved the Project Plan and Financial Application as part of the overall loan application process. In order to comply with the IEPA loan program rules, this project was bid with three modifications from the standard City contracts:

1. The Contractor must demonstrate good faith efforts to meet State of Illinois established Disadvantaged Business Enterprise (DBE) utilization goals (5% for MBEs and 12% for WBEs).
2. The Contractor must pay wages not less than those prevailing under the Federal Davis-Bacon Wage Act.
3. Compliance with the Local Employment Program Ordinance was not required, as the IEPA loan program does not allow a local hiring preference.

An additional departure from Evanston's standard procedure is a two-step contract award process. At this juncture, the City Manager can issue a Notice of Intent to Award to the lowest responsive and responsible bidder. IEPA will then review the bid package and provide a formal loan offer to Evanston if all criteria have been met and sufficient funding is still available. Upon receipt of the formal loan offer from IEPA, the City Manager may then execute a contract with the low bidder.

Discussion:

This contract was advertised on Demandstar and in the Chicago Tribune. Bids for the subject project were opened and publicly read on Tuesday, October 30, 2018. A total of two bids were received as summarized below, and includes option bid items for extended warranties and spare parts. A detailed bid tabulation is attached as part of the Bid Review for reference.

Contractor Information:

<b>Contractor</b>	<b>Address</b>	<b>Total Bid</b>
Thieneman Construction, Inc.	17219 Foundation Parkway, Westfield, IN 46074	\$19,213,700.00
Joseph J. Henderson & Sons, Inc.	4288 Old Grand Avenue, Gurnee, IL 60031	\$23,311,775.00

*Note: The above prices are the total of the base bid and optional bid items.*

The submitted bids cannot be withdrawn or canceled for a period of 120 calendar days following the bid opening, or until February 27, 2019. The bids were reviewed by Paul Moyano, Senior Project Manager, and CDM Smith, the design engineer for the project. A copy of CDM's bid review is attached for reference.

Thieneman Construction, Inc. completed the Water Plant Reliability Project in 2017 and performed satisfactorily. CDM Smith is also familiar with Thieneman's work on multiple water treatment plant projects over the past 10 years and has positive feedback on their technical work.

Staff recommends issuance of a Notice of Intent to Award a contract to Thieneman Construction, Inc., in the amount of \$19,213,700.00. When the IEPA provides the loan funding for this project, the contract will be executed.

IEPA Loan Program Documentation:

IEPA cannot guarantee the loan until the City completes the loan application. In order to complete the loan application, the City must submit:

- A copy of Council Meeting minutes authorizing the City Manager to award the contract contingent upon receipt of IEPA funding.
- A copy of the bid package submitted by Thieneman Construction, Inc. including all required certification forms and demonstrating compliance with State DBE requirements.

Thieneman Construction, Inc. included all forms and certifications required by IEPA as part of their bid package. They also complied with the City of Evanston's requirements including submittal of a 5% bid bond. They appear to meet the requirements of the IEPA DBE program, although the IEPA will complete a final review prior to their formal loan offer.

Legislative History:

On January 1, 2017, the City Council approved the Engineering Services Agreement with CDM Smith for Treated Water Storage Replacement Project (RFP 15-55).

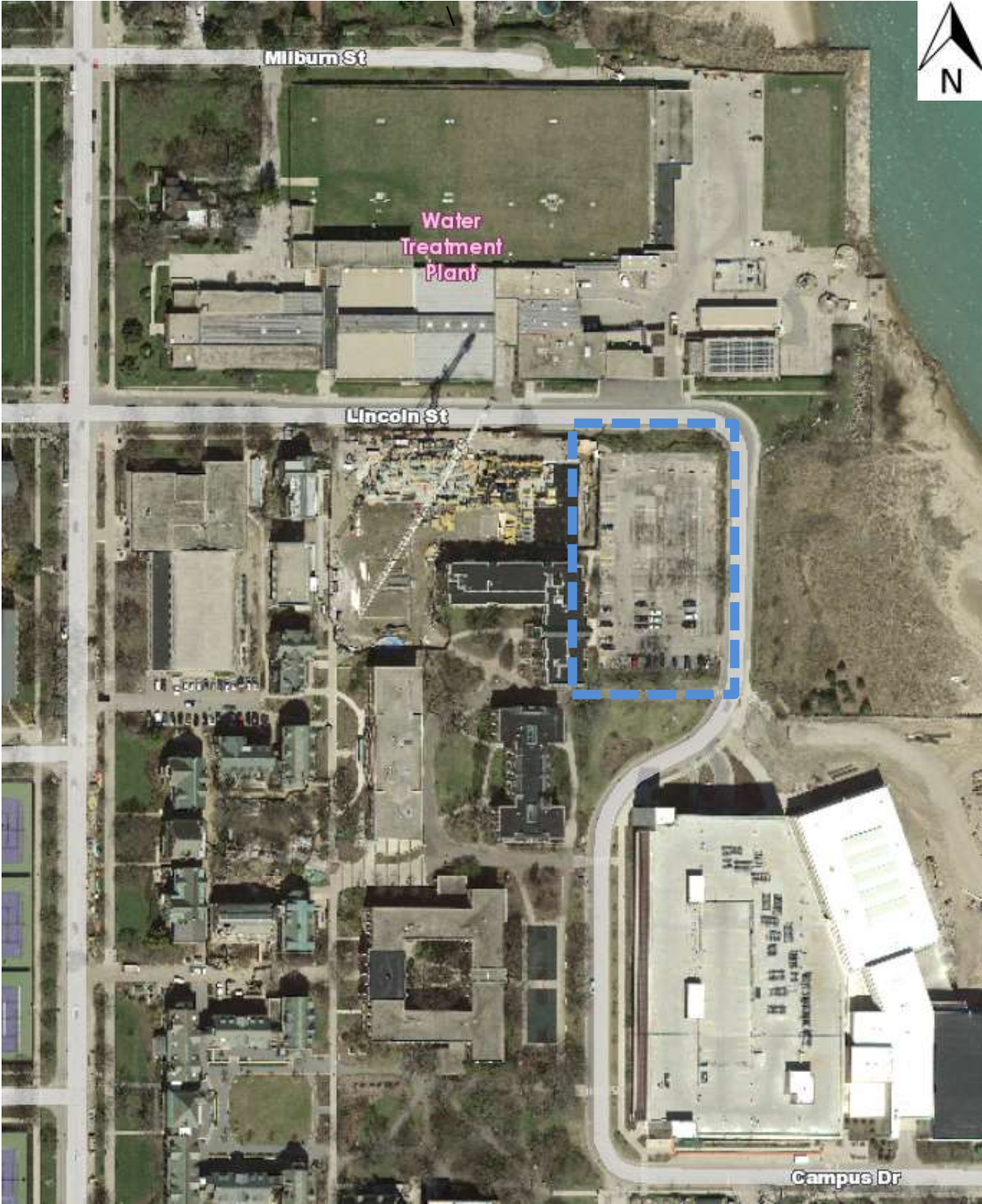
On September 20, 2018 the City Council approved a Reservoir Easement Agreement with Northwestern University.

Attachments:

Location Map

Review of Bids for Clearwell 9 Replacement Project (Bid 18-30), CDM Smith, October 31, 2018

**Clearwell 9 Replacement Project – Location Map (N.T.S.)**





October 31, 2018

Paul Moyano, P.E., PMP  
Senior Project Manager – Water and Sewer  
City of Evanston - Public Works Agency  
Lorraine H. Morton Civic Center  
2100 Ridge Avenue  
Evanston, Illinois 60201

**Subject: Review of Bids for Clearwell 9 Replacement Project (Bid Number 18-30)**

Dear Mr. Moyano:

On October 30, 2018 the City of Evanston received two bid submissions for the Clearwell 9 Replacement Project (Bid Number 18-30). A tabulation of the bid results is attached to this correspondence. Of these bid submissions, Thieneman Construction Inc. was the apparent low bidder.

CDM has reviewed the bid package submitted by Thieneman Construction Inc. and has found no irregularities. This bid package included the required bid bond in the required amount of five (5) percent of the bid value. This bid package also included each of the following attachments, labeled as required for submission with Bid:

- Disclosure of Ownership Interests (Section 00 30 10)
- Certification of Bidder Regarding Equal Employment Opportunity (Section 00 30 20)
- Additional Information Sheet (Section 00 30 40)
- Major Subcontractor Listing (Section 00 30 50)
- Conflict of Interest Form (Section 00 30 60)
- Signature Form (Section 00 30 70)
- Contractor Services Agreement Acknowledgement Form (Section 00 52 01)
- U.S. Environmental Protection Agency Certification of Nonsegregated Facilities (Section 00 66 60)
- Notice to Labor Unions or Other Organizations of Workers Nondiscrimination in Employment Form (Section 00 67 00)
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters (Section 00 67 50)
- Bidder Certification Regarding Compliance with Article 33E-11 "Criminal Code of 2012" (Section 00 68 50)





Review of Bids for Clearwell 9 Replacement Project  
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- Specification for Disadvantaged Business Enterprise Participation (Section 00 69 00)
- Bidder Certification Regarding Use of American Iron and Steel Products (Section 00 69 50)

Based upon our evaluation, we find Thieneman Construction Inc. to be the lowest responsible and eligible bidder capable of performing the Work.

Please let us know if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark White".

Mark C. White, P.E., BCEE  
Project Manager  
CDM Smith Inc.

Attachments: Bid Tabulations (Base Bid and Optional Bid Items)



**CITY OF EVANSTON - CLEARWELL 9 REPLACEMENT PROJECT: BID NUMBER 18-30  
 BID TABULATION - BASE BID ITEMS  
 OCTOBER 30, 2018**

Item	Description	Unit	Bidder #		No. 1		No. 2		
			Bidder Name	Unit Quantity	Joseph J. Henderson & Son, Inc.	Thieneman Construction, Inc.	Unit Price	Extended Price	Unit Price
1	Lump Sum Price for All Project Work	Lump Sum	1	\$22,400,000.00	\$22,400,000.00	\$18,326,000.00	\$18,326,000.00	\$18,326,000.00	\$18,326,000.00
2	Instrumentation and Controls Integration	Allowance	1		\$16,000.00			\$16,000.00	
3	General Allowance	Allowance	1		\$500,000.00			\$500,000.00	
4	Street Sweeper	Lump Sum	320 Days	\$1,200.00	\$384,000.00	\$1,100.00	\$352,000.00	\$1,100.00	\$352,000.00
<b>TOTAL OF BID</b>					<b>\$23,300,000.00</b>		<b>\$19,194,000.00</b>		<b>\$19,194,000.00</b>

**CITY OF EVANSTON - CLEARWELL 9 REPLACEMENT PROJECT: BID NUMBER 18-30  
 BID TABULATION - Optional Bid Items  
 OCTOBER 30, 2018**

Item	Description	Bidder #		No. 1		No. 2	
		Bidder Name		Unit Price	Extended Price	Unit Price	Extended Price
	26 29 23 Medium Voltage Adjustable Speed Drives		Joseph J. Henderson & Son, Inc.	Lump Sum	\$3,500.00	Lump Sum	\$4,000.00
<i>Optional Bid One (1): Extended Warranties</i>							
<i>Optional Bid Two (2): Spare Parts</i>							
	23 00 00 HVAC – General Provisions			Lump Sum	\$500.00	Lump Sum	\$500.00
	23 09 13 Electric Automatic Temperature Control System			Lump Sum	\$3,000.00	Lump Sum	\$3,000.00
	23 31 00 Ductwork and Accessories			Lump Sum	\$100.00	Lump Sum	\$500.00
	23 34 00 Fans			Lump Sum	\$500.00	Lump Sum	\$500.00
	23 73 01 Air Handling Units			Lump Sum	\$3,000.00	Lump Sum	\$3,000.00
	26 17 50 Local Control Panels			Lump Sum	\$250.00	Lump Sum	\$500.00
	26 2 16 Panelboards			Lump Sum	\$500.00	Lump Sum	\$1,500.00
	26 29 23 Medium Voltage Adjustable Speed Drivers			Lump Sum	\$2,500.00	Lump Sum	\$2,500.00
	40 63 00 PLC Hardware and Software			Lump Sum	\$1,225.00	Lump Sum	\$1,500.00
	40 67 00 Control Panel Enclosures and Panel Equipment			Lump Sum	\$100.00	Lump Sum	\$1,500.00
	40 91 40 Instruments			Lump Sum	\$100.00	Lump Sum	\$4,700.00
	43 21 39 Submersible High Service Pump			Lump Sum	\$0.00	Lump Sum	\$0.00
	<b>TOTAL LUMP SUM OF ALL LISTED SPARE PARTS</b>				<b>\$11,775.00</b>		<b>\$19,700.00</b>