



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

APRIL 11, 2023

Call to Order

The meeting was called to order at 7:30 pm.

The Pledge of Allegiance was led by President Bogdanowski.

Roll call was answered by Trustees Huckins, Dustin, Harlfinger, Bojarski, Anderson, and President Bogdanowski.

Motion to allow Trustee Murphy to attend telephonically was made by Trustee Bojarski and seconded by Trustee Huckins. On roll call vote, Trustees Anderson, Bojarski, Dustin, Harlfinger, and Huckins voted "Aye." No "Nays." Motion carried.

Also present were Village Administrator Shannon Andrews, Chief of Police Mary Frake, Finance Director Pete Stefan, Public Works Director Ryan McDillon, Parks & Recreation Director Trevor Bosack, Director of Community Development John Svalenka, Village Attorney Brad Stewart, and Village Clerk Shannon DuBeau.

Pamela Rae was presented with the Employee Years of Service Award for providing 20 years of service in the roles of part-time Secretary, Water Billing Clerk, and Fiscal Specialist I.

Audience Participation

None.

Administration

Informational Item Concerning the Annual Liquor & Raffle License Report

Presented by Village Administrator Shannon Andrews

State statute requires the Liquor Commissioner and municipalities to publicly announce and publish a report that provides information regarding new and renewal liquor and raffle license applications that the Village received in the prior fiscal year. Attached to the agenda, please find the Annual Liquor & Raffle License Report providing the history of the past five years, 2018 through 2022.

Request to Approve a Contract with Camosy Construction as Construction Manager at Risk for the New Police Facility

Presented by Village Administrator Shannon Andrews

The new police facility is being constructed using the Construction Manager at Risk (CMAR) model. An owner chooses the CMAR process in order to transfer risk from the owner to the CMAR in exchange for the CMAR's guaranteed maximum price proposal (GMP) to deliver the project on time and within the GMP. With this method, the Village intends to deliver an aggressive overall program schedule by leveraging the expertise of the CMAR early in design through construction to allow more cost and schedule certainty (i.e., less change orders). The CMAR will procure the work of subcontractors via bid packages and hold the contracts with its subcontractors. The CMAR will



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manage the subcontractors and act as the construction manager in order to provide expedited field direction, on-site safety programs and quality assurance, and will act as a general contractor ensuring the subcontractors are building in accordance with plans and specifications.

The CMAR delivery method is touted as offering several benefits to an owner, including:

- A higher level of cost control from the start because the CMAR is brought in during the design process to assist the architect with cost estimates.
- Constructability and value to the owner are afforded by the value engineering expertise brought to the process by the CMAR during the design process.
- The CMAR is under contract to be an owner advocate and manage the project with the owner's best interest in mind at all times.
- The CMAR is responsible for managing and coordinating the project, in the same manner as a general contractor using a Design-Bid-Build project delivery method.
- The Owner's risk should be limited by the CMAR process provided the construction documents are complete at the time the final GMP is approved, and proper contingencies are built into the GMP.
- CMAR services are professional services like architectural, engineering, surveying, etc. The CMAR's main purpose is not to construct the project, but to manage the construction of the project. This management focus adds much value to the project.

The selection of the Construction Manager at Risk (CMAR) for the new police facility began in December 2022 with the issuance of a Request for Qualifications of which four firms responded, Camosy Construction, Frederick Quinn Corporation, Lamp Incorporated, and Leopardo. With a manageable number of submissions received, the facility team invited all of the responsive firms to submit a Request for Proposal (RFP) which was due on February 24, 2023. During this time period, Frederick Quinn Corporation exited the process due to acquiring additional construction obligations.

Addendum #1 was issued on February 17, 2023, to provide responses to questions and requests for clarification on portions of the RFP. On March 1, 2023, Village staff, along with representatives from Dewberry Architects and Baxter & Woodman, conducted interviews with the Camosy, Lamp and Leopardo teams. During the review process, the Village received the final Schematic Design and updated cost estimate, which was approved at the March 7, 2023, Committee of the Whole meeting. With the updated cost, design, and an understanding that reasonable substantial completion would be fourteen (14) months instead of twelve (12) months, Village staff issued Addendum #2 to the RFP to the responsive firms, requesting an updated cost based upon the new project assumptions.

Since a guaranteed maximum price would not be generated until after the completion of the final designs, the Village considered the following tangible costs by which to compare the three firms:

1. Pre-Construction Phase Services Fee (lump sum)
2. Construction Phase Management Fee (as a percentage of the "Cost of Work")
3. General Conditions (monthly and/or one-time)

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4. CM's supervisory and administrative personnel (monthly)
5. Construction Contingency (as a percentage of the "Cost of Work")
6. Change Order Mark-ups (% for Subcontracted vs. Self-Performed)
7. Surety - Performance and Payment Bonds (as a percentage of the "Cost of Work")
8. Insurance (as a percentage of the "Cost of Work")
9. Builders Risk Insurance based on steel & timber construction (as a percentage of the "Cost of Work")

Staff received the Request for Supplemental Information from Camosy Construction, Lamp Incorporated, and Leopardo. The analysis of the responses has been included within the Financial Impact section below. While Leopardo has served as Dewberry's estimator throughout the schematic design phase, Camosy Construction presented the lowest proposal by approximately \$685,000. Through their RFQ response and interview, Camosy was able to show that they have solid experience managing building projects, with a dedicated team that specializes in police facility construction. Camosy understands the complexities of the Village's project and they are prepared to identify solutions to known supply chain challenges.

With the past performance and experience of the recommended firm being one of the integral components of project success, staff spoke with references of the firms from previous police facilities they had constructed. Please find the memorandum attached to the agenda. Specific to Camosy Construction, the references were overwhelmingly positive, citing exceptional communication, quality work, and budget consciousness. All of the Camosy references advised that they would readily engage their services again in the future.

Based on the above, staff are recommending the Village move forward with selecting Camosy as the Construction Manager at Risk for the Police Facility Project. Included in the RFP were draft contract documents based on standardized AIA templates previously reviewed and edited by the Village Attorney. This process simplified negotiations, as firms identified areas for discussion as part of their RFP response. Staff are in the process of finalizing these documents with Camosy and will distribute them to the Board prior to the Committee of the Whole meeting on Tuesday evening. They will also be added as an addendum to the packet on the Village's website.

Financial Impact

During the schematic design phase of the project, Dewberry produced a total project estimate that aligned with the Village's funding plan. When we applied the figures for each firm from the RFP responses, Camosy Construction had the lowest project subtotal of \$21,725,119, which was \$685,304 less than the next lowest response.

One of the most impactful line items in the analysis is the percentage used for calculating the contingency. You will notice that Dewberry's schematic design (SD) estimate includes a 5% contingency. This percentage would be expected to decrease as the project progresses through final design as the accuracy of the estimates increase. Camosy committed to a 2.5% contingency, which places a greater risk on the CMAR if the project exceeds the GMP.



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		Dewberry SD Estimate
COST OF THE WORK		\$19,916,848
Preconstruction Services		\$25,000
General Conditions per month	14	\$842,830
General Conditions one time		
CM's Supervisory & Admin		
Weather		\$75,000
TRADE SUB-TOTAL		\$20,859,678
Subcontractor Default Insurance		\$240,695
Labor & Performance Bonds	1.01%	\$201,269
Insurance Program	1.02%	\$203,282
PROJECT SUB-TOTAL		\$21,504,923
Builder's Risk Insurance	0.54%	\$106,832
PROJECT SUB-TOTAL		\$21,611,756
Contingency	5.00%	\$1,080,588
PROJECT SUB-TOTAL		\$22,692,344
Contractor's Fee	2.33%	\$528,448
PROJECT SUB-TOTAL		\$23,220,792
Escalation	3.50%	\$794,232
Design Fees		\$2,350,548
FFE including signage		\$570,000
PROJECT		\$26,935,572

	Camosy Construction	Leopardo	Lamp, Inc.
	\$19,916,848	\$19,916,848	\$19,916,848
	\$49,750	\$25,000	\$40,000
14	\$42,000	\$51,100	\$54,670
	\$0	\$10,032	\$0
14	\$495,833	\$781,998	\$576,940
	\$20,504,431	\$20,784,978	\$20,588,458
	\$109,400	\$199,168	\$133,445
0.55%	\$59,750	\$199,168	\$149,380
0.30%	\$20,673,581	\$21,183,315	\$20,871,283
	\$50,190	\$95,601	\$60,000
0.25%	\$20,723,772	\$21,278,916	\$20,931,283
	\$518,094	\$638,367	\$1,046,564
2.50%	\$21,241,866	\$21,917,283	\$21,977,847
	\$483,252	\$493,139	\$549,446
2.275%	\$743,465	\$767,105	\$769,225
3.50%	\$2,157,352	\$2,208,684	\$2,213,286
	\$570,000	\$570,000	\$570,000
	\$25,195,936	\$25,956,211	\$26,079,804

While the project subtotal is \$21,725,119 under Camosy, there are additional charges that will be added to this figure to arrive at the estimated project total. The current estimate includes a 3.5% escalation, which is based on project completion in December of 2024. While a change in firms may cause a slight delay in the project as Camosy acclimates to the design and works to prepare their own cost estimates, the savings to the Village should offset escalation costs. In addition, architectural fees and FF&E are added to bring the total project cost to an estimated \$25,195,936, which is in line with the \$27,000,000 budget. The project estimate may be adjusted when Camosy has the opportunity to perform their own schematic design estimate.

Cost estimating will continue through final design. The CMAR will provide the Village with a guaranteed maximum price proposal, which the Village may accept, reject, or negotiate. If the Village accepts the GMP, the Village's acceptance will be evidenced by an executed GMP amendment through which the construction manager becomes contractually bound to provide labor and materials for the project and to complete construction at or below the GMP, with the exception of approved change orders.

Staff recommends a motion to approve the contracts with Camosy Construction for Construction Manager at Risk of the New Police Facility, to include AIA Document A133-2019 and AIA Document A201-2017.



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President Bogdanowski clarified that updates to contract will not affect the cost. Attorney Stewart stated that two addendums were made based on cost structure. Further, certain issues such as insurance thresholds carrying over to subcontractors are being reviewed. If approved, the Board will be authorizing Administrator Andrews to make final decisions on any contract finalizations.

President Bogdanowski noted that a [New Police Facility Project](#) section is being kept up-to-date on lith.org.

Motion was made to place this item on the Village Board Agenda.

Public Works

Request to Approve an Ordinance Authorizing a ROW Agreement with i3 Broadband

Presented by Public Works Director Ryan McDillon

The Public Works department recommends the approval of an Ordinance Authorizing a right of way agreement with i3 Broadband.

The Village was approached last year by i3 Broadband (“i3”), a telecommunications company, who is planning to install a fiber optic network within the Village’s rights of way this spring. This will be a multiyear project, which involves several surrounding communities including Algonquin, McHenry, Huntley, and Woodstock. While i3 is entitled by state law to use the Village’s rights of way for its equipment, they are also bound to follow the provisions of Chapter 25, Construction of Utility Facilities in the Rights of Way, that governs such installations to protect municipal resources. However, the rules within Chapter 25 are designed to address one-time or occasional permit requests, versus the installation of an entirely new system over a multi-year period.

In consultation with the Village Attorney through the McHenry County Council of Governments (MCCG), a Right of Way Permitting Agreement with i3 was developed that standardizes and streamlines the Right of Way permitting process through two stages. In stage one, i3 must obtain a “Master Permit” on an annual basis that establishes general conditions for the project. Stage two will require i3 to submit more detailed information specific to each individual installation. The term of the agreement currently extends through December 31, 2025.

In anticipation of the start of this major construction project, Staff included preliminary notices to residents through an article in the Spring Messenger newsletter.

Staff recommends a motion to approve an Ordinance Authorizing the Execution of a Right of Way Permitting Agreement between the Village of Lake in the Hills and i3 Broadband.

Trustee Huckins asked if this project will be impacted by the Randall Road extension. Director McDillon stated that it is possible, however, to the best of his knowledge, the fiber optic network installation will only take place in residential neighborhoods.

Motion was made to place this item on the Village Board Agenda.

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Request to Award Concurrence for Pingree Road Resurfacing Project

Presented by Public Works Director Ryan McDillon

Staff seeks concurrence from the Village Board of Trustees to allow the Illinois Department of Transportation (IDOT) to award the Pingree Road Resurfacing project to Geske and Sons.

The Village received Surface Transportation Program (STP) grant funding in 2020 to resurface a 0.83-mile section of Pingree Road that it owns and maintains. As part of the STP process earlier this year, IDOT sought bids from companies to resurface Pingree Road from Rakow Road to Virginia Road. On March 10, 2023, IDOT notified staff Geske and Sons, is the apparent low bidder with a price of \$283,920.13. Geske’s low bid is \$38,480.13 over the estimated construction cost of \$245,440. While IDOT’s procurement process makes it challenging to identify all of the factors which contributed to the higher than anticipated low bid, the Village’s roadway engineering consultant, Chastain and Associates believe the cost increases over the past three years contributed to the higher than anticipated bid.

In March, the Village Board approved the appropriation of \$77,662 of Village MFT funds for this project. An additional \$38,480.13 of Village MFT funds will be needed for a total Village project cost of \$116,142.13, as shown in the table below. In order to ensure the project is performed this year, IDOT is requesting the Village Board’s concurrence of their recommendation to award the construction portion of this project to Geske and Sons.

Phase	Total Cost	STP Cost	Village Cost
Phase 1 & 2 - Engineering	\$24,500	n/a	\$24,500
Phase 3 - Construction	\$283,920.13	\$196,352	\$87,568.13
Phase 4 – Construction Engineering	\$20,371	\$16,297	\$4,074
Total	\$328,791.13	\$212,649	\$116,142.13

Financial Impact

The Village previously budgeted and paid \$24,500 for the Phase 1 & 2 engineering in FY22. The Village’s FY23 Motor Fuel Tax Budget contains \$245,440.00 for the resurfacing of this project. Geske’s low bid of \$283,920.13 is \$38,480.13 over budget. However, staff do not anticipate that a budget amendment will be needed as the Village’s total contribution towards the construction of the project is \$91,642.13.

Staff recommends a motion of concurrence from the Village Board of Trustees to allow the Illinois Department of Transportation (IDOT) to award the Pingree Road Resurfacing project to Geske and Sons.

Motion was made to place this item on the Village Board Agenda.



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Request to Approve a Resolution Appropriating Funds for the 2023 Motor Fuel Tax (MFT) Road Program and Engineering Services Task Orders

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval of the following Illinois Department of Transportation (IDOT) forms for the 2023 Motor Fuel Tax (MFT) resurfacing program: The Resolution for Maintenance form, the Local Public Agency General Maintenance form, and the Maintenance Engineering to be Performed by a Consulting Engineer form.

To use MFT funds the Illinois Department of Transportation (IDOT) requires the Village Board of Trustees to appropriate the funds by approving an IDOT Resolution. The IDOT Resolution amount of \$1,424,470.67 consists of resurfacing, engineering, and material testing work. The resurfacing portion of the work accounts for \$1,318,263.67 and the engineering, material testing, and design portion of the work accounts for the remaining \$106,207.00.

Village staff seeks to hire the Village's Transportation Engineer, Chastain and Associates, to perform construction supervision services at a cost not to exceed \$83,542.00 and to perform design services for the 2024 MFT Program at a cost not to exceed \$22,665.00. The Chastain task orders for construction supervision services, design services, and IDOT's Resolution and Maintenance Engineering forms are attached to the agenda for review and approval.

Financial Impact

The Village's 2023 MFT budget includes \$1,340,000.00 for resurfacing, \$84,500.00 for construction supervision and \$22,800.00 for engineering design of the 2024 MFT Program.

Staff recommends a motion to approve a Task Order with Chastain & Associates of Schaumburg, IL for 2023 MFT Construction Engineering Services for an amount not to exceed \$83,542.00. Staff recommends a motion to approve a Task Order with Chastain & Associates of Schaumburg, IL for 2024 MFT Design Engineering Services for an amount not to exceed \$22,665.00. Staff also recommends a motion to approve the IDOT Resolution and Maintenance Engineering form to appropriate \$1,424,470.67 of MFT funds for the 2023 resurfacing program.

Motion was made to place this item on the Village Board Agenda.

Request to Award a Contract for the 2023 MFT Road Resurfacing Project

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to award a contract in the amount of \$1,318,263.67, to Arrow Road Construction of Elk Grove, IL for the 2023 MFT Road Resurfacing Project.

On March 14, 2023, Public Works opened four sealed bids for the 2023 MFT Road Resurfacing Road Project. The four bids ranged from Arrow Road Construction's lowest bid of \$1,318,263.67 to a high bid of \$1,567,082.35. Arrow Road Construction's bid was a total of \$20,723.97 under the engineer's estimate of \$1,338,987.64 and \$21,736.33 below the budgeted amount. The Village has previously contracted with Arrow Road Construction for road resurfacing and has been satisfied with the product and the company.



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This project includes a total length of 19,790 feet of resurfacing. The scheduled roadways are listed below:

Street	Beginning Street	Ending Street
Bellchase Service Rd	Algonquin Rd (West)	End
Bernyce St	Hilltop Dr	Hiawatha Dr
Cedar Ridge Dr	Algonquin Rd (West)	Quail Run
Chancery Way	Terramere LN	Winslow Way
Creekview Ln	Oak St (East)	McPhee Dr
Foxfield Ct	Foxfield Ln	End
Foxfield Ln	Foxfield Ct	Grafton Farm Dr
Hawthorne Rd	Algonquin Rd (West)	Pheasant Trl (West)
Hawthorne Rd	Pheasant Trl (West)	Hunters Path
Hawthorne Rd	Wander Way	Hawthorne Rd
Hawthorne Rd	Hickory Rd	Acorn Ln (East)
Lucerne Ln	Miller Rd	Foxfield Ln
Lucerne Ln	Foxfield Ln	Grafton Farm Dr
Mackinac St	Barharbor Dr	Barharbor Dr
Monarch Ct	Annandale Dr	End
Navajo Dr	Huron Trl	Pyott Rd
Oakleaf Rd	Pheasant Trl	Deer Path Rd
Oakleaf Rd	Deer Path Rd	Hunters Path
Oakleaf Rd	Hunters Path	Woody Way
Oakleaf Rd	Woody Way	Acorn Ln (East)
Pheasant Trl	Oakleaf Rd	Wander Way
Pheasant Trl	Wander Way	Hawthorne Rd
Pheasant Trl	Hawthorne Rd	Indian Trl
Quail Run	End	Oakleaf Rd
Quail Run	Oakleaf Rd	Cedar Ridge Dr
Ronan Ct	Albrecht Rd	End
Ronan Dr	Albrecht Rd	Impressions Dr
Ronan Dr	Impressions Dr	Princeton Ln
Ronan Dr	Princeton Ln	Harvard Ln
Ronan Dr	Harvard Ln	Ackman Rd
Sienna Dr	Danbury Cir	Miller Rd
Sioux Trl	Delaware Dr	Hiawatha Dr
Thistle Ln	Banbury Ln	Baldwin Ln
Thistle Ln	Baldwin Ln	Highwood Ln
Thistle Ln	Highwood Ln	Princeton Ln
Village Hall Dr	End	Algonquin Rd (West)
Woody Way	Oakleaf Rd	Wander Way



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Financial Impact

The FY23 budget includes \$1,340,000.00 for MFT road resurfacing in the Motor Fuel Tax Fund. At \$1,318,263.67, Arrow Road Construction’s bid is \$21,736.33 under the budgeted amount.

Staff recommends a motion to award a contract to Arrow Road Construction for the 2023 MFT Road Resurfacing Road Project for an amount not to exceed \$1,318,263.67.

Motion was made to place this item on the Village Board Agenda.

Request to Award a Contract for Thermoplastic Road Striping

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to award a contract to Superior Road Striping of Melrose Park, IL for thermoplastic road striping, for an amount not to exceed \$43,000.

The Suburban Purchasing Cooperative offers the opportunity for local governmental bodies to participate in joint purchasing programs. They create specifications and solicit competitive bids for a variety of contracts. Section 9.13 of the Municipal Code establishes that cooperative purchasing plans are exempt from the Village’s normal bidding process. The Thermoplastic Lane Marking Contract #201 was extended to Superior Road Striping for 2023 with no price increase. A detailed listing of the pricing and contract award is attached to the agenda for review and consideration. The thermoplastic road striping is part of a five-year thermoplastic road striping maintenance plan to keep all roadway markings visible. Below are the estimated quantities and pricing for this year.

Item	Estimated Quantity	Unit	Unit Price	Total
4” Thermoplastic Marking Line	35,780	LF	\$0.73	\$26,119.40
6” Thermoplastic Marking Line	2,574	LF	\$1.19	\$3,063.06
12” Thermoplastic Marking Line	972	LF	\$2.10	\$2,041.20
24” Thermoplastic Marking Line	1,601	LF	\$5.25	\$8,405.25
Thermoplastic Marking Letters & Symbols	582	SF	\$5.25	\$3,055.50
Thermoplastic Marking Removal	1050	SF	\$0.30	\$315.00
TOTAL				\$42,999.41

Financial Impact

The Village’s 2023 budget included \$43,000 for thermoplastic road striping in the General Fund. The total expense for 2023 is not to exceed \$43,000.

Staff recommends a motion to award a contract to Superior Road Striping for the thermoplastic road striping for an amount not to exceed \$43,000.

Motion was made to place this item on the Village Board Agenda.



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Board of Trustees

Trustee Huckins congratulated the winners of the April 4th Consolidated Election.

Trustee Anderson announced that a Larson Park concept plan survey will be circulated to residents for feedback on the designs shared at the April 6th Parks and Recreation Board meeting. Director Bosack stated that the Upland Design slides will be enlarged to give a better understanding of the amenity options.

President

None.

Adjournment

A motion to adjourn the meeting was made by Trustee Harlfinger and seconded by Trustee Anderson. All in favor by voice vote.

There being no further business to discuss, the Committee of the Whole meeting was adjourned at 7:58 pm.

Submitted by,

A handwritten signature in cursive script that reads "Shannon DuBeau".

Shannon DuBeau
Village Clerk