

Minutes of the Board of Trustees of the Fox River Water Reclamation District held on Monday, September 18, 2017 at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were President Bruce Corn, Vice President Benjamin Bernal, Clerk/Treasurer Gary Hyman, Trustee Arthur Malm, and Trustee Steve Rauschenberger.

Staff present included Executive Director Bob Trueblood, Technical Services Director Beth Vogt, Assistant Clerk Kim Narvaiz and Attorney Doug Scheflow.

President Corn called the meeting to order at 9:09 A.M.

**APPROVAL OF AUGUST 28, 2017 MINUTES**

Trustee Bernal made a motion, seconded by Trustee Hyman, to approve the August 28, 2017 minutes as written. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**PUBLIC COMMENT**

None

**APPROVAL OF CASH DISBURSEMENTS**

Disbursements for the Sewer Revenue Fund \$895,748.26, Capital Improvement \$435,756.72, Depreciation & Replacement \$669,303.06, Skyline 3,296.83.

Trustee Bernal made a motion, seconded by Trustee Hyman, to approve the Cash Disbursements as presented. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**TRAVEL REIMBURSEMENT**

None

**REVIEW OF CONNECTION PERMITS**

TSD Vogt reported that staff issued five commercial and one single-family permits between meetings. As there were no irregularities, staff recommended approval.

Trustee Bernal made a motion, seconded by Rauschenberger, to approve the Connection Permits as issued. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**REVIEW OF CONTRACTS AND PURCHASE ORDERS**

Executive Director Trueblood informed the Board that there was one purchase order to report to the board made out to Solenis for eight totes of polymer. ED Trueblood mentioned that this is contract pricing and a standard order. Trustee Malm asked if staff tracks the amount of polymer the District uses and if the type used is the most effective. TSD Vogt responded that Laboratory Manager Jack Russell does testing when the contracts are out to bid to determine the most effective and cost efficient type of polymer for contracting.

**FOIA REQUESTS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**MOTION TO APPROVE VEHICLE REPLACEMENT PURCHASE**

Operations Manager Doug Haacker is requesting Board approval for the purchase of a new replacement vehicle through the State of Illinois Joint Purchase Contract. The current State contract is held by Miles Chevrolet in Decatur, IL. The vehicle being replaced is over nine years old and currently has 124,300 miles. It will be sent to auction once the replacement arrives. This item was budgeted for in the FY2017/2018 Budget and will cost \$21,828. Trustee Corn asked if any of the District's other vehicles have the undercoating. ED Trueblood responded no. Trustee Malm asked why the vehicle is being equipped with Bluetooth. ED Trueblood responded that the State of Illinois mandates hands free cell phone use when driving and sometimes operations and maintenance staff have to respond to calls while driving.

Trustee Hyman made the motion, seconded by Trustee Rauschenberger, to authorize Executive Director Trueblood to sign a purchase order in the amount of \$21,828 to Miles Chevrolet for a new replacement vehicle as specified in the State of Illinois Joint Purchase Contract. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**MOTION TO APPROVE – ORDINANCE 891- ANNEXATION BY BOWES LLC OF 14.944 ACRES DESIGNATED AT LOT 2 ALONG BOWES ROAD, ELGIN IL**

TSD Vogt reported that Bowes LLC wishes to annex 14.944 acres subdivided as Lot 2 along the north side of Bowes Road in South Elgin, IL. Development is expected to be commercial/ industrial based on the zoning of the site. No development plan has been submitted at this point. Flows from the site will be conveyed by the Bowes Road Interceptor (BRIS 1) to

the West WRF for treatment. Trustee Bernal asked if Bowes LLC have paid all necessary fees. Technical Services Director Vogt responded yes, all fees have been paid.

Trustee Rauschenberger made the motion, seconded by Trustee Bernal, to approve Ordinance No. 891 for the annexation of 14.944 acres designated as Lot 2 along Bowes Road, South Elgin, IL. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**MOTION TO AUTHORIZE – PROFESSIONAL SERVICES TO OBTAIN  
ELECTRICAL SERVICE BIDS**

Finance Manager Nazer Uddin is requesting board approval to hire Brubaker & Associated Inc. (BAI) to provide assistance in the competitive electricity contract pricing for a fee not to exceed \$8,500. Staff has worked with BAI in the past and believes that their services add value to the District's efforts in determining a reliable electricity supplier for the District's 14 accounts. Trustee Rauschenberger commented that the proposed consulting fees seemed high and would feel more comfortable with a lower number given BAI has previously performed this service before for the District.

Trustee Rauschenberger made the motion, seconded by Trustee Bernal, to authorize Executive Director Trueblood to sign an agreement with Brubaker & Associates, Inc. for the procurement services for a fee not to exceed \$8,500. After discussion, Rauschenberger made an amendment to the motion for the agreement not to exceed \$5,000, which was seconded by Trustee Malm. Vote on the amendment occurred. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger. Nays, none. Then the vote of the original motion was called. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**MOTION TO APPROVE – AMENDMENT NO. 2 TO THE ADP WRF EXCESS FLOW  
DISINFECTION IMPROVEMENTS AGREEMENT WITH STRAND ASSOCIATES**

TSD Vogt presented Amendment No. 2 to the ADP WRF Excess Flow Disinfection Improvements Agreement with Strand Associates. Detailed design and bidding assistance for separation of the storm water system from the excess flow, relocation of the excess flow chlorine addition point, upgrades to the existing piping to remove hydraulic bottlenecks, and structural and equipment improvements to the existing contact tanks were provided. This Amendment No. 2, which adds \$57,400, will cover additional services needed for discharging the storm sewer directly to the Fox River and other design work that is needed. Total estimated construction cost is approximately \$750,000. Trustee Malm indicated he felt these cost additions were steep for work on a simplified project. Trustee Malm asked whether the option of eliminating skimmers was looked at. TSD Vogt responded that staff ran a test by turning the skimmers off for a week, however there became an excessive amount of floatables indicating that the skimmers are necessary. TSD Vogt also noted that a lot of these costs are related to the separation of storm water from the excess flow. The stormwater discharge point will be directly to the Fox River, which requires an Army Corps permit, rock weeper, and bioswale that were not originally expected for the project.

Trustee Rauschenberger made the motion, seconded by Trustee Bernal, to authorize the Executive Director to sign the Amendment No. 2 to the ADP WRF Excess Flow Disinfection Improvements Agreement with Strand Associates for a new total contract amount of \$186,300. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**MOTION TO APPROVE – AMENDMENT NO. 3 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR THE PUMP STATION 31 AND FORCEMAIN REPLACEMENT DESIGN WITH STRAND ASSOCIATES**

Strand Associates is working on the detailed design of the Pump Station 31 and Forcemain Replacement project scheduled for submittal to IEPA by November 30, 2017 in accordance with the ADP WRF NPDES permit requirement. The estimated project cost of the improvements had exceeded \$12,600,000, causing the District staff to look for cost saving measures. Staff and the consultant identified a number of saving areas. However, the designs were already 60% complete at that point, resulting in redesign of facilities. The additional fee for the redesign and the addition of fiber optic cable connections at some ADP WRF buildings is \$92,300, bringing the new total fee to \$832,300. Estimated project cost has been reduced to \$11,167,000, a savings of \$1,464,000.

Trustee Malm asked how much of the additional fee was for the fiber optic cable connections. TSD Vogt responded that she could get him an exact number, however it was about \$5,000-6,000. Trustee Bernal asked about the elimination of the emergency generator. TSD Vogt responded that there will be a portable generator hookup suitable for two generator sizes, one to run full station pumps and one suitable for the CSO pumps. The station will have dual power feeds.

Trustee Rauschenberger made the motion, seconded by Trustee Hyman, to authorize the Executive Director to sign the Professional Engineering Services Agreement Amendment No. 3 for the Pump Station 31 and Forcemain Replacement Detailed Design with Strand Associates for a new total compensation of \$832,300. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

**MOTION TO AWARD – PUMP STATION 40 REPLACEMENT AND FORCEMAIN REPAIR PROJECT TO H. LINDEN AND SONS SEWER AND WATER INC.**

TSD Vogt reported that Pump Station 40 Replacement and Forcemain Repair Project bids were opened at 2:00 pm on August 22, 2017. Staff and the Consultant have reviewed the bids and finds H. Linden and Sons Sewer and Water Inc. is the responsible, responsive low bidder with a bid of \$512,870. At the August 28, 2018 board meeting, the Board of Trustees authorized award of the contract following the securing of a temporary construction easement. At this time, Staff is requesting a clean authorization to award such that the existing bid price is secured and to obtain the information needed to finalize the temporary construction easement. Trustee Malm stated he thinks it is a bad idea to award the contract due to liquated damages that can occur on the easement property.

Trustee Bernal asked Attorney Scheflow for his understanding of the situation. Attorney

Scheflow responded that the property owner has given an 18-month easement with a 6-month construction period, but the 6 months had to start by September 1<sup>st</sup>. In order to go back and re-negotiate with property owner, Scheflow needs to know when the contractor will begin construction, and when he plans to be doing work on the site. Trustee Corn asked what the Districts liability is. Attorney Scheflow responded that there is a risk with every project, there may be no conflicts but he will not know until he speaks with the property owner with the schedule information. Trustee Malm suggested Staff coordinate a meeting with all parties involved. TSD Vogt advised that the contract documents only require bidders to hold their bid price for 30 days, without notice to award the contractor cannot secure bonds and insurance or finalize subcontractor contracts.

After lengthy discussion, Trustee Hyman made the motion, seconded by Trustee Bernal, to award the Pump Station 40 Replacement and Forcemain Repair Project to H. Linden and Sons Sewer and Water Inc., for \$512,870 and authorize the Executive Director to execute the associated agreement with H. Linden and Sons Sewer and Water Inc. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger. Nays, Malm.

**MOTION TO APPROVE – NOTICE OF INTENT TO AWARD OF PHASE III AND IV  
SLUDGE TRANSFER MAIN PROJECT TO H. LINDEN AND SONS SEWER AND  
WATER INC.**

The Phase III and IV Sludge Transfer Main Project bids were opened at 2:00 pm on September 7, 2017. Five bids were received, ranging from \$3,447,776 to \$4,320,008. Staff and the consultant have reviewed the bids and finds H. Linden and Sons Sewer and Water Inc. is the responsible, responsive low bidder with a bid of \$3,447,776. This project was previously bid in July 2017, however, the low bidder at that time did not provide all the necessary documentation based on the SRF loan requirements and therefore the project was rebid.

Trustee Hyman made the motion, seconded by Trustee Bernal, to authorize the Executive Director to issue a Notice of Intent to Award for the Phase III and IV Sludge Transfer Main Project to H. Linden and Sons Sewer and Water Inc., for \$3,447,776 and to subsequently sign the associated agreement with H. Linden and Sons Sewer and Water Inc. upon IEPA loan approval. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

President Corn called a 10 minute break at 9.59 A.M.

**FINANCE MANAGER’S REPORT**

None

**TECHNICAL SERVICES REPORT**

TSD Vogt reported that at the Fox River Study Group meeting held on August 31, 2017, Al Keller, Permit Section Manager of IEPA, indicated that he is expecting the USEPA to bring forth their position that all the dischargers in the group be given a monthly average limit of 1.0 mg/L

for total phosphorus. FRWRD staff believes a monthly average limit will not provide any environmental benefit given the biological phosphorus removal being implemented at FRWRD and could cause future capital expenditures for backup facilities that would only be used occasionally. TSD Vogt will keep the board up to date on this topic as it progresses.

### **STAFF REPORT OF ONGOING STUDY, DESIGN AND CONSTRUCTION PROJECTS**

TSD Vogt provided Staff's report of on-going projects. A few items to mention were a contract time extension on the Digester Project that will be needed due to longer than anticipated wait time for the glass lined valves. In addition, work at the Taly Park Pump Station has begun, beginning with the installation of the safety grating at the hatch openings and the installation of the bypass pump connection.

### **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Trueblood reminded Board members of the upcoming IAWA Conference in Champaign as well as WEFTEC Conference and Exhibition scheduled for September 30<sup>th</sup>-October 4<sup>th</sup> in Chicago. The District has 42 employees registered to attend WEFTEC this year, most attending on free one-day registrations. ED Trueblood also mentioned that staff is waiting on some final financial information and will present the Fiscal Year 2016 draft audit to Board Members at the next meeting on October 16<sup>th</sup>.

Finally, Executive Director Trueblood shared that the third cogeneration generator failed due to wear and tear. The cost estimate to repair this cogen is around \$83,000, however, staff is not recommending repairs at this time due to the age and condition of the unit. Staff is working on other solutions and will keep the board updated.

### **ATTORNEY'S REPORT**

Attorney Scheflow presented the board with his attorneys report and was available for any questions or comments. Trustee Bernal requested that Attorney Scheflow further review the new Travel Expense Statute and put something together for the Board to review. Trustee Malm asked about the MWRDGC IGA Amendment for the Digester Improvements Project and if the flows have changed. Attorney Scheflow responded that there are no flow changes and they pay a portion of the cost based on the capacity they own. MWRDGC has mentioned wanting to pay their share differently than the current arrangement, such that they can use bonds instead of corporate funds to pay their portion of the project.

### **EXECUTIVE SESSION**

No Executive Session took place.

**ADJOURN**

Trustee Rauschenberger made a motion, seconded by Trustee Hyman, to adjourn the September 18, 2017 Board of Trustees meeting at 10:40 A.M. Next meeting is scheduled for 9:00 A.M. October 16, 2017. Ayes, Trustees Corn, Bernal, Hyman, Rauschenberger, Malm. Nays, none.

Respectfully Submitted

Kim Narvaiz, Assistant Clerk

APPROVED:

Bruce R. Corn, President

Gary Hyman, Clerk-Treasurer