



City Council

City Council Chambers ♦ 230 West Stephenson Street ♦ Freeport, IL 61032

MINUTES SPECIAL MEETING Monday, August 10, 2009

RECORD

Notification of the special meeting was made by the City Clerk through the following by August 7, 2009:

- City Council members were notified of the meeting via email, phone calls, and mail delivery
- Public notice of agenda posted two places in City Hall (Walnut Street and City Clerk's Office)
- Agenda was emailed to 95 recipients, including members of the media requesting such notice
- Agenda was programmed to the City of Freeport website

CALL TO ORDER

A special meeting of the Freeport Illinois City Council was called to order on Monday, August 10, 2009, at 6:00 pm in Council Chambers with a quorum being present by Mayor George Gaulrapp.

ROLL CALL

Present on roll call were Mayor George Gaulrapp and council members Klemm, Boldt, DeVine, Endress, Helms, O'Neill, and Corbin (7). Also present was Corporation Counsel Sarah Griffin. (*See page 2, Alderman Bush entered the meeting.*)

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alderman DeVine.

APPROVAL OF AGENDA

Alderman O'Neill motioned to approve the agenda as presented, seconded by Alderman Endress. Motion passed by voice vote without dissent.

PUBLIC COMMENTS - AGENDA ITEMS

There was no one signed up for public comments on agenda items this evening.

FREEPORT MUNICIPAL LANDFILL #4 FINAL COVER SYSTEM

Re-Awarding the Contract for the Landfill Final Cover System and Waiving Competitive Bidding Requirements

Mayor George Gaulrapp stated, "Tonight we are asking you to approve entering into a contract with William Charles Construction Ltd, for the landfill final cover system. On June 15, 2009, you approved awarding the bid to Loberg Excavating for this project. They have not been able to provide a performance bond, which is required under the bid. We would have asked you to name William Charles as the lowest possible bidder, since they were the second lowest bid, but those bids have since expired. Because we are under the IEPA mandate to get this project completed, we do not believe we have time to re-bid and have approached William Charles and negotiated what we feel is the best price we will get

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from a responsible bidder. They have given us a price of \$1,949,533.26 which includes the base bid in the amount of \$1,866,703.82 and alternate bid items in the amount of \$82,829.44. If approved, William Charles could be able to begin work this Wednesday. They also offered us terms that would allow us to carry over payment until our next rent allocation comes in for a position of the amount due.”

Mayor Gaulrapp continued, “This action would be waiving the State bidding requirements and to do so we need a two-thirds vote of council. It also complies with Section 1.9 B (b) of our Purchasing Policy.”

Mayor Gaulrapp opened the floor for discussion.

At 6:07 pm, Alderman Ronnie Bush entered the room bringing the council members present to eight (8). Mayor Gaulrapp provided a recap of the information, stating that Loberg Excavation could not obtain a performance bond and we are in a critical situation for time constraints for this construction period and by the Illinois Environmental Protective Agency.

Mayor Gaulrapp stated he asked William Charles questions regarding their previous experience, when they could start, final payment timing and whether they are able to be bonded immediately.

Alderman Boldt motioned to approve entering into a contract with William Charles Ltd, for Landfill Closure which complies with the requirements as laid out in the original bid specifications; declaring that the bid award to Loberg Excavating be null and void as not having been complied with in reference to provision of Performance Bond, and all other bids under that bid opening having expired; and further, explicitly waiving any bidding requirements under Illinois State Law – the specifics of such contract to be described for the record by the Mayor. This motion was seconded by Alderman Klemm. The council was provided an opportunity to ask questions of Mayor Gaulrapp and Corporation Counsel Sarah Griffin.

A roll call vote of the motion on the floor was taken.

Yeas: Bush, DeVine, Endress, Helms, O’Neill, Corbin, Klemm, and Boldt (8)

Nays – None (0)

The motion was approved.

NEW BUSINESS

Each council member was provided the opportunity to address significant items of interest of which Alderman O’Neill invited attendance at an upcoming ADA Commission meeting.

PUBLIC COMMENTS

Freeport Area Chamber of Commerce Director Kim Grimes, 1318 Empire Court, spoke in regard to the sales tax survey results and presented a copy for each council member.

There being no further business, the meeting was adjourned at 6:18 pm.

s/ Meg Zuravel
Meg Zuravel, City Clerk