



LAKE COUNTY FOREST PRESERVES  
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Preservation, Restoration, Education and Recreation

**DATE:** August 4, 2016

**MEMO TO:** S. Michael Rummel, Chair  
Finance and Administrative Committee

**FROM:** James L. Anderson  
Director of Natural Resources

**RECOMMENDATION:** Recommend approval of a Resolution authorizing Change Order No. 3 to the Contract with Michels Corporation, Park Ridge, Illinois, for the Des Plaines River Dam Removals at MacArthur Woods and Captain Daniel Wright Woods Forest Preserves, increasing the Contract Amount by \$25,146.00.

**STRATEGIC DIRECTIONS SUPPORTED:** Organizational Sustainability; Conservation

**FINANCIAL DATA:** This project was approved as part of the adopted FY 2016/2017 Capital Improvement Plan in the amount of \$690,000.00. The change order will be charged to account 69644100-803200-62410, and will increase the contract amount by \$25,146.00 for a total Contract Price of \$519,580.20.

**BACKGROUND:** The District has entered into an Intergovernmental Agreement with the Illinois Department of Natural Resources-Office of Water Resources (IDNR-OWR) to remove the two low-head dams at MacArthur Woods and Captain Daniel Wright Woods Forest Preserves. In April of 2015, a Resolution was passed awarding a contract to Michels Corporation to remove the dams.

The agreement with IDNR-OWR requires the State to reimburse the District for all costs associated with the removal of these dams. However, due to the State budget impasse, these funds are not available, and whether they will ever be is unknown. The project was delayed due to this situation. Subsequently, after review with the Planning and Restoration Committee and Finance and Administrative Committee the District decided to move forward on the project using existing CIP funds.

Removal of the dams is necessary for the natural migrations of fish and other aquatic wildlife, to improve water quality, and to provide safe passage for recreational paddlers.

Change Order No. 3 includes additional funds necessary for the contractor to secure additional insurance requested by Hollister Incorporated, co-owner of the MacArthur Woods dam. The District's contractor will be accessing the MacArthur Woods dam from Hollister property.

**REVIEW BY OTHERS:** Executive Director, Chief Operations Officer, Director of Finance, Director of Administration, Corporate Counsel

**PRESENTER:** James L. Anderson

STATE OF ILLINOIS)  
  ) SS  
COUNTY OF LAKE )

**BOARD OF COMMISSIONERS  
LAKE COUNTY FOREST PRESERVE DISTRICT  
REGULAR AUGUST MEETING  
AUGUST 9, 2016**

**MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:**

Your **FINANCE AND ADMINISTRATIVE COMMITTEE** presents herewith “A Resolution Approving Change Order No. 3 to the Contract with Michels Corporation for the Des Plaines River Dam Removals,” and requests its adoption.

**FINANCE AND ADMINISTRATIVE COMMITTEE:**

**Date:** \_\_\_\_\_  **Roll Call Vote: Ayes:** \_\_\_\_\_ **Nays:** \_\_\_\_\_  
 **Voice Vote Majority Ayes;** \_\_\_\_\_ **Nays:** \_\_\_\_\_

**LAKE COUNTY FOREST PRESERVE DISTRICT  
LAKE COUNTY, ILLINOIS**

**A RESOLUTION APPROVING CHANGE ORDER NO. 3 TO THE CONTRACT WITH  
MICHELS CORPORATION FOR THE DES PLAINES RIVER DAM REMOVALS**

**WHEREAS**, the Lake County Forest Preserve District (the "District") entered into a contract (the "Contract") with Michels Corporation ("Michels") for the Des Plaines River Dam Removals at MacArthur and Captain Daniel Wright Woods Forest Preserves (the "Work "); and

**WHEREAS**, the Contract contained a lump sum price for the Work to be completed according to a scope of services; and

**WHEREAS**, the Work requires Michels Corporation to access the dam at MacArthur Woods Forest Preserve through property owned by Hollister Incorporated ("Hollister") and, therefore, the District has approved or will approve an easement agreement with Hollister allowing Michels to gain such access (the "Easement Agreement"); and

**WHEREAS**, pursuant to the Easement Agreement, the District is required to cause Michels to obtain additional insurance coverages; and

**WHEREAS**, Change Order Numbers 1 and 2 to the Contract have already been approved; and

**WHEREAS**, it is in the best interest of the District to approve Change Order No. 3 attached hereto (the "Change Order") to provide for the additional insurance requested by Hollister;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois THAT:

Section 1. Recitals. The recitals set forth above are incorporated as a part of this Resolution by this reference.

Section 2. Approval of the Change Order. The Change Order, in substantially the form attached hereto, is approved for the following reasons:

- a. The Change Order is germane to the original Contract, as signed; and
- b. The Change Order is in the best interest of the District.

Section 3: Placement in Contract File. This Resolution and the Change Order shall be preserved in the permanent District file of the Contract. This Resolution shall constitute the written determination required by Section 33E-9 of the Illinois Criminal Code, 720 ILCS 5/33E-9.

Section 4: Reapproval of the Contract. The Contract is hereby reapproved, except to the extent that it has been changed by or conflicts with the Change Order or this Resolution.

Section 5. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

AYES:

NAYS:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

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Ann B. Maine, President  
Lake County Forest Preserve District

ATTEST:

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Julie Gragnani, Secretary  
Lake County Forest Preserve District

Exhibit No. \_\_\_\_\_