



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: December 2, 2019

MEMO TO: Jessica Vealitzek, Chair
Operations Committee

Agenda Item# 9.3

Terry Wilke, Chair
Finance Committee

FROM: James E. Ballowe
Director of Facilities

RECOMMENDATION: Recommend approval of a Resolution authorizing Change Order No. 2 to the Lease with Nadler Golf Car Sales, Inc., for Golf Cars and Vehicles, extending the term of the Agreement for two years ending on December 31, 2021.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability

FINANCIAL DATA: The District's current annual cost under the existing Lease Agreement is \$213,865.00. The Change Order to the existing Agreement would result in continuation of services for two additional years with an anticipated reduction in cost to the District of \$6,660.00 for a net estimated annual cost of \$207,205.00.

BACKGROUND: On October 8, 2013, the District approved a lease for golf cars with Nadler Golf Car Sales, Inc. The Golf Cars and Vehicles are used at the District's three golf courses; Brae Loch, Countryside and ThunderHawk, as well as at Fox River and Independence Grove Forest Preserves. The lease is scheduled to expire on December 31, 2019, unless it is extended by the change order attached to the Resolution. This extension of the existing Lease Agreement would result in the use of the following vehicles for a period extending to December 31, 2021:

- | | |
|---|---|
| 72- Gas Golf Cars at Brae Loch | 1- Gas Utility Car at Fox River Forest Preserve |
| 154- Gas Golf Cars at Countryside | 1- Gas Ranger Car at Brae Loch |
| 80- Electric Golf Cars at ThunderHawk | 3- Gas Ranger Cars at Countryside |
| 6- Gas Utility Cars at Brae Loch | 2- Electric Ranger Cars at ThunderHawk |
| 14- Gas Utility cars at Countryside | 1- Gas Beverage Car at Brae Loch |
| 4-Electric Utility cars at Countryside | 2- Gas Beverage Cars at Countryside |
| 11- Gas Utility cars at ThunderHawk | 1- Gas Ball Picker at Countryside |
| 3- Electric Utility Cars at ThunderHawk | 1- Gas Ball Picker at ThunderHawk |
| 3- Gas Utility Cars at Independence Grove | 3- Gas 4-Passenger Cars at Independence Grove |

REVIEW BY OTHERS: Chief Operations Officer, Director of Finance, Purchasing Manager, Corporate Counsel.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR DECEMBER MEETING
DECEMBER 10, 2019**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **OPERATIONS COMMITTEE** and **FINANCE COMMITTEE** present herewith “A Resolution Approving Change Order No. 2 to the Lease with Nadler Golf Car Sales, Inc. for Golf Cars and Vehicles,” and request its approval.

OPERATIONS COMMITTEE:

Date: 12/2/19 Roll Call Vote: Ayes: ____ Nays: ____
 Voice Vote Majority Ayes; Nays: 0

FINANCE COMMITTEE:

Date: 12-5-2019 Roll Call Vote: Ayes: ____ Nays: ____
 Voice Vote Majority Ayes; Nays: 0

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

**A RESOLUTION APPROVING CHANGE ORDER NO. 2 TO THE LEASE WITH
NADLER GOLF CAR SALES, INC. FOR GOLF CARS AND VEHICLES**

WHEREAS, on October 8, 2013, the Lake County Forest Preserve District (the "District") approved a "Lease for Golf Cars and Vehicles" with Nadler Golf Car Sales, Inc. ("Nadler") pursuant to which Nadler agreed to provide golf cars and other vehicles for District use at Brae Loch Golf Club, Countryside Golf Club, ThunderHawk Golf Club, Independence Grove Forest Preserve, and Fox River Forest Preserve (the "Lease"); and

WHEREAS, it is in the District's best interest to approve a change order to the Lease in substantially the form attached hereto extending the Lease term by two years and changing the prices for certain vehicles (the "Change Order");

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 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 Lease. The Lease 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 _____, 2019

AYES:

NAYS:

APPROVED this _____ day of _____, 2019

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

**CHANGE ORDER NUMBER TWO TO
CONTRACT BETWEEN
LAKE COUNTY FOREST PRESERVE DISTRICT
AND NADLER GOLF CAR SALES, INC. FOR
LEASE AND MAINTENANCE AGREEMENT FOR GOLF CARS AND VEHICLES**

THIS CHANGE ORDER NUMBER TWO (“Change Order No. 2”) is made as of December 10, 2019, by and between the **LAKE COUNTY FOREST PRESERVE DISTRICT**, an Illinois unit of local government and a political subdivision, organized and existing under the Downstate Forest Preserve District Act, 70 ILCS 805/0.01 et. Seq., with its principal office located at 1899 W. Winchester Road, Libertyville, Illinois 60048 (the “District”) and **NADLER GOLF CAR SALES, INC.** (the “Lessee”).

NOW, THEREFORE, in consideration of the recitals and the mutual covenants and agreements set forth below, the parties do hereby agree as follows:

SECTION 1. RECITALS

- A. On October 8, 2013, the District and Lessee entered into a Lease (the “Lease”). Pursuant to the Lease, Lessee provides to the District Gas Golf Cars, Electric Golf Cars, Gas Utility Cars, Electric Utility Cars, Gas Beverage Cars, Gas Golf Ball Pickers and 4-Passenger Cars. These vehicles are used at ThunderHawk Golf Club, Countryside Golf Club, Brae Loch Golf Club, Independence Grove and Fox River Marina.
- B. Lessee and the District desire to amend the Lease by extending the term of the Lease from January 1, 2020, to December 31, 2021 and by changing the prices for certain vehicles.

SECTION 2. AMENDMENTS

- A. The Lease is hereby amended by replacing the term of the existing Lease to reflect an extension of the existing Lease commencing January 1, 2020, and ending at 11:59 p.m. on December 31, 2021 (the “Extension Term”), unless sooner terminated as provided in the Lease.
- B. During the Extension Term, the prices for the following vehicles will be as follows:

| | |
|--|-------------------|
| 1 Gas Utility Vehicle increased from \$0 to \$950 each | \$ 950.00 |
| 216 Gas Cars reduced from \$495 to \$475 each | (\$4,320.00) |
| 34 Gas Utility Vehicles reduced from \$1,000 to \$950 each | (\$1,700.00) |
| 4 Gas Ranger Cars reduced from \$495 to \$475 each | (\$ 80.00) |
| 5 Gas Beverage Cars reduced from \$1,600 to \$1,400 | (\$1,000.00) |
| 7 Electric Utility Vehicles reduced from \$1,000 to \$950 | (\$ 350.00) |
| 2 Gas Ball Pickers reduced from \$1,000 to \$950 | (\$ 100.00) |
| <u>3 Gas 4-Passenger Cars reduced from \$495 to \$475</u> | <u>(\$ 60.00)</u> |
| Total | (\$ 6,660.00) |

SECTION 3. EFFECT

All terms, conditions and provisions of the Lease not amended by this Change Order will remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Change Order to be executed, effective as of the date first written above.

WITNESS:

NADLER GOLF CAR SALES, INC.

By: _____

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

LAKE COUNTY FOREST PRESERVE DISTRICT

Angelo D. Kyle, President
Lake County Forest Preserve District