



DATE: March 4, 2024

MEMO TO: Jessica Vealitzek, Chair
Operations Committee

Gina Roberts, Chair
Finance Committee

FROM: John E. Nelson
Chief Operations Officer

RECOMMENDATION: Recommend approval of a Resolution approving a change order to the contract with Thelen Materials, LLC for the purchase of grounds materials.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability

FINANCIAL DATA: Gravel, sand and other materials are ordered on an as-needed basis depending upon the project and delivery location. The actual costs are charged to the appropriate operating account based upon the material and Department using the material.

BACKGROUND: In August 2023, the District solicited bids for gravel, sand and other materials used for maintenance, repair and improvement projects throughout the District, with pricing based on either materials: (i) to be delivered by the bidder to sites within three different areas within the District, or (ii) to be picked up at the bidder's pit. A total of five bidders submitted bids.

In November 2023, the Operations and Finance Committees recommended, and the Board approved, a resolution approving contracts to all five bidders for the purchase of grounds materials, based on a bid tabulation that was attached to the resolution at that time. Under each contract, the District has the right to purchase whatever quantity of materials (if any) that it desires from that particular vendor.

Since that time, staff has determined that the bids from one vendor bidder (Thelen Materials) for two different material types (within all three delivery areas) were inadvertently omitted from the bid tabulation, and that Thelen's bids for those materials were in fact the low bids (the "Omitted Low Bids"). Staff recommends that the Board approve a resolution accepting the Omitted Low Bids, approving a change order to the contract with Thelen adding the material types and delivery areas reflected in the Omitted Bids, and rescinding the Board's finding that Super Aggregates was the low bidder for those material types.

On the Exhibit to the attached resolution, the Omitted Bids from Thelen are highlighted in orange and the bids from Super Aggregates that were incorrectly accepted are highlighted in green.

All five contracts commenced on January 1, 2024, and will be in effect for two years, ending on December 31, 2025.

REVIEW BY OTHERS: Director of Finance, Director of Golf Operations, Chief of Grounds Maintenance, Manager of Board Operations, and Corporate Counsel.

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

**A RESOLUTION APPROVING A CHANGE ORDER TO A CONTRACT WITH
THELEN MATERIALS, LLC FOR THE PURCHASE OF GROUNDS MATERIALS**

WHEREAS, the Lake County Forest Preserve District (the “District”) previously advertised in The Lake County News Sun for sealed bids to sell to the District grounds materials, which are listed under the column titled “DESCRIPTION” on the attached exhibit (the “Products”); and

WHEREAS, on November 15, 2023, the Board of Commissioners (the “Board”) of the District approved a resolution (the “November 2023 Resolution”) accepting the Low Bids (as defined therein and as depicted in Exhibit A to the November 2023 Resolution (the “November Exhibit”)), and approving contracts with bidders for the purchase of the Products, including a contract (the “Thelen Contract”) with bidder Thelen Materials, LLC (“Thelen”); and

WHEREAS, the November Exhibit to the November 2023 Resolution inadvertently and incorrectly omitted bids from Thelen to deliver the Products, listed on the November Exhibit as Items 14 and 16, to the three different delivery areas identified in the November Exhibit (the “Omitted Bids,” which are highlighted in orange on the Exhibit attached to this Resolution (the “Current Exhibit”)); and

WHEREAS, the Board of Commissioners hereby finds that the Omitted Bids were actually the lowest bids submitted for the delivery of Items 14 and 16 and should have been included in the definition of “Low Bids” in the November 2023 Resolution and in the November Exhibit; and

WHEREAS, the District hereby rescinds its finding in the November 2023 Resolution that the bids from Super Aggregates for delivery of Items 14 and 16 (highlighted in green on the Current Exhibit) were Low Bids;

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. Acceptance of Omitted Bids and Approval of Change Order. The Omitted Bids in the amounts listed on the Current Exhibit are hereby accepted. The District’s Executive Director or his designee are hereby authorized and directed to negotiate and approve a change order to the Thelen Contract, which change order shall provide that the District may purchase Items 14 and 16 from Thelen for delivery to the delivery areas identified in the Current Exhibit (the “Change Order”). The Board hereby finds that (i) the Change Order is germane to the Thelen Contract as signed and (ii) the Change Order is in the best interest of the District.

Section 3. Payments. The Treasurer shall make payments under the Contracts only pursuant to and in accordance with the Contracts’ terms.

Section 4. 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 _____, 2024

AYES:

NAYS:

APPROVED this _____ day of _____, 2024

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Board Secretary
Lake County Forest Preserve District

Exhibit No. _____

BLANK ITEMS = NO BID

Item	Description	UOM	Est Qty (annual)	Potsies, Inc.				Waupaca Sand & Solutions				Thelen Materials, LLC				Super Aggregates				Central Tree & Landscape Mulch LLC			
				Area 1	Area 2	Area 3	Pick up at pit	Area 1	Area 2	Area 3	Pick up at pit	Area 1	Area 2	Area 3	Pick up at pit	Area 1	Area 2	Area 3	Pick up at pit	Area 1	Area 2	Area 3	Pick up at pit
1	Boulders (12" – 18")	TON	100													\$95.00	\$95.00	\$95.00	\$75.00				
2	Boulders (18" – 24")	TON	100													\$105.00	\$105.00	\$105.00	\$85.00				
3	Boulders (24" – 36")	TON	100													\$125.00	\$125.00	\$125.00	\$105.00				
4	Boulders (36" – 60")	TON	100													\$130.00	\$130.00	\$130.00	\$110.00				
5	Riprap, Natural Cobbles (4" – 8")	TON	100													\$75.00	\$75.00	\$75.00	\$55.00				
6	Riprap, Natural Cobbles (8" – 12")	TON	100													\$80.00	\$80.00	\$80.00	\$60.00				
7	Riprap, Erosion Protection (RR-3)	TON	300													\$60.00	\$60.00	\$60.00	\$35.00				
8	Riprap, Erosion Protection (RR-4)	TON	300													\$65.00	\$65.00	\$65.00	\$40.00				
9	Riprap, Erosion Protection (RR-5)	TON	60													\$70.00	\$70.00	\$70.00	\$45.00				
10	Riprap, Rockfill (RR-3)	TON	200													\$60.00	\$60.00	\$60.00	\$35.00				
11	Riprap, Rockfill (RR-4)	TON	200													\$65.00	\$65.00	\$65.00	\$40.00				
12	Riprap, Rockfill (RR-5)	TON	60													\$70.00	\$70.00	\$70.00	\$45.00				
13	CA-1 (Crushed, 3" minus)	TON	100													\$40.00	\$40.00	\$40.00	\$15.00				
14	CA-5 (#8 Stone, Natural 1 1/2", Washed)	TON	100									\$28.25	\$27.63	\$28.33		\$40.00	\$40.00	\$40.00	\$20.00				
15	CA-6 (Grade 8 Limestone)	TON	200													\$33.00	\$33.00	\$33.00	\$8.00				
16	CA-6 (Grade 9)	TON	300									\$25.37	\$23.80	\$23.98		\$30.00	\$30.00	\$30.00	\$13.00				
17	CA-6 (Crushed Concrete)	TON	300													\$30.00	\$30.00	\$30.00	\$16.00				
18	CA-7/11 (Clean Crushed 3/4"-1", Chips)	TON	100									\$32.25	\$31.63	\$31.98		\$33.00	\$36.00	\$36.00	\$19.00				
19	CA-7/11 (#6 Stone, Natural 3/4"-1" Washed)	TON	100									\$25.37	\$23.80	\$23.98		\$33.00	\$33.00	\$33.00	\$16.00				
20	CA-16 (Pea Gravel, Natural 3/8", Washed)	TON	80					\$35.75	\$32.25	\$33.00	\$20.75	\$18.25	\$17.63	\$17.98		\$30.00	\$30.00	\$30.00	\$13.00				
21	CA-16 (Clean Crushed, 3/8" Chips)	TON	50									\$35.37	\$33.80	\$33.98		\$33.00	\$36.00	\$36.00	\$19.00				
22	#10 Stone (Natural 2"-4", Washed)	TON	60									\$38.25	\$37.63	\$37.98		\$40.00	\$40.00	\$40.00	\$20.00				
23	3" (Crushed, evenly graded Limestone)	TON	200													\$40.00	\$40.00	\$40.00	\$15.00				
24	3" (Crushed Concrete)	TON	150													\$40.00	\$40.00	\$40.00	\$20.00				
25	FA-2 (Torpedo Sand)	TON	200									\$16.25	\$15.63	\$15.98		\$20.50	\$23.50	\$23.50	\$6.50				
26	FA-5 (Limestone Screenings, 3/8"x0", Chips with Fines)	TON	500													\$31.00	\$31.00	\$31.00	\$6.00				
27	FA-9 (Mason Sand)	TON	200									\$24.25	\$23.63	\$24.33		\$36.00	\$36.00	\$36.00	\$16.00				
28	FA-10 (Blending Sand)	TON	100									\$15.25	\$14.63	\$15.33		\$26.00	\$29.00	\$29.00	\$9.00				
29	FA-21 (LCFPD Trail Surface Aggregate)	TON	4000									\$21.25	\$20.63	\$21.33									
30	Decomposed Red Crush Granite	TON	20					\$119.05	\$119.05	\$119.05													
31	Ready-mix Portland Cement Concrete (5 Bag Mix)	CY	50																				
32	Ready-mix Portland Cement Concrete (6 Bag Mix)	CY	50																				
33	Topsoil (Pulverized)	CY	1100	\$20.50	\$20.50	\$20.50	\$15.00					\$23.25	\$22.63	\$23.33									
34	Topsoil (Non-Pulverized)	CY	500	\$18.00	\$18.00	\$18.00	\$15.00									\$21.00	\$24.00	\$24.00	\$7.00				
35	Compost	CY	100									\$19.98	\$19.96	\$20.60									
36	Mulch (Triple-Ground)	CY	300																	\$36.00	\$36.00	\$36.00	
37	Mulch (Triple-Ground Aged)	CY	100																	\$36.00	\$36.00	\$36.00	
38	Leaf Compost	CY	100									\$19.98	\$19.96	\$20.60									
39	USGA Bunker Sand	TON	150					\$42.25	\$38.75	\$39.50	\$26.75	\$49.25	\$48.63	\$49.33									
40	USGA Rootzone Sand	TON	1000					\$42.25	\$38.75	\$39.50	\$26.75	\$29.25	\$28.63	\$29.33									
41	USGA Greens Construction Mix	TON	20					\$58.25	\$54.75	\$55.50	\$42.75												
42	USGA Bridging Gravel	TON	200					\$35.75	\$32.25	\$33.00	\$20.75	\$24.25	\$23.63	\$24.33									
43	USGA Fines-Free Topdressing Sand (Non Dried)	TON	250					\$55.45	\$59.40	\$55.30	\$29.40	\$49.25	\$48.63	\$49.33									
44	Divot 7:2:1 Mix	TON	100					\$60.50	\$57.00	\$57.75	\$45.00												

AS AWARDED:

- Non-conforming bids
- Low Bids

TO BE FIXED:

- awarded as low bid but 2nd low
- not awarded as low bid but is low bid