

MINUTES OF THE PUBLIC SPECIAL MEETING
PLEASANT DALE PARK DISTRICT
WEDNESDAY, MAY 23, 2018 – 8:00 PM
WALKER PARK RECREATION CENTER
7425 SOUTH WOLF ROAD, BURR RIDGE, ILLINOIS

1. Pledge of Allegiance

2. Call to Order/Roll Call: Present: Commissioners: Ernie Moon, CJ Johnson, Kristin Wojtulewicz, Brad Tertell, and Todd Davis. Also present: Executive Director Matt Russian

3. Board Action on Ordinance 2018-3: Authorizing the Donation of Surplus Personal Property to Kids Around the World

Mr. Russian reported that this agreement was two-fold; this authorizes the park district to donate surplus property as well as authorizes Kids Around the World, Inc. to remove the White Buffalo Park playground equipment, refurbish and repurpose it in another location.

MOTION

Mr. Davis made a motion to approve Ordinance 2018-3. Seconded by Ms. Wojtulewicz. All Ayes. Motion passed.

4. Board Action on Resolution 2018-3: Interlocal Participation Agreement for the GoodBuy Purchasing Cooperative.

Mr. Russian reported that the park district would be able to join cooperative purchasing programs in order to receive discounted pricing for the new playground equipment and shelter at White Buffalo Park. The GoodBuy Purchasing Cooperative required an approved resolution in addition to the paperwork to join the program.

MOTION

Mr. Tertell made a motion to approve Resolution 2018-3. Seconded by Mr. Davis. All Ayes. Motion passed.

Due to the audience in attendance, the Board proceeded to agenda item 6-Open Forum before hearing agenda item 5.

6. Open Forum

Mr. Michael Lingl, from the Indiana, Illinois, and Iowa Foundation for Fair Contracting, voiced his protest of the low bid for the White Buffalo Playground project by Innovation Landscape,

Inc. Mr. Lingl highlighted various pieces of information via memoranda and emails, that were previously emailed to the Board, from other park districts regarding Innovation Landscape's prior work history. Information included concerns about Innovation being able to provide a standard level of quality, requiring high amount of supervision, improper installation techniques, missing and incorrect equipment parts, and OSHA violations.

Mr. Johnson asked Mr. Lingl if he was familiar with the other 4 companies that bid on the project and if any of these same complaints had been raised among them. Mr. Lingl stated that he was familiar with all of the companies but focused on Innovation as they were the low bidder. Mr. Davis asked Mr. Lingl if Innovation and Hacienda are related and Mr. Lingl replied yes. Mr. Johnson asked Mr. Lingl his opinion and if he had large files on all of the 5 companies as many of the claims against Innovation appear as if they could be made against any contractor and if he had any hard evidence against any prevailing wage claims. Mr. Lingl replied that he has personally monitored work performed by Innovation (sitting at worksite, taking pictures, and inspecting certified payrolls). Mr. Lingl stated that his inspections are "complaint-driven" and it would be impossible to monitor all of the projects that are taking place. Mr. Lingl also stated that he has observed inconsistencies with certified payroll from Innovation and alerted the Department of Labor and there has been no final decision as the allegations are still pending. Mr. Johnson asked Mr. Lingl if the IIFCC was affiliated with any labor board or union and Mr. Lingl replied that the IIFCC represents both labor and management. Mr. Johnson again asked if he was aware of any complaints made against Great Lakes Landscaping, Kee Construction, Elanar, and Hacienda. Mr. Lingl stated that he was aware of claims made against Kee and Hacienda, nothing on Great Lakes, and it had been a very long time since he received a complaint against Elanar. Mr. Johnson asked Mr. Lingl if he knew how long the 5 companies had been in business. Mr. Lingl replied that Innovation started a couple of years ago and, along with Hacienda, were formed after a now-defunct company (Fuerte Systems) declared bankruptcy. Mr. Lingl wasn't sure how long Kee Construction has been in business but they don't "self-perform", rather they act as a general contractor and sub contract out a lot of their work and issues generate from the sub-contractors. Mr. Lingl added that he doesn't recommend anybody but that's the information he knows. Mr. Davis stated that Elanar has been in business for 16 years.

Ms. Carmela Gonzalez, Business Representative from Local 150, spoke next and stated she was able to speak directly in regards to the companies that bid on the White Buffalo project. Ms. Gonzalez works in the Landscaping division of Local 150 covering Indiana, Illinois, and Iowa. She stated that Hacienda, Kee, and Innovation are not signed with Local 150 and considers them non-union. Elanar has been signed with Local 150 for years and she has worked personally with them. She stated that Elanar treats her members like they should be treated and delivers a quality product. Ms. Gonzalez believes that Fuerte Systems is involved in litigation with other trades due to trying to avoid paying their workers. She added that Fuerte was a union company

signed with Local 150 before they declared bankruptcy. The lawsuit alleges that 3 companies, Innovation, Hacienda, and D and J Landscaping are a “spin-off” of Fuerte Systems and filed bankruptcy because they didn’t want to pay their members what they were owed. Ms. Gonzalez is concerned as those members are owed health and welfare as well as retirement benefits that they will not see as Fuerte Systems claim they have no money yet her belief is that those workers are still out in the field working and making a profit for these 3 newer companies. Ms. Gonzalez highly recommended Elanar or Great Lakes for the project. She added that Fuerte Systems fired all of her members when they went bankrupt. Ms. Gonzalez has attempted to organize the newly hired employees of the 3 spin-off companies to no avail. She has concerns about how these employees are being treated.

Mr. Russian answered a prior question stating that in his time at the park district, there has been no interaction with any of the 5 companies that bid on the White Buffalo project.

Mr. Moon stated that the Board wants “a company to come in that has a fair price, treats their people right, and does a safe job.” Mr. Davis added that he wants the project done well, on time, and the right way. Mr. Davis added that he dislikes the company going bankrupt and then forming new companies.

Mr. Johnson asked the Board about next steps and if Executive Session should be used to complete the discussion. Mr. Russian, along with Ms. Wojtulewicz, stated that the discussion should be held out in open and Executive Session wasn’t needed.

8. Executive Session (As needed)

-Discussion on Major Business Transaction

MOTION

Mr. Tertell made a motion to go into Executive Session to discuss bid evaluations. Seconded by Mr. Davis. All Ayes. Motion passed.

(Whereupon the Board went into Executive Session at approximately 8:30 p.m.)

(Whereupon the Board came out of Executive Session at approximately 8:51 p.m.)

5. Board Action on Accepting Bid from Innovation Landscape for White Buffalo Playground Renovation totaling \$442,350.53

MOTION

Mr. Tertell made a motion to accept the bid from Innovation Landscape for White Buffalo Playground Project for \$442,350.53. Seconded by Ms. Wojtulewicz.

Mr. Moon-Nay
Mr. Johnson-Abstain
Ms. Wojtulewicz-Nay
Mr. Tertell-Nay
Mr. Davis-Nay

Motion defeated.

7. Additional Items-Nothing heard

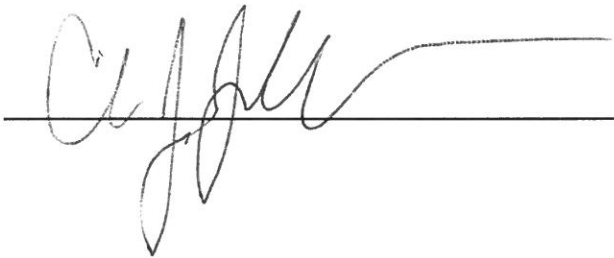
9. Adjournment

MOTION

Mr. Davis made a motion to adjourn. Seconded by Mr. Tertell.

(Whereupon the Regular Meeting & Executive Session ended at
8:55 p.m.)

Reported by Matt Russian

A handwritten signature in black ink, appearing to read "Matt Russian", is written over a horizontal line. The signature is stylized and cursive.