

**ORDINANCE 2019-130**

**AN ORDINANCE WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING A CONTRACT WITH ORGANIC SEDIMENT REMOVAL SYSTEMS, LLC TO REMOVE ORGANIC SEDIMENTS AT THE BASE OF 3 ARBORTHEATRE PONDS FOR AN AMOUNT NOT TO EXCEED \$41,000**

**WHEREAS**, the Village of Vernon Hills, County of Lake, State of Illinois (*"the Village"*) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code; and

**WHEREAS**, the Village budgeted \$30,000 within budget account (0209081-550030) to provide sediment removal services for three (3) ponds at the Village's Arboretum; and

**WHEREAS**, staff received a total of three proposals for said work; and

US Aquavac- \$24,979  
Organic Sediment Removal Services, LLC- \$40,190  
Integrated Lakes Management- \$43,500

**WHEREAS**, upon checking references for the lowest bidder, US Aquavac, staff received negative feedback, and also a lack of effort from the vendor to provide a thorough estimate for said work; and

**WHEREAS**, staff recommends entering into a contract with the second lowest bidder, Organic Sediment Removal Services, LLC for an amount of \$40,190; and

**WHEREAS**, an additional \$810 above the base price of \$40,190 is available for any additional services if required; and

**WHEREAS**, during the site meetings with the contractors, it was determined that the sediment depth is substantially thicker than anticipated and therefore, a budget transfer is required; and

**WHEREAS**, the Arboretum account (0102081-520600) includes funds for landscape maintenance that can be utilized as items such as mulch are installed every other year; and

**WHEREAS**, consolidated purchases throughout the budget year of over \$25,000 require Board of Trustee approval.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1: EXECUTION OF AGREEMENT:** The Village Manager is hereby authorized to execute all required documents with Organic Sediment Removal

Systems, LLC to provide organic sediment removal services at a price not to exceed \$41,000.

**SECTION 2: AUTHORIZATION & RELEASE OF PAYMENT:** The Finance Director is hereby authorized to do a budget transfer of \$11,000 from budget account (0102081-520600) to (0209081-550030); and to make payment to Organic Sediment Removal Systems, LLC in an amount not to exceed \$41,000.

**SECTION 3: EFFECTIVE DATE:** This Ordinance shall be in full force and effect from its passage and approval.

**SECTION 4: ORDINANCE NUMBER:** This Ordinance shall be known as Ordinance Number 2019-130.

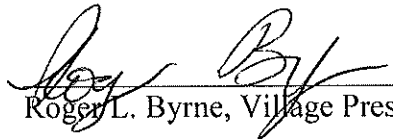
Dated the 3<sup>rd</sup> of September, 2019

Adopted by roll call votes as follows:

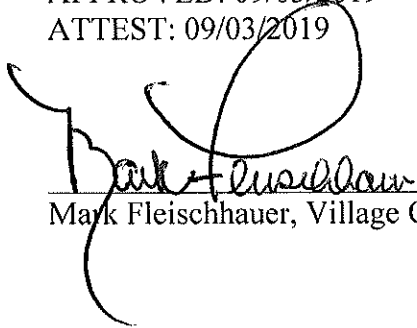
AYES: 7 – Oppenheim, Takaoka, Brown, Schultz, Marquardt, Koch, Byrne

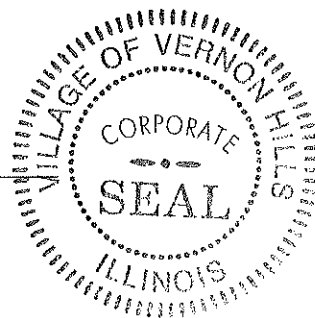
NAYS 0 - None

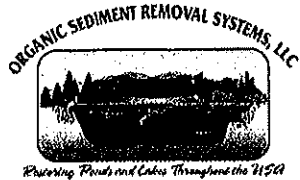
ABSENT AND NOT VOTING: 0 - None

  
\_\_\_\_\_  
Roger L. Byrne, Village President

PASSED: 09/03/2019  
APPROVED: 09/03/2019  
ATTEST: 09/03/2019

  
\_\_\_\_\_  
Mark Fleischhauer, Village Clerk





## ORGANIC SEDIMENT REMOVAL SYSTEMS, LLC

*"A Leader in Pond Restoration since 1991"*

Richard Kohutko - Owner  
 N9397 7<sup>th</sup> Avenue South  
 Necedah, WI 54646  
[richmcat@tds.net](mailto:richmcat@tds.net)

Phone: 608-565-7105  
 Cell: 608-547-7753  
 Fax: 608-565-6434  
<http://www.pondclean.com>

Michael Kohutko  
[michael@pondclean.com](mailto:michael@pondclean.com)  
 Cell: 608-234-1996  
 FL: 561-328-3757

July 31, 2018

Revised 08/28/19

Josh Hansen  
 Vernon Hills Public Works  
 50 Memorial Drive  
 Vernon Hills, IL  
 847-732-3449

### Project Location:

Same Address

Dear Josh,

We wish to thank you for considering OSR Systems for your pond-restoration project. We are the original founders of this type of system and have been removing sediments from ponds and other waterways for the past 28 years. Most of our equipment has been modified and patented exclusively for OSR Systems. I am confident we can be of valuable service in your efforts also. As you are aware, OSR Systems' charges are based on time and material to save our clients time and funds as well as work within their budgets. If elected, this process also allows projects to be completed in stages instead of all at once.

### "SCOPE OF WORK"

- **Operations of OSR Systems**

OSR Systems concentrates in removing organic sediments from the deepest area of the pond first, unless stated otherwise. This is where the heaviest concentration of sediments exists and is causing the most **environmental** damage to the pond. If time is allowed, we will reach the original bottom and widen the area as close to the **bottom of the banks** as possible. If time is not available, we will remove as much sediment from the deepest area of the pond first, as this has proven to be more beneficial to the pond's ecology. Our hours are regulated by Insurance and OSHA. The hourly rate of time and material charges are reflected herein this proposal.

- **Exclusions.**

If silt containers are needed, OSR Systems is **not responsible** for preparation and grading of the discharge site or removal of sediments and restoration of the discharge site unless otherwise stated. Because we cover a vast geographic area, we have found it more economical for you to use your local landscapers or excavators whom some of you may be acquainted with in the immediate area for this work. If necessary, we will provide you with a comparison bid.

**PROPOSAL**

**Pond 1 Center Pond, .38 Acres**

**Sediment Removal of 1.0 ft: From the Greater Bowl Area of .35 Acres, 560 Liquid Cubic Yards**

- **Low Range, 1.0 feet, 560 liquid cubic yards**
- 16 Hours @ \$495hr.....\$ 7,920
- 1 silt container 90' cir X 100' at \$6,950 equals.....( If Open Discharge N/C).....\$ 6,950
- Mobilization and Equipment.....\$ 3,100
- Silt Container Preparation @ 30 ft x 100 ft \$1,500.....( In House).....\$ In House

---

- Low Range Total.....\$ 17,970**

**PROPOSAL**

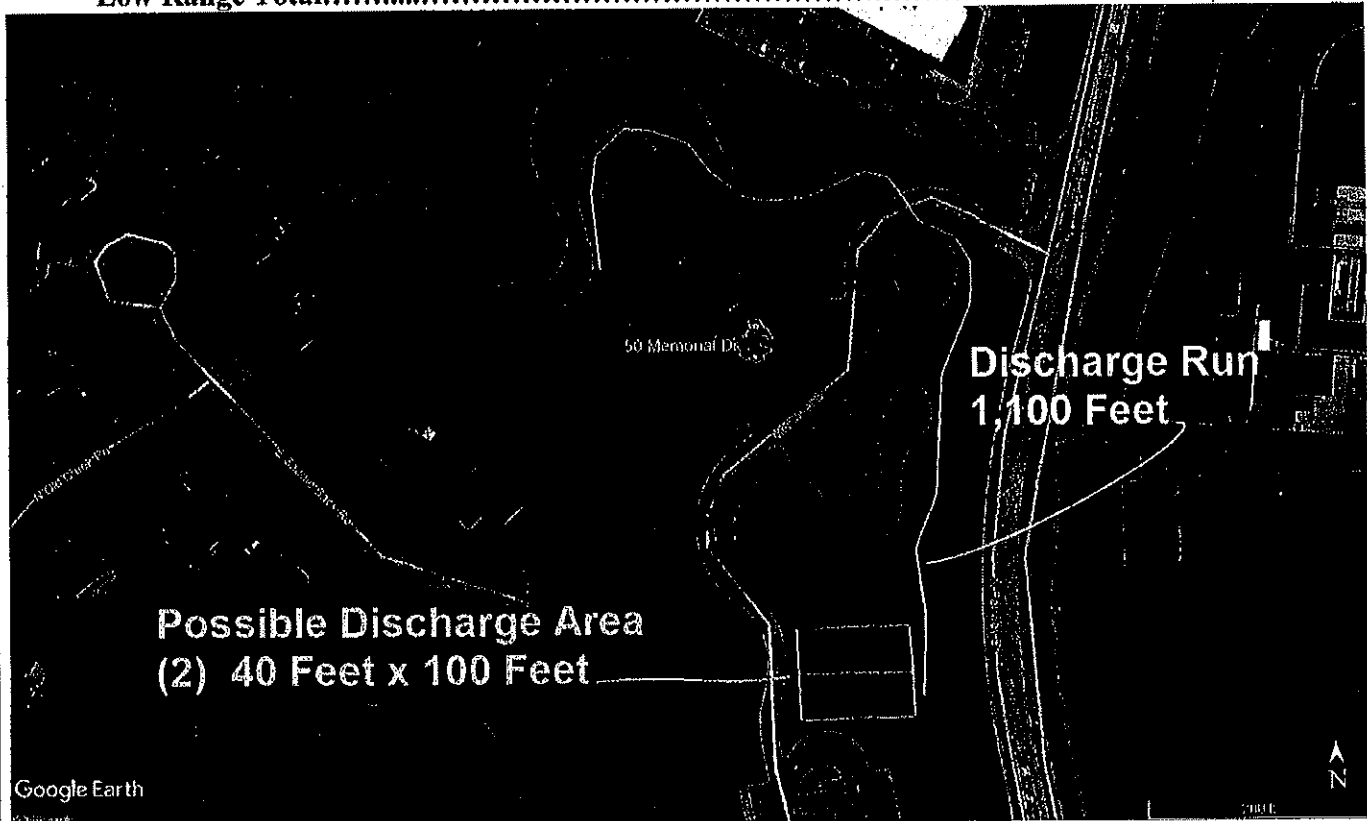
**Pond 2, South East Pond, .38 Acres**

**Sediment Removal of 1.0 ft: From the Greater Bowl Area of .35 Acres, 560 Liquid Cubic Yards**

- **Low Range, 1.0 feet, 800 liquid cubic yards**
- 16 Hours @ \$495hr.....\$ 7,920
- 1 silt container 60' cir X 100' at \$3,950 equals.....( If Open Discharge N/C).....\$ Included
- Mobilization and Equipment.....\$ 3,100
- Silt Container Preparation @ 30 ft x 100 ft \$1,500.....( In House).....\$ In House

---

- Low Range Total.....\$ 11,020**



**PROPOSAL**

**Pond 1, North West Pond, .20 Acres**

**Sediment Removal of 1.0 ft: From the Greater Bowl Area of .18 Acres, 288 Liquid Cubic Yards**

- **Low Range, 1.0 feet, 320 liquid cubic yards**
- 10 Hours @ \$495hr.....\$ 4,950
- 1 silt container 60' cir X 75' at \$3,750 equals.....( If Open Discharge N/C).....\$ 3,750
- Mobilization and Equipment.....\$ 2,500
- Silt Container Preparation @ 30 ft x 100 ft \$1,500.....( In House).....\$ In House

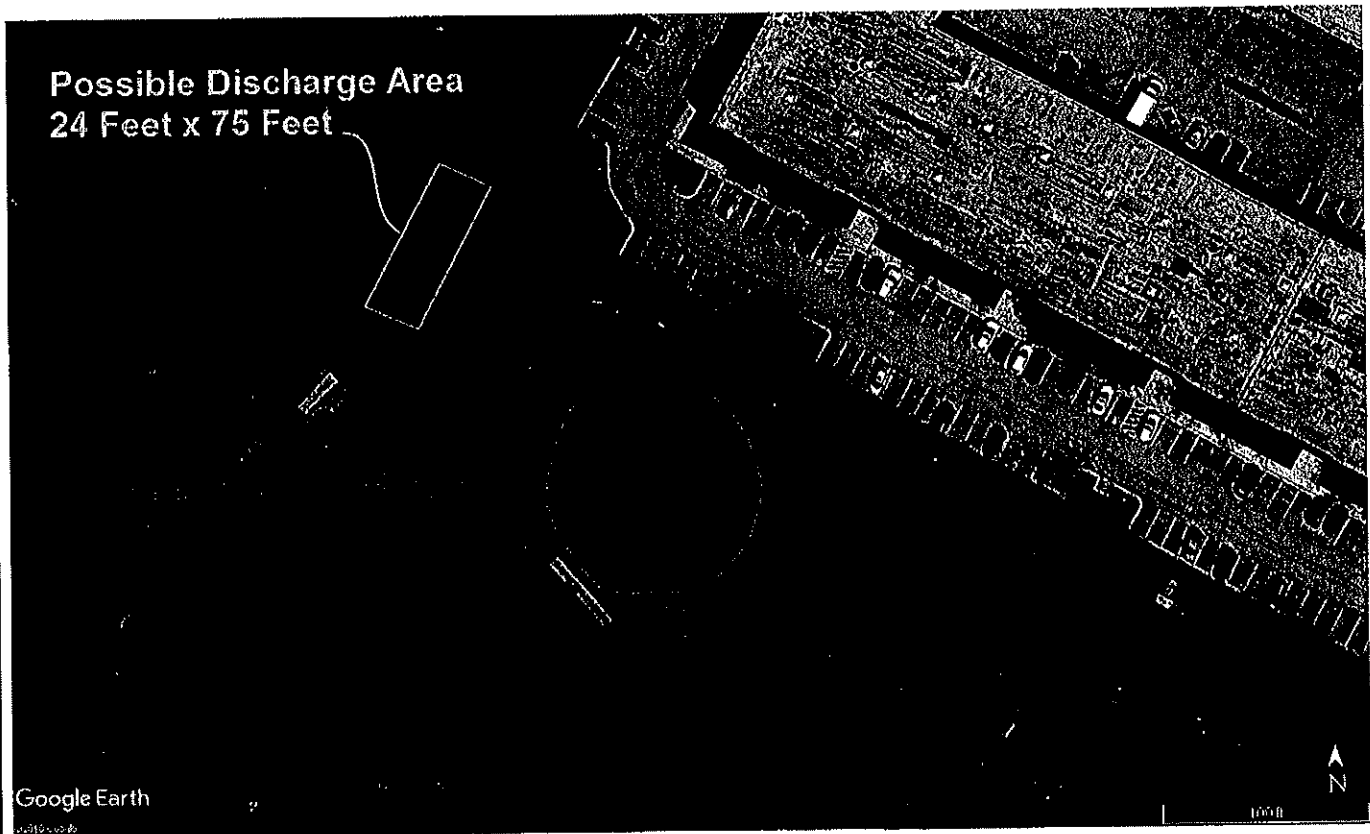
---

- Low Range Total.....\$ 11,200**

**Option**

If you would like to remove sediments from specific areas of the pond:

- Rate = \$495 per hour; sediment removal of 40-60 liquid cubic yards per hour  
You may choose a **minimum of eight hours** or higher.



**Total for all Ponds 1,2, and 3.....\$ 40,190.00**

## Discharge Site Options and Conditions

Above, marked in blue, is the proposed dredged area; marked in yellow is the proposed discharge site. OSR Systems removes 40-60 liquid cubic yards per hour. After drying, considering the shrink rate or compression ratio of 10 to 1, this is equivalent to 4-6 hard-dried cubic yards left over in the discharge area per hour of sediment removal. It may take 6-8 months for the material to hard dry in the container before removal.

As stated on page one of this proposal (unless open discharge), OSR Systems is **not responsible** for the preparation of the discharge site, which includes the mulched or graded area for the silt containers. Your local landscapers or excavators can prepare the discharge site more economically. As for the leftover sediments in the discharge area, they can be graded and seeded over on site or the material can be hauled off site after it has hard-dried. There may be as much as 300 cubic yards in the discharge site to be hauled away; you will need to check with an excavation contractor in your area for the cost of this sediment removal after compression. OSR Systems is not responsible for any of these charges. The average cost in your area is \$40.00 per cubic yard.

As reflected in our information packet, the organic sediments (bio-mass) located in the center bowl areas of the ponds are causing the most environmental damage to the pond. Once this material is removed, your ponds should react very favorably. Strict EPA and Federal Laws prohibit any disruption of the bank area of ponds and other water ways. OSR Systems will taper the bottom of these banks, but will not disturb the upper bank area which is considered the shoreline. Exceptions are beach areas and pump stations. Large objects such as rocks, sticks, root-systems and heavy weeds cannot be pumped through this system. They will have to be removed by other means. All living aquatic plants must be dead and decomposing. Please keep your pond maintained.

For a more accurate proposal, you may have a sediment and viscosity (bathymetric) study performed to determine the actual sediment depth for around \$675.00. If you are hauling the material off site, you may need a chemical analysis report of the sediments which is around another \$1,100. (Depending upon your area and size of the body of water). Otherwise, the cost stated in this proposal is an average of sediment accumulation determined by 28 years of experience. There are factors which could affect the average accumulation of sediments in waterways and ponds such as, streams, flooding, culverts, heavy foliage, poor maintenance, discharge distance and elevation. Therefore, not all of the sediments may be removed in the hours stated in this proposal.

OSR Systems Requires a 40% deposit 2 weeks before the start of all projects, as well as this contract signed by the party responsible for payment.

If you have any questions or I can be of any further assistance, please call me at 608-547-7753.

Sincerely,



Rich Kohutko

**The undersigned reviewed, approves, and agrees with the above proposal and all of the terms/conditions included.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Boyer By*  
*Sept 3, 19*

VILLAGE OF VERNON HILLS

ORDINANCE NO. 2019-130

AN ORDINANCE WAIVING THE COMPETITIVE BIDDING PROCESS AND  
AUTHORIZING A CONTRACT WITH ORGANIC SEDIMENT REMOVAL SYSTEMS, LLC  
TO REMOVE ORGANIC SEDIMENTS AT THE BASE OF 3 ARBORTHEATRE PONDS  
FOR AN AMOUNT NOT TO EXCEED \$41,000

THE 3<sup>rd</sup> DAY OF SEPTEMBER 2019

Published in pamphlet form by the Authority of the  
President and Board of Trustees of the Village of  
Vernon Hills, Lake County, Illinois, this  
3<sup>rd</sup> Day of September 2019


STATE OF ILLINOIS )  
                                  )  
COUNTY OF LAKE     )

CERTIFICATE

I, MARK FLEISCHHAUER, CERTIFY THAT I AM THE DULY APPOINTED AND ACTING VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS. I FURTHER CERTIFY THAT ON SEPTEMBER 3, 2019, THE CORPORATE AUTHORITIES OF SUCH MUNICIPALITY PASSED AND APPROVED ORDINANCE NO. 2019-130 - AN ORDINANCE WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING A CONTRACT WITH ORGANIC SEDIMENT REMOVAL SYSTEMS, LLC TO REMOVE ORGANIC SEDIMENTS AT THE BASE OF 3 ARBORTHEATRE PONDS FOR AN AMOUNT NOT TO EXCEED \$41,000.

THE PAMPHLET FOR ORDINANCE NO. 2019-130 INCLUDING THE ORDINANCE AND A COVER SHEET THEREOF, WAS PREPARED, AND A COPY DATED SEPTEMBER 3, 2019 AND CONTINUING FOR AT LEAST TEN DAYS THEREAFTER. COPIES OF SUCH ORDINANCE WERE ALSO AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST IN THE OFFICE OF THE VILLAGE CLERK.

DATED IN VERNON HILLS, ILLINOIS, THIS 3RD DAY OF SEPTEMBER 2019

  
\_\_\_\_\_  
Mark Fleischhauer  
Village Clerk


SEAL



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS        )  
  )  
COUNTY OF LAKE         )

I, MARK FLEISCHHAUER, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2019-130 - AN ORDINANCE WAIVING THE COMPETITIVE BIDDING PROCESS AND AUTHORIZING A CONTRACT WITH ORGANIC SEDIMENT REMOVAL SYSTEMS, LLC TO REMOVE ORGANIC SEDIMENTS AT THE BASE OF 3 ARBORTHEATRE PONDS FOR AN AMOUNT NOT TO EXCEED \$41,000 TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM SEPTEMBER 3 TO SEPTEMBER 17, 2019.

  
\_\_\_\_\_  
Mark Fleischhauer  
Village Clerk

SUBSCRIBED AND SWORN TO BEFORE  
THIS 3<sup>rd</sup> DAY OF SEPTEMBER 2019

\_\_\_\_\_  
Notary Public