

CITY OF LOCKPORT  
COMMITTEE OF THE WHOLE MEETING  
AGENDA

WEDNESDAY, February 1, 2017

**7:00 P.M. or at the  
conclusion of the City Council Meeting**

- 
- (a). Pledge of Allegiance:
  - (b). Roll Call:
  - (c). Introduction:
  - (d). Items recommended for action at next City Council Meeting:
  - (e). Shop Lockport – Business Spotlight:
  - (f). Mayor’s Report:
    - 1. Liaisons Report M-1 (Verbal)
  - (g). City Clerk’s Report:
  - (h). PERMANENT COMMITTEES:
    - (1). Plan & Zoning Commission
      - 1. P. Hirth Memo 1/23/17 PZC-1 PZC Case #2016-013: Concept Plan for an Industrial/Business Park/south of 143<sup>rd</sup> Street, west of I-355 & east of Archer Ave./ Applicant: Prologis LP
  - (i) STAFF REPORT:
    - 1. City Administrator:
    - 2. Finance Director:
    - 3. Police Chief:
    - 4. City Attorney:
    - 5. Director of Community & Economic Development:
    - 6. Director of Engineering:
      - 1. A. Wagner, C. Ulm, T. Thanas ED-1 Award Well #14 Iron Filtration Facility Addition Contract contingent upon IEPA Issuance of State Revolving Fund Loan/ Resolution No. 17-009.  
Memo 1/26/17

7. Director of Public Works:

8. NEW BUSINESS – MISCELLANEOUS

(j). OPEN FLOOR FOR PUBLIC COMMENTS:

(Comments will be heard on items that do not appear on the Agenda. The Public Comment portion of the Agenda shall be subject to a twenty (20) minute limitation. A time limit of five (5) minutes shall be imposed on each Speaker.

The purpose of having Public Comments as an Agenda item is to allow any person to make his/her views known to the City Council upon any subject of general or public interest. The Council recognizes that Public Comments are for the purpose of legitimate inquiries and discussion by the Public, and not for the purpose of advancing arguments or repetitious questions concerning matters which the Council believes to be closed or not of general public concern.

The Council shall have the right during this period to decline to hear any person or subject matter upon proper motion and majority vote by the Council. Each person wishing to speak during the Public Comment portion of the Agenda must fill out a Public Comment Speaker Card stating name, and the topic about which he/she wishes to speak as well as a sign-in sheet, and give to the City Clerk at the Meeting itself.

The purpose of the Cards is to obtain the spelling of the name of the Speaker, and provide for efficient meeting administration.

The order of speaking shall be based upon the order of sign-in with first person signing-in speaking first and so forth. If the twenty (20) minutes has elapsed before all Speakers who have signed up are allowed to speak, the City Council may elect to continue the time period.

However, if the City Council elects not to extend the time period those Speakers who signed up but did not speak may if they so choose to be placed on the next Agenda under the Public Comments Section and shall be placed at the top of the Sign-In Sheet in the same order they were in from the previous Sign-In Sheet. All Speakers shall comply with these rules which shall be posted at the Speaker Sign-In desk and rulings of the City Clerk.)

(k). ADJOURNMENT

## OPEN MEETINGS EXEMPTIONS

- 2(c)(1) Appointments, Employment, Compensation, Discipline, Performance or Dismissal of specific Employees.
- 2(c)(2) Collective Bargaining Matters.
- 2(c)(3) Selection of a person to fill a Public Office, including a vacancy in a Public Office.
- 2(c)(5) Purchase or Lease of real property, including meetings held for the purpose of discussing whether a particular parcel should be acquired.
- 2(c)(6) The setting of a price for Sale or Lease of property owned by the public body.
- 2(c)(11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
- 2(c)(21) Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.

# Committee of the Whole

## Agenda Memorandum

PZC-1

Item #

To: Mayor & City Council

From: Pam Hirth, Community and Economic Development Director

Subject: PZC Case #2016-013: Concept Plan for an Industrial Business Park/south of 143<sup>rd</sup> Street, west of I-355 & east of Archer Avenue/Applicant: Prologis LP

Date: January 23, 2017

### **BACKGROUND/HISTORY**

The applicant, Jim McGill on behalf of Prologis LP, is requesting Concept Plan review to determine if the City is receptive to the proposed light industrial/business park in advance of proceeding with more detailed applications and plans. What they are proposing is similar to existing industrial developments in the City (Heritage Crossing Corporate Center, 355 Corporate Center and the recently approved Lockport Business Center).

The property is zoned a combination of M1 Limited Manufacturing and O2 General Office and has an extensive zoning history (refer to attached map). The two parcels of M1 zoning located on the western half of the development have been zoned industrial/manufacturing since 1970. The O2 parcels located along I-355 have been zoned such since 2001 and the M1 parcel centrally located has been zoned since 2014 (it was annexed at the same time). A memo prepared by the City Attorney further detailing the zoning history is attached.

The I-355 Corridor Master Plan Update (excerpt attached) identifies a majority of the property as Light Industrial/Business Park (in purple) and that portion of the property immediately east of Archer Avenue as Office/Business park (in blue). Highlights of the Plan include: “This area closely mirrors the land use strategy that exists across I-355 to the east; the area is primarily designated for light industrial and business park uses; and because established residential uses exist adjacent to the area, the proposed use needs to be adequately screened and buffered from adjacent residential uses.”

The proposal includes five (5) industrial/warehouse buildings with a total building area of 1.97 million square feet. Buildings 1, 2 & 3 are oriented north/south and buildings 4 & 5 oriented east/west. Buildings/loading areas & trailer parking are separated from existing residential uses by a proposed public roadway, proposed detention areas/floodplain and/or landscaped buffer yards that include berms and fencing. Detention ponds are proposed throughout the development. A new public roadway having a right-of-way width of 80 feet (City’s industrial road standard) connecting 143<sup>rd</sup> Street (Will County Jurisdiction) to Archer Avenue (IDOT jurisdiction) would be constructed. Permits from both the County and IDOT would be required.

If the concept plan is approved, the plan will be refined and reviewed in detail when preliminary development plans are submitted. A Preliminary Planned Unit Development (PUD) request will also have to be submitted since the property is greater than ten (10) acres in size. A public hearing will be required including a public notice will be submitted to the newspaper, signs will be posted on the property and a letter will be sent to all property owners within 250 feet of the subject property.

The Plan & Zoning Commission considered the Concept Plan initially on November 8, 2016. The meeting was subsequently tabled to January 10, 2017 due to extensive neighbor opposition. A concept plan review does not require a public hearing, however a courtesy notice was initially sent to all adjacent property owners (those immediately sharing a property line) and an additional courtesy notice was sent to those whose names appeared on the sign-in sheet from the November 8<sup>th</sup> meeting.

In response to the concerns expressed by the neighbors, the applicant provided a binder (attached) that includes the following information:

- Section 1. Letter addressing resident concerns
- Section 2. Zoning Map (referencing zoning history of subject property, Big Run Wolf Ranch & existing Lockport residential to the south)
- Section 3. Revised Site Plan (dated December 19, 2016) changes include:
  - a. Building 1 reduced from 362,240 SF to 319,360 SF
  - b. Building 3 increased from 463,590 SF to 468,180 SF
  - c. Building 4 reduced from 366,660 SF to 299,600 SF
  - d. Building 5 reduced from 161,200 SF to 146,640 SF
  - e. Transitional landscape buffer yard along the north property line increased from 60 feet (code requirement) to 80 feet.
  - f. Berm height along north and west properties lines proposed at +/- 8 feet plus an 8 foot cedar fence.
  - g. Berm proposed south of Building 4 having a height +/- 15 feet plus an 8 foot cedar high fence plus additional separation containing a detention pond.
  - h. Previously proposed detention pond "D" south of Building 3 removed and a berm proposed and extending along west property line and extending along east property line having a height of +/- five feet plus 6 foot high cedar fence.
  - i. Eight (8) high cedar fence proposed in all open areas and in the dense tree lined areas along the residential property lines.
  - j. Emergency access road as requested by the Fire District is still shown but configured differently. The City is working with both the NW Homer and Homer Fire Districts regarding this matter (possible through some intergovernmental agreement, this access road may not be needed).
  - k. Property south of the creek line though not included, is now noted as all future residential (the owner of the property is willing to forego the current O2 zoning for additional residential zoning – R2 allows for one family detached, one family attached and two family dwelling units). The current owner will seek a rezoning of the property at a later date.

- Section 4. Site Aerial w/Dimensions
- Section 5. Site Lines/Elevations
- Section 6. Noise
- Section 7. Traffic
- Section 8. LED Lighting
- Section 9. Financial Projections-Real Estate Taxes
- Section 10. Customer Base
- Section 11. I-55 Submarket Industrial Properties Adjacent to Residential
- Section 12. Prologis Properties Adjacent to Residential

The applicant also provided a Draft Traffic Impact Study prepared by KLOA dated December 22, 2016. The City's Development Engineering Consultant has reviewed the Study (comments attached). In addition, the City also hired a 3<sup>rd</sup> party traffic engineering company (Gewalt Hamilton Associates, Inc.) to complete a peer review of the study.

A general summary of concerns/comments expressed by neighbors is attached to this memo (fer to Attachment 2). For a more detailed understanding, refer to meeting minutes and/or granicus recording on City's website.

A general summary of comments/concerns expressed by Plan & Zoning Commission members is attached to this memo (refer to Attachment 3). For a more detailed understanding, refer to meeting minutes and/or granicus recording on City's website.

### **RECOMMENDATION**

By a vote of 5-1, the Plan and Zoning Commission recommended approval of the Concept Plan subject to the following conditions:

1. The applicant acknowledges that Staff has completed a general review only of the Concept Plan, and that a more detailed review will occur with submission of a preliminary development plan. Staff comments at this time are general, intended to outline steps necessary if the project moves forward and to provide guidance and considerations for future submittals.
2. A Special Use Permit for a Planned Industrial Development shall be requested with submission of a preliminary development plan application since the property is greater than 10 acres in size.
3. A Development Agreement shall be submitted with submission of a preliminary development plan application to address uses, general design standards as well as other such details/obligations necessary for the development of the property as an industrial business park.
4. The proposed access connection to IL 171/Archer Avenue will be subject to the review and approval of the Illinois Department of Transportation (IDOT). The proposed connection cannot be constructed until such time that the appropriate permits have been received. Phasing of project and/or building construction may be impacted until such time that the connection to Archer Avenue is completed.
5. The proposed access connection to 143<sup>rd</sup> Street will be subject to the review and approval of the Will County Division of Transportation. The proposed connection cannot be constructed until such time that the appropriate permit have been received.

6. Comments as identified in the Development Engineering Consultant review letters related to the plan review and traffic review will need to be addressed at the time of preliminary PUD and plan review.
7. Concept plan approvals are valid one (1) year from the date of the approval. Approval of a concept plan provides the applicant reasonable assurances to move forward with submission of a preliminary development plan. The preliminary development plan shall be in general conformance with an approved Concept Plan.
8. **(Added by the PZC)** Mitigate infrastructure requirements, specifically:
  - a. Archer Avenue south of 143<sup>rd</sup> Street to 151<sup>st</sup> Street should be improved from 2-lanes to 4-lanes
  - b. Traffic signal warrants for 143<sup>rd</sup> Street and Archer Avenue
  - c. Eliminate road connection to 151<sup>st</sup> Street
  - d. Re-evaluate Traffic Impact Study based on comments raised by JJ Benes and Gewalt Hamilton Associates
  - e. Mitigate concerns in accordance with City codes and ordinances, outside agency regulations and other applicable standards.
9. **(Added by the PZC)** As preliminary plans are prepared for the next step applicant needs to work to mitigate issues and concerns raised/discussed that relate to:
  - a. berm gaps on the north
  - b. berm height (increase/maximize accordingly to mitigate noise and site lines)
  - c. protection of existing tree line along creek
  - d. general tree preservation, tree survey & replacement schedule
  - e. pre-treatment process for storm water run-off
  - f. design & basin treatment of detention ponds (more naturalized)
  - g. pond aeration (if needed)
  - h. setbacks/transitional yards (be consistent when near residential)
  - i. maintenance free fencing instead of cedar fencing
  - j. building architecture (follow City guidelines/break-up mass/color other than white/variety of materials especially by offices)
  - k. enhance architecture of top half of buildings (add windows, fake windows, make aesthetically pleasing)
  - l. no road connection to 151<sup>st</sup> Street (also discussed at rezoning meetings)
  - m. truck traffic of buildings with cross docks
  - n. truck idling (especially overnight)
  - o. number of parking spaces (less impervious the better)
  - p. sustainable design standards to address air quality, water quality, and lighting
  - q. building height (40 feet; keep as low as possible)
  - r. occupancy of buildings 3, 4, & 5 limit based on access to Archer Avenue and infrastructure improvements (2-lanes to 4-lanes)
  - s. noise study to be completed (burden of proof – acceptable levels)
  - t. how to control emissions/air pollution (burden of proof - EPA quality standards)
  - u. sensitivity to existing animals (Big Run Wolf Ranch)
  - v. odor/smell (if possible to control/mitigate)
  - w. limiting truck docks on building 3 to east side only
  - x. operations of operation (possible to limit to prevent loud truck movements at night)

- y. walking trail along creek
- z. illumination of future signage

**ATTACHMENTS (IF APPLICABLE)**

1. Staff Memo to the Plan & Zoning Commission dated January 3, 2016 with attachments
  - a. Zoning History Memo prepared by Tom Thanas, Interim City Attorney
  - b. Zoning History Map
  - c. I-355 Corridor Master Plan recommendations specific to this property
  - d. Binder (as prepared by the applicant) includes 12 Sections
  - e. Draft Traffic Impact Study prepared by KLOA dated 12/22/16
  - f. JJ Benes & Associates, Development Engineering Consultant Traffic Review dated 1/3/17
  - g. Gewalt Hamilton Associates Traffic Study Review dated 1/10/17
  - g. Concept Site Plan dated 12/20/16 (refer to reduced size in binder Section 3)
  - h. Resident Grading Exhibit dated 12/20/16 (refer to reduced size in binder Section 4)
  - i. JJ Benes & Associates, Development Engineering Consultant Revised Concept Plan Review dated 1/3/17
  - j. Written Comments from two (2) concerned citizens
2. Summary of residential comments/concerns from January 10<sup>th</sup> meeting
3. Summary of Plan & Zoning Commission comments/concerns from January 10<sup>th</sup> meeting

**SPECIFIC CITY COUNCIL ACTION REQUIRED**

Direction to place the requested action on the February 15<sup>th</sup> City Council agenda for final consideration.



## Planning and Zoning Memorandum #2      Case # 2016-013

TO:            Plan & Zoning Commission

FROM:        Pam Hirth, Director of Community & Economic Development

DATE:        January 3, 2016

SUBJECT:     Concept Plan for an Industrial/Business Park/Prologis LP

### **I. BACKGROUND/ZONING HISTORY**

This item was previously discussed at the November 8<sup>th</sup> meeting and subsequently tabled due to extensive resident opposition. Since the initial meeting, Administration (Mayor and City Administrator), Staff, the applicant and property owner have met several times to discuss feasibility of alternative plan concepts, zoning history of the subject property and adjacent properties and land use designations of the various parcels. In response to the concerns expressed by the neighbors, the applicant has provided a binder that includes the following information:

- Section 1.     Letter addressing resident concerns
- Section 2.     Zoning Map (referencing zoning history of subject property, Big Run Wolf Ranch & existing Lockport residential to the south)
- Section 3.     Revised Site Plan (dated December 19, 2016) changes include:
  - a.     Building 1 reduced from 362,240 SF to 319,360 SF
  - b.     Building 3 increased from 463,590 SF to 468,180 SF
  - c.     Building 4 reduced from 366,660 SF to 299,600 SF
  - d.     Building 5 reduced from 161,200 SF to 146,640 SF
  - e.     Transitional landscape buffer yard along the north property line increased from 60 feet (code requirement) to 80 feet.
  - f.     Berm height along north and west properties lines proposed at +/- 8 feet plus an 8 foot cedar fence.
  - g.     Berm proposed south of Building 4 having a height +/- 15 feet plus an 8 foot cedar high fence plus additional separation containing a detention pond.
  - h.     Previously proposed detention pond "D" south of Building 3 removed and a berm proposed and extending along west property line and extending along east property line having a height of +/- five feet plus 6 foot high cedar fence.
  - i.     Eight (8) high cedar fence proposed in all open areas and in the dense tree lined areas along the residential property lines.
  - j.     Emergency access road as requested by the Fire District is still shown but configured differently. The City is working with both the NW Homer and Homer Fire Districts regarding this matter (possible through some intergovernmental agreement, this access road may not be needed).

- k. Property south of the creek line though not included, is now noted as all future residential (the owner of the property is willing to forego the current O2 zoning for additional residential zoning – R2 allows for one family detached, one family attached and two family dwelling units). The current owner will seek a rezoning of the property at a later date.

- Section 4. Site Aerial w/Dimensions
- Section 5. Site Lines/Elevations
- Section 6. Noise
- Section 7. Traffic
- Section 8. LED Lighting
  
- Section 9. Financial Projections-Real Estate Taxes
- Section 10. Customer Base
- Section 11. I-55 Submarket Industrial Properties Adjacent to Residential
- Section 12. Prologis Properties Adjacent to Residential

The applicant has also provided a Draft Traffic Impact Study prepared by KLOA dated December 22, 2016. The City's Development Engineering Consultant has reviewed the Study (comments attached). In addition, the City has also hired a 3<sup>rd</sup> party traffic engineering company (Gewalt Hamilton Associates, Inc.) to also complete a peer review of the study.

### **Zoning History**

Subsequent to the November 8<sup>th</sup> meeting, staff completed research on the zoning and discovered that the overall property has an extensive zoning history. The two parcels of M1 zoning located on western half of the development have been zoned industrial/manufacturing since 1970. The O2 parcels located along I-355 have been zoned as such since 2001 and the M1 parcel centrally located has been zoned since 2014 (it was annexed at the same time). Attached is a memo prepared by the City Attorney.

### **II. SUMMARY/REQUESTED ACTION**

The applicant, Jim McGill on behalf of Prologis LP, has submitted a concept plan for a 206.36 acre industrial/business park on property located south of 143<sup>rd</sup> Street and west of I-355, and east of Archer Avenue. The proposed Concept Plan represents those portions of the property zoned M1 and O2 (except for the O2 south of the existing creek line and north of the existing detention area; and the property owned by the Lockport Heights Sanitary District).

As previously mentioned, a concept plan review does not require a public hearing, however a courtesy notice was initially sent to all adjacent property owners (those immediately sharing a property line) and an additional courtesy notice has been sent to those whose name appeared on the sign-in sheet from the November 8<sup>th</sup> meeting.

Staff did receive written comments from two (2) concerned citizens - both are attached to this report.

If the concept plan is favorably received by the City and the applicant proceeds with the project, the next application will include a special use permit for a planned development and preliminary plans. Public hearings are required at that time and all property owners within 250 of the subject property will be notified of the hearing date and time.

### **III. GENERAL INFORMATION**

- A. Applicant:** Jim McGill on behalf of Prologis LP
- B. Parcel Size:** +/- 203.29 acres
- C. Location:** South of 143<sup>rd</sup> Street & west of I-355; east of Archer Avenue
- D. Zoning & Land Use:** O2 General Office & M1 Limited Manufacturing/vacant or farming

#### **E. Surrounding Zoning and Land Use**

**North:** R4 Multiple Family Residential (Lockport)/Vacant; and R5 Single Family (Will County)/Existing Residential

**South:** R1 & R2 Single Family Residential (Lockport)/Existing Residential & Vacant Residential (separated by existing creek line); and M1 Limited Manufacturing (Lockport) and A-1 (Will County)/Existing Big Run Wolf Ranch

**East:** I-355 Corridor

**West:** R5 Single Family (Will County)/Existing Residential

**F. Comprehensive Plan:** The I-355 Corridor Master Plan Update identifies a majority of the property as Light Industrial/Business Park (in purple) and that portion of the property immediately east of Archer Avenue as Office/Business Park (in blue). Highlights of the Plan include: This area closely mirrors the land use strategy that exists across I-355 to the east; the area is primarily designated for light industrial and business park uses; and because established residential uses exist adjacent to the area, the proposed use needs to be adequately screened and buffered from adjacent residential uses.

#### **IV. PROJECT OVERVIEW/EVALUATION**

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The applicant, Jim McGill on behalf of Prologis LP, is requesting Concept Plan review to determine if the City is receptive to the general layout of the development, the proposed building sizes (in particular building 2) & orientations (docks facing I-355) and the ability to construct buildings having double loaded docks (Buildings 2 & 3). They are proposing a light industrial/business park, similar to the existing industrial developments in the City (Heritage Crossing Corporate Center, 355 Corporate Center and the recently approved Lockport Business Center).

If the concept plan is approved, the plan will be refined and reviewed in detail when preliminary plans are submitted.

##### **Site Plan / Design**

The proposal includes five (5) industrial/warehouse buildings with a total building area of +/1.97 million square feet. Buildings 1, 2, & 3 are oriented north/south and buildings 4 & 5 oriented east/west. Buildings/loading areas & trailer parking are separated from existing residential uses by either a public roadway, proposed detention areas/flood plain and/or minimum buffer areas having a width of 80 feet (60 feet is required per City code). The number of automobile parking spaces, trailer parking spaces and loading docks are listed in the Project Data Table on the Site Plan.

A new public roadway having a right-of-way width of 80 feet (City's industrial road standard) connecting 143<sup>rd</sup> Street (Will County jurisdiction) to Archer Avenue (IDOT jurisdiction) will be constructed. Permits from both the County and IDOT will be required.

Detention ponds are proposed throughout the development; and the development will be further separated from the existing residential properties to the south by existing floodplain areas.

##### **Elevations**

The buildings proposed for this industrial park will be similar to those being constructed in existing industrial parks in Lockport (pre-cast concrete buildings with design elements -window locations, colors, corner details and building off-sets. Maximum building height in the O2 district is 55 feet and in the M1 district 40 feet. The applicant is requesting that a consistent 45 feet be considered throughout the industrial park (this would be included in a Development Agreement and discussed during the Preliminary Plan review process). Typical building height in the existing business parks are as follows: Heritage Crossing Business Park recent buildings range

from 37 feet-42 feet overall with parapets ranging from 39 feet-44feet; 355 Corporate Center 40 feet overall with parapets of 42 feet; and Lockport Business Center 40 feet overall

The roof-top mechanical equipment will need to be integrated with the design of the building to shield from view from the street level and located as far as possible from adjacent residential properties.

### **Landscaping**

Landscape plans will be required during the preliminary plan review. However, the Concept Plan does note that minimum 80 foot wide buffer areas, landscaped berms ranging in height from 5 feet to 15 feet, and cedar fencing (ranging in height from 6 feet to 8 feet). Specific changes have been noted above.

The minimum landscape ratio is 40% in O2 and 35% in M1. The applicant is requesting that a consistent ratio be considered throughout the industrial park (this would be included in a Development Agreement and discussed during the Preliminary PUD and Plan review process).

### **Engineering**

Engineering plan review letter dated 1/3/2017 prepared by Steve Gidley, Development Engineering Consultant and engineering traffic review letter dated 1/3/2017 prepared by Daniel Schoenberg both with James J. Benes and Associates, are attached.

### **Fire District** T

The subject development will be under the jurisdiction of the Lockport Township Fire Protection District, the Homer Fire Protection District and Northwest Homer Township Fire Protection District. The concept plan was submitted to all three Fire Districts. Northwest Homer had no comments and Homer requested an emergency access road connecting to 151<sup>st</sup> Street (which is shown on the plan).

## **V. RECOMMENDATION**

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Should the Commission find the Concept Plan for the proposed industrial/business park acceptable, the following motion is recommended:

- A. A motion to approve the Concept Plan for an industrial/business park, subject to the following conditions:
  1. The applicant acknowledges that Staff has completed a general review only of the Concept Plan, and that a more detailed review will occur with submission of a preliminary development plan. Staff comments at this time are general, intended to outline steps necessary if the project moves forward and to provide guidance and considerations for future submittals.
  2. A Special Use Permit for a Planned Industrial Development shall be requested with submission of a preliminary development plan application since the property is greater than 10 acres in size.
  3. A Development Agreement shall be submitted with submission of a preliminary development plan application to address uses, general design standards as well as other such details/obligations necessary for the development of the property as an industrial business park.
  4. The proposed access connection to IL 171/Archer Avenue will be subject to the review and approval of the Illinois Department of Transportation (IDOT). The proposed connection cannot be constructed until such time that the appropriate permits have been received. Phasing of project and/or building construction may be impacted until such time that the connection to Archer Avenue is completed.
  5. The proposed access connection to 143<sup>rd</sup> Street will be subject to the review and approval of the Will County Division of Transportation. The proposed connection

cannot be constructed until such time that the appropriate permit have been received.

6. Comments as identified in the Development Engineering Consultant review letters related to the plan review and traffic review will need to be addressed at the time of preliminary PUD and plan review.
7. Concept plan approvals are valid one (1) year from the date of the approval. Approval of a concept plan provides the applicant reasonable assurances to move forward with submission of a preliminary development plan. The preliminary development plan shall be in general conformance with an approved Concept Plan

#### **VI. ATTACHMENT(S)**

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- 1) Zoning History Memo (prepared by Tom Thanas, Interim City Attorney)
- 2) Zoning History Map
- 3) I-355 Corridor Master Plan recommendations specific to this property
- 4) Binder (as prepared by the applicant) with various attachments as noted in Staff Memo Section I
- 5) Draft Traffic Impact Study prepared by KLOA dated 12/22/16
- 6) JJ Benes & Associates, Development Engineering Consultant Traffic Review dated January 3, 2017
- 7) Revised (Concept) Site Plan dated 12/20/16 (full-size)
- 8) Resident Grading Exhibit dated 12/20/16 (full-size)
- 9) JJ Benes & Associates, Development Engineering Consultant Revised Concept Plan Review dated January 3, 2017
- 10) Written comments from two (2) concerned citizens



Lockport: City of Historic Pride

# City of Lockport

Steven Streit, *Mayor*  
Alice Matteucci, *City Clerk*  
David H. Palya, *Treasurer*  
Thomas A. Thanas, *Interim Attorney*  
Benjamin J. Benson, *City Administrator*

Central Square Building, Suite 4, 222 E. Ninth Street, Lockport, Illinois 60441-3497 Phone (815)838-0549 Fax (815)838-9498

**To:** Ben Benson, City Administrator  
Pam Hirth, Community and Economic Development Director

**From:** Thomas A. Thanas, Interim City Attorney *Thomas A. Thanas*

**Subject:** Review of History of Zoning and Entitlements on the Property Proposed for the Prologis Project

**Date:** January 4, 2017

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I have been asked to review Ron Caneva’s memorandum dated August 27, 2014, as it summarizes the history of the property that is proposed for the Prologis project. A copy of Ron’s memo is attached.

Ron accurately summarized the zoning of the property going back to the 1960’s for the Blatnik Property. The presence of an active sewage treatment plant drove the decision for zoning the property for industrial uses based on the premise that no one would want to live close to a sewage treatment plan. The sewage treatment plant was decommissioned in 2002 as a result of the intergovernmental agreement the City, the Lockport Heights Sanitary District, and the Bonnie Brae Sanitary District approved in 2000. But, the zoning on the 72+ acres of the former Blatnik Property remained zoned for industrial uses. The Lockport Investments group bought the Blatnik Property in 2006 with the property zoned M-1 for industrial uses.

For the O-2 zoned property that runs parallel with I-355, Ron accurately summarized the control of the property that was and still is subject to an annexation agreement that was approved in 2001. Even though the O-2 zoning classification does not authorize the construction of warehouses with multiple loading docks as a matter of right, the 2001 annexation agreement included a provision that allowed the owner of the property to develop the property for industrial uses, including warehouses. That annexation agreement that controls the property has a duration of 20 years, so during that 20-year period, the right to develop the O-2 property paralleling I-355 for industrial uses, including warehouses, carries forward. The City retains the right to control traffic, engineering, and aesthetic aspects of the development through the PUD process. The PUD process gives the City the right to require berms, landscaping, and screening or fencing to shield the industrial development from adjacent property owners. The PUD process also authorizes the City to control traffic patterns, lighting, and the location of stormwater

management features. Other aspects of the development are subject to controls through the PUD process, but the PUD process does not give the City the unilateral authority to change the underlying zoning or the entitlements that were included in the 2001 annexation agreement.

Ron's memo accurately summarizes the status of the Chaudhry Property (also known as Rama Property) that was annexed in 2014 and zoned for M-1 uses. The annexation of that parcel then gave the City the authority to approve a unified land plan through the PUD process that would control all aspects of an industrial project that could be proposed for all of the parcels that came under the ownership of the Lockport Investments group stretching from I-355 to Archer Avenue. A unified land plan would help the City avoid the piecemeal development of independent industrial uses. Under one land plan, the City could require whoever developed all or some of the parcels to comply with the traffic, engineering, and aesthetic standards that would be incorporated into the land plan through the PUD process.

The final item to be addressed was not part of Ron's 2014 memo. There has been much discussion of the impact of an industrial development on the Big Run Wolf Ranch. While the impact of the Prologis project on the animals housed on the property is being analyzed, I have been asked to clarify the status of the two parcels that comprise the entire holdings of the Big Run Wolf Ranch.

The main part of the Big Run Wolf Ranch is located on a parcel of property located in unincorporated Will County and has the dimensions of about 108-feet by about 1,200 feet. That parcels covers about a quarter of a mile and completely separates the Creekside Estates subdivision from the site of the Prologis project. The other parcel is located in the City of Lockport, and was acquired by Big Run Wolf Ranch in 2006 from the Lockport Investments group when it was discovered that some of the animal enclosures were constructed on land the Lockport Investments group was buying that year. The parcel acquired by the Big Run Wolf Ranch is just under an acre and has the dimensions of 100 feet by 375 feet. The Lockport Investments sold the parcel to the Big Run Wolf Ranch so the entire animal sanctuary would be under one ownership and eliminate the encroachment. When the property was acquired, it had M-1 industrial zoning, and the animal enclosures on that parcel continue to be located on industrially zoned property.

There is no record of any special use permits having been issued by the City or the County of Will for the operation of the animal sanctuary or any effort to have the zoning of both parcels conform with the use of the property by the Big Run Wolf Ranch. The City Administration has met with the owner of the business to offer options of securing the proper zoning for the current operation.

*Thomas A. Thomas*



To: Mayor & City Council

From: City Staff

Date: August 27<sup>th</sup>, 2014

Subject: History of properties near the Lockport Investments property that has petitioned to be annexed and rezoned

**BACKGROUND/HISTORY:**

Alderman Deskin has requested a background of the properties near the site of the proposed rezoning and annexation petitions of Lockport Investments. Most of the surrounding areas are owned by Lockport Investments. Here is a brief history of those properties.

1. The property commonly referred to as the Blatnik Property and shown in the attached map as property No. 1 is approximately 71.54 acres lying directly west of the proposed property seeking M-1 zoning. It was annexed to the City of Lockport as Industrial Use in the 1960's. Lockport Investments purchased this property in April of 2006. It surrounds an unincorporated parcel currently owned by the Lockport Heights Sanitary District. The former Lockport Heights Sanitary Treatment Plant was located on this property, but it was torn down in 2002 because it was antiquated. The Lockport Heights Subdivision, shown as property No. 2 in the attached map, lies directly north of the of the proposed M-1 zoning and was also platted in the mid 1960's. No doubt the reason for the Blatnik property being zoned industrial was because the Sanitary Treatment Plant was located within it.
2. The property zoned O-2 General Office (property No. 3 on attached map) lying east of the proposed M-1 and R-1 zoning is also owned by Lockport Investments. In 2001, Lockport Investments purchased this property, the tollway acquired a portion for the I-355 southern extension, and Lockport Investments annexed the rest of the property to the City. When the I-355 southern extension was completed in November of 2007, the property taken by the tollway bisected the property due to the earlier land acquisition. MLRP acquired the east side of the bisected property in 2008 and is now developing this property as Heritage Crossing Corporate Center. Pursuant to the Annexation Agreement for these properties it grandfathered the Zoning uses

allowed under O-2, which at the time of the agreement allowed warehouse uses and is similar to the City's current M-1 zoning district.

3. Lockport Investments LLC acquired the property formerly known as the Rama Property in January of 2008. This is the subject of the present rezoning and annexation and is shown as Parcel No. 4 on the attached map. It is divided into three sections. The first section was originally annexed as an annexation corridor so that the property owned to the east by Lockport Investment could be annexed to the City. It was originally zoned E-R which is the City's most restrictive residential zoning and is being recommended to be zoned R-1 which is the same classification as the adjacent Creekside Subdivision. The second section, lying north of the E-R zoned property and south of the centerline of the creek, is being recommend to be zoned R-1, again being the same zoning classification as the adjacent Creekside Subdivision. The third section, lying north of the centerline of the creek, is being recommended to zone M-1 so that it is the same use as allowed on property directly to the east and west of it.
4. The Creekside Subdivision was platted in 2004 and its first home was issued a Certificate of Occupancy in 2005.

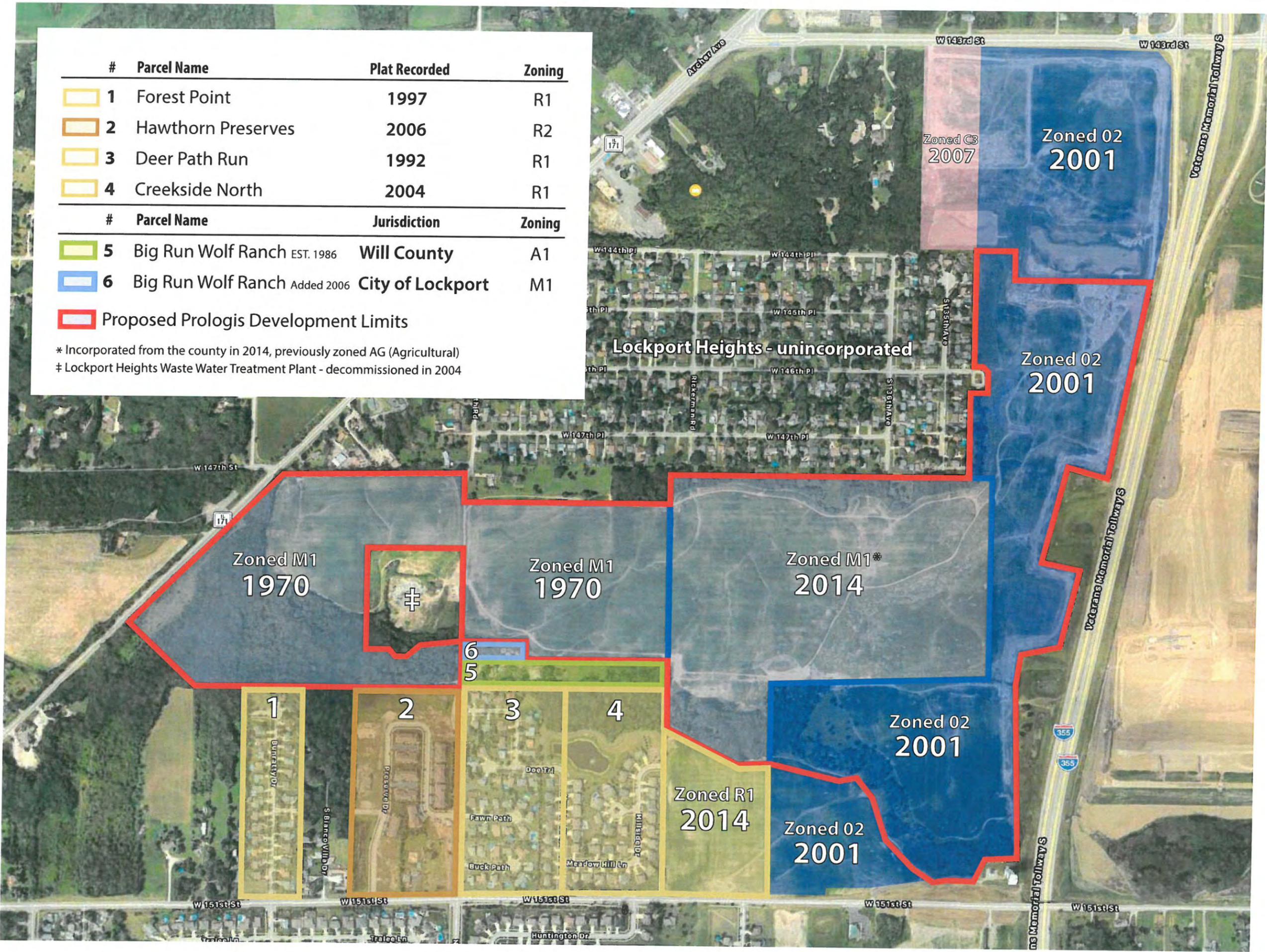
#	Parcel Name	Plat Recorded	Zoning
1	Forest Point	1997	R1
2	Hawthorn Preserves	2006	R2
3	Deer Path Run	1992	R1
4	Creekside North	2004	R1

#	Parcel Name	Jurisdiction	Zoning
5	Big Run Wolf Ranch EST. 1986	Will County	A1
6	Big Run Wolf Ranch Added 2006	City of Lockport	M1

 Proposed Prologis Development Limits

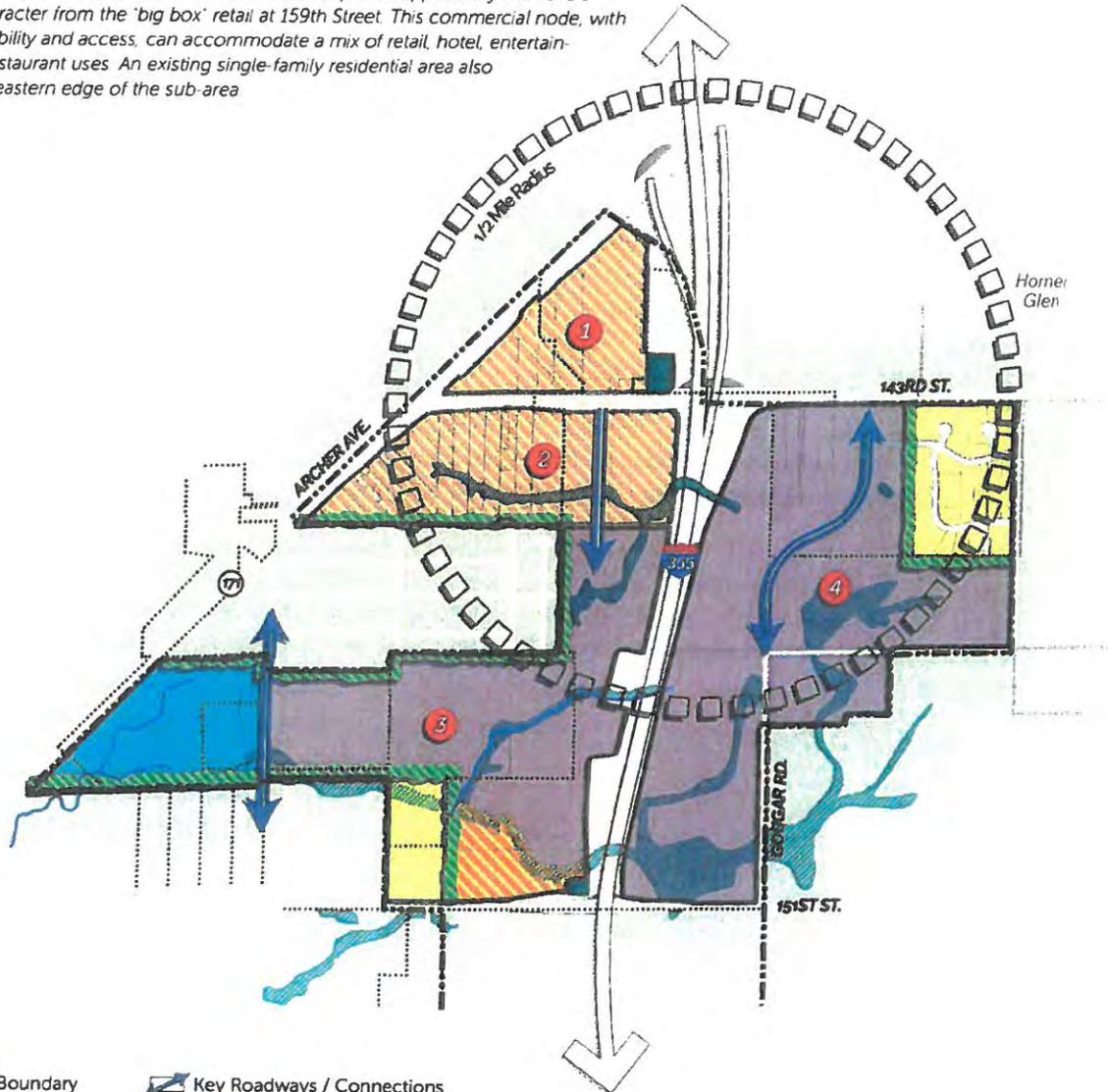
\* Incorporated from the county in 2014, previously zoned AG (Agricultural)

‡ Lockport Heights Waste Water Treatment Plant - decommissioned in 2004



# 143rd Street Subarea

The 143rd Street Sub-Area extends from the northern end of the study area south to 151st Street. The Land Use Framework Plan for the 143rd Street Sub Area focuses on establishing a retail/commercial node at the intersection of 143rd Street, Archer Avenue, and I-355, with light industrial and business park uses in the other portions of the sub-area. The commercial node area prioritizes commercial uses fronting the major roadways and possibly including other residential, office, and business uses in the more interior portions of the sites. This commercial development opportunity will have a different character from the 'big box' retail at 159th Street. This commercial node, with excellent visibility and access, can accommodate a mix of retail, hotel, entertainment, and restaurant uses. An existing single-family residential area also exists at the eastern edge of the sub-area.



## Legend

- Study Area Boundary
- Lockport City Limits
- Creek / Drainage
- Floodplain
- Key Roadways / Connections
- 1/2 Mile Radius from I-355 Interchange
- Buffering / Screening

### Land Use

- Residential
- Commercial / Flexible
- Office / Business Park
- Market Flexibility (Residential, Commercial, Office / Business Park, Light Industrial / Business Park)
- Public / Semi-Public
- Light Industrial / Business Park
- Parks / Open Space

**1 Commercial/Flexible** – With frontage on both 143rd and Archer Avenue, and adjacency/proximity to I-355 and the 143rd Street interchange, this site is ideally suited for commercial/retail use, but can also accommodate other compatible uses such as multi-family residential, office, and other business uses on the interior/non-frontage portions of the site. The overall size and geometry of the site can accommodate a variety of retail development, from standalone single-tenant uses to lifestyle center type developments. This area is also well situated for hotel, entertainment, and restaurant uses, with its easy access and visibility from 143rd Street, Archer Avenue, and I-355. Service station uses are also well suited for this location. Any proposed uses other than commercial should be compatible with commercial uses and should not be located along the frontages of Archer and 143rd.

**2 Commercial/Flexible and Light Industrial/Business Park** – With frontage on both 143rd and Archer Avenue, and adjacency/proximity to I-355 and the 143rd Street interchange, this site is ideally suited for commercial/retail use along the 143rd Street and Archer Road frontages, but can also accommodate other compatible uses such as multi-family residential, office, and other business uses on the interior/non-frontage portions of the site. The overall size and geometry of the site can accommodate a variety of retail, restaurant, office and services uses. Service station uses are also well suited for this location. Any proposed uses other than commercial should be compatible with commercial uses and should not be located along the frontages of Archer and 143rd.

**3 Light Industrial, Office/Business Park, Residential and Market Flexibility** – This area closely mirrors the land use strategy that exists across I-355 to the east. The area is primarily designated for light industrial and business park uses. Because some established residential uses exist adjacent to the area, any non-residential use in the area should be adequately screened and buffered from adjacent residential uses. The area located along 151st Street adjacent to the existing residential should also be designated as residential, in order to provide greater development compatibility. The area south of the creek should be designated as Market Flexibility and can accommodate a range of uses including residential, commercial, office, and business park/light industrial. Any development should be designed to mitigate any impact on the adjacent residential areas.

**4 Light Industrial/Business Park/Distribution/Warehouse** – This site has been approved for a warehouse/distribution facility and parts of the development are already constructed. An existing single-family neighborhood is located within a portion of the northern segment of this site. It is expected that this residential use will remain, however, in the future, as the site surrounding the residential use is developed, these properties should be considered for redevelopment into non-residential uses that are compatible with the surrounding light industrial/business park/distribution/warehouse uses.

# **PROLOGIS PARK LOCKPORT**

**JANUARY 10<sup>TH</sup>, 2017**

**PZC SUBMMITAL**



***PROLOGIS***<sup>®</sup>

## General Folder

- Section 1: Letter Addressing Resident Concerns
- Section 2: Zoning Map
- Section 3: Revised Site Plan
- Section 4: Site Aerial w/ Dimensions
- Section 5: Site Lines/Elevations
- Section 6: Noise
- Section 7: Traffic
- Section 8: LED Lighting
- Section 9: Financial Projections – Real Estate Taxes
- Section 10: Customer Base
- Section 11: I-55 Submarket Industrial Properties Adjacent to Residential
- Section 12: Prologis Properties Adjacent to Residential

## **Section 1: Letter Addressing Resident Concerns**



Commissioners:

As you are aware at our November 8<sup>th</sup>, 2016 Plan Commission Meeting, our proposed project of five (5) industrial buildings totaling 2.1M sq. ft. was met with strong opposition from the adjacent residents. Concerns about traffic, safety, truck noise and emissions were the key issues the residents had with our submittal. In this revised submittal and correspondence, we have tried to best address these concerns.

Our firm, and myself specifically, have developed millions of square feet of industrial projects adjacent to residential. These concerns are not unusual but we feel that our experience in eliminating or reducing real impacts and educating the residents on perceived impacts (i.e. emissions) usually leads to a better comfort level and support of the project.

We believe it is also important to recognize that a large portion of this property (101 acres) is already zoned M-1 which allows the development of warehouses and distribution buildings. As shown on the accompanying zoning map, the western 71 acres (Groebe) was zoned industrial (I-1) and annexed into Lockport in 1970. The adjacent 65 acres (Chaudary parcel) was also zoned M-1 and annexed into Lockport in October 2014. Accordingly, all of the southern subdivisions currently abutting this property were developed after the Groebe Parcel was annexed and zoned for industrial development.

Although the underlying zoning allows the proposed development on these parcels, Prologis believes and recognizes that we should make every possible effort to the reduce any negative impacts to all adjacent residents. These efforts can be summarized as follows.

Noise:

- Lockport code states that noise shall not exceed 60 dba at or beyond lot line. The U.S. EPA recommends 55 DBA for maximum recommended outdoor ambient noise level for residential areas at night. For reference, 55 dba will be the equivalent to the sound of your refrigerator running.
- At Prologis we have done dozens of projects adjacent to residential and limiting noise impact on residents is a critical element in our site planning. We currently are under construction on a 1.54 M sq. ft. project near the Port of Tacoma that abuts residential. As part of our entitlement process, we were required to conduct a noise study. The noise study determined that this development was well below the City's code which only allowed 50 dba after 10 pm. This was accomplished through berming, landscaping and an 8' cedar fenced. Several of these exhibits which show the noise levels are present in our submittal (Section 6).
- As it is relating to this project, the main area of concern as it relates to noise is the residents located closest the new public road. To minimize noise impacts we will provide significant berming, landscaping and a fence (8' cedar) in all open areas and in the dense tree lined areas we will also install an 8' cedar fence along the residential property line. It also should be noted that we have increased our north transitional yard from 60' (per code) to 80'. All of this is detailed in our site line exhibits. (Section 6).

- It is important to note that vegetation on berms absorb sound while preventing reflection of traffic noise across the streets to homes. Traffic noise reflecting off the side of the faces of the wood fence also would be reflected upward and over the top of the residential homes. Both of these items significantly reduce noise levels. To further ensure we are well below acceptable noise levels, we have engaged a noise study. This consultant will also work with us on additional design features we may implement.
- Although there will be no restrictions on hours of operations on this project, it is important to recognize that less than 10% of our customers operate 24 hours a day seven days a week while +/- 20% will run three shifts. With a small percentage of our construction working after 10 PM the truck traffic will be very light during regular sleeping hours (3-5% of overall truck traffic).

#### Traffic:

- The park is designed so the majority of truck and employee traffic will utilize the 143rd St. entrance. Currently 143<sup>rd</sup> is operating at 25% of its designed capacity so it provides excellent movement to I-355 or to Archer to the west. We fully expect that the vast majority of truck traffic will access the site via I-355 with a much smaller portion utilizing Romeo Road/W 135<sup>th</sup> from the Romeoville/Bolingbrook corridor. Therefore, we believe that 75-80% of the park traffic will get ingress and egress from the 143<sup>rd</sup> St./new road intersection with the remainder utilizing Archer Avenue. Access into the site from both 143<sup>rd</sup> Street and Archer Avenue will also greatly reduce the potential for trucks to mistakenly end up in residential areas. Proper signage including a prominent park monument sign also reduces this possibility.

#### Truck Traffic:

- To accurately address both car and truck traffic we conducted detailed traffic counts on our four properties on Crossroads Parkway in Romeoville. These properties total 2.735M Sq. Ft. These buildings represent large high thru put distribution buildings. The largest user is Kimberly Clark which occupying 1.55M S.F. Kimberly Clark is very truck intensive and also operates 24/7. They would represent the most intensive level of truck traffic and operations.
- The traffic counts showed that these buildings had 254 inbound and 261 outbound trucks during our sample days (2 days Average Wednesday-Thursday which are peak days) this equates to 0.20 trucks per 1,000 Sq. Ft. with approximately 11% of (30 inbound and 33 outbound) these trucks movements occurring between 10 PM – 6 AM. Using the same averages, we would expect that our project will have 394 total inbound and outbound trucks per day with 11% (40) of these movements occurring between 10 PM – 6 AM.
- However, we believe that the actual truck traffic will be at least 20 - 25% lighter due to the fact that buildings 1,4 and 5 will have considerable less truck traffic than the other two proposed buildings or the above project. These buildings will be leased by companies with higher office percentage and most likely will not work shifts. These buildings are typically not high thru put distribution buildings so inventory will move at a slower pace, which results in significantly less truck traffic.

#### Light Pollution:

- All Prologis buildings are LEED Certified. As part of the design, there will be 0 foot-candle spill over at the property lines. LED lighting will be used to reduce glare.

## **Section 2: Zoning Map**

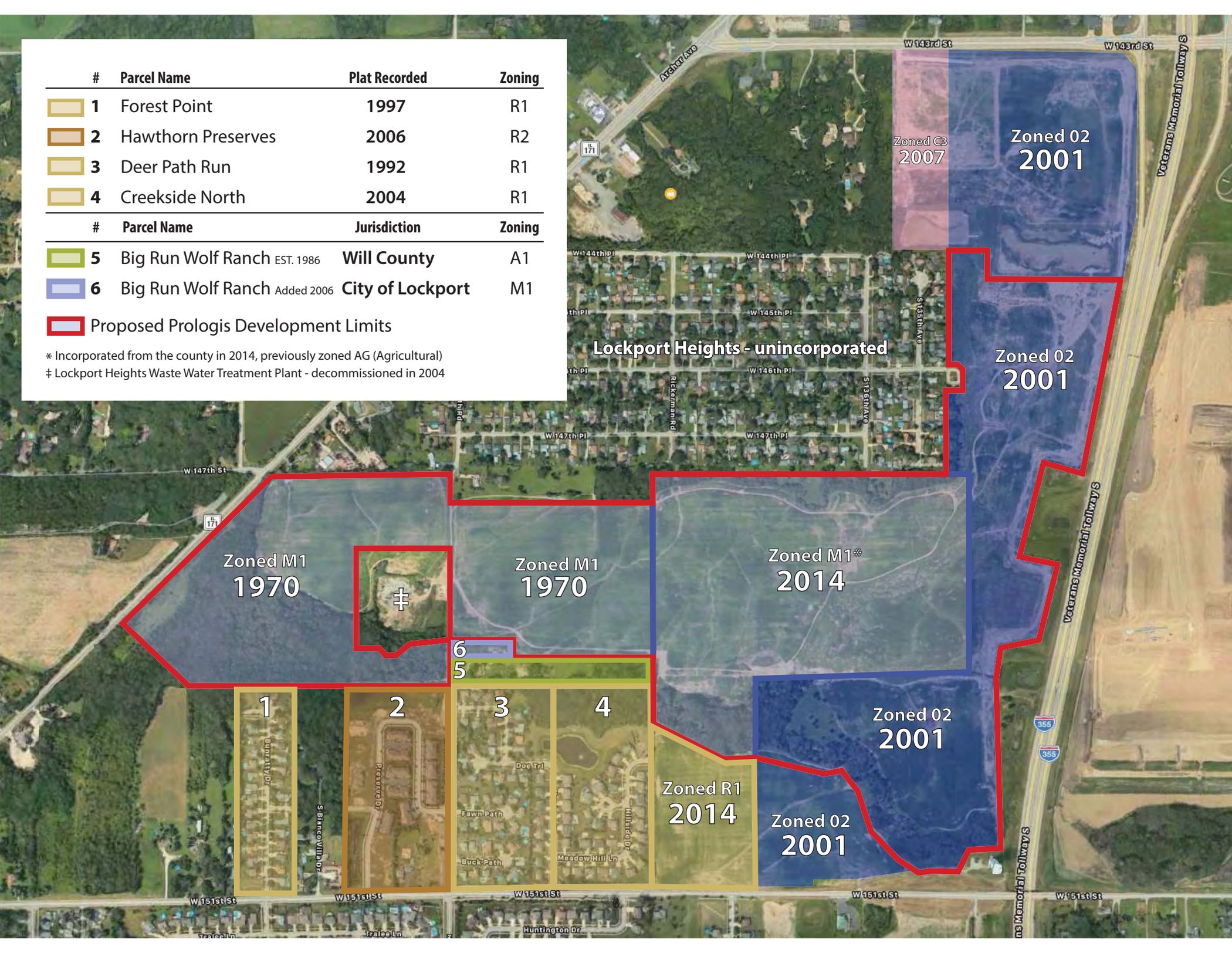
#	Parcel Name	Plat Recorded	Zoning
1	Forest Point	1997	R1
2	Hawthorn Preserves	2006	R2
3	Deer Path Run	1992	R1
4	Creekside North	2004	R1

#	Parcel Name	Jurisdiction	Zoning
5	Big Run Wolf Ranch EST. 1986	Will County	A1
6	Big Run Wolf Ranch Added 2006	City of Lockport	M1

 Proposed Prologis Development Limits

\* Incorporated from the county in 2014, previously zoned AG (Agricultural)

‡ Lockport Heights Waste Water Treatment Plant - decommissioned in 2004



Lockport Heights - unincorporated

Zoned M1  
1970

Zoned M1  
1970

Zoned M1\*  
2014

Zoned 02  
2001

Zoned 02  
2001

Zoned R1  
2014

Zoned 02  
2001

1

2

3

4

6  
5

W 151st St

Trail Ln

Trail Ln

Huntington Dr

Veterans Memorial Tollway S

Veterans Memorial Tollway S

Veterans Memorial Tollway S

355  
355

171

W 144th Pl

W 144th Pl

W 145th Pl

W 145th Pl

W 146th Pl

W 146th Pl

W 147th Pl

W 147th Pl

Rickeman Rd

S 136th Ave

S 138th Ave

S Blaney Villa Dr

Bunnery Dr

Preserve Dr

Doe Trl

Fawn Path

Buck Path

Hillside Dr

Meadow Hill Ln

## **Section 3: Revised Site Plan**

# PROLOGIS PARK LOCKPORT, ILLINOIS

## SITE PLAN

### PROJECT DATA:

GROSS SITE AREA:	+/- 203.29 AC. (8,855,458 SF)
	(EXCLUDES AREA N.I.C.)
NET SITE AREA:	+/- 160.08 AC. (6,973,153 SF)
	(GROSS SITE LESS DETN. PONDS, R.O.W. AREA, WELL SITE, CREEK AREAS)
GROSS IMPERVIOUS:	+/- 90.59 AC. (3,945,976 SF)
GROSS PERVIOUS:	+/- 112.71 AC. (4,909,482 SF)
GROSS F.A.R.:	0.22
NET F.A.R.:	0.28

<b>BUILDING 1 AREA:</b>	<b>319,360 SF</b>
AUTOMOBILE PARKING:	296 STALLS
TRAILER PARKING:	67 STALLS
GROSS SITE AREA:	22.57 AC.
DOCK DOORS / DID:	42 / 4
<b>BUILDING 2 AREA:</b>	<b>736,600 SF</b>
AUTOMOBILE PARKING:	483 STALLS
TRAILER PARKING:	151 STALLS
GROSS SITE AREA:	60.67 AC.
DOCK DOORS / DID:	110 / 8
<b>BUILDING 3 AREA:</b>	<b>468,180 SF</b>
AUTOMOBILE PARKING:	253 STALLS
TRAILER PARKING:	111 STALLS
GROSS SITE AREA:	34.33 AC.
DOCK DOORS / DID:	75 / 8
<b>BUILDING 4 AREA:</b>	<b>299,600 SF</b>
AUTOMOBILE PARKING:	273 STALLS
TRAILER PARKING:	75 STALLS
GROSS SITE AREA:	25.91 AC.
DOCK DOORS / DID:	57 / 2
<b>BUILDING 5 AREA:</b>	<b>146,640 SF</b>
AUTOMOBILE PARKING:	132 STALLS
GROSS SITE AREA:	33.44 AC.
DOCK DOORS / DID:	30 / 2
TRANSITIONAL YARD:	12.95 AC.
R.O.W. AREA:	13.43 AC.
<b>TOTAL BUILDING AREA:</b>	<b>1,970,380 SF</b>

### DOOR LEGEND:

- ▲ DOCK DOOR
- ⊙ DRIVE IN DOOR

SCALE: 1" = 200'



### NOTE:

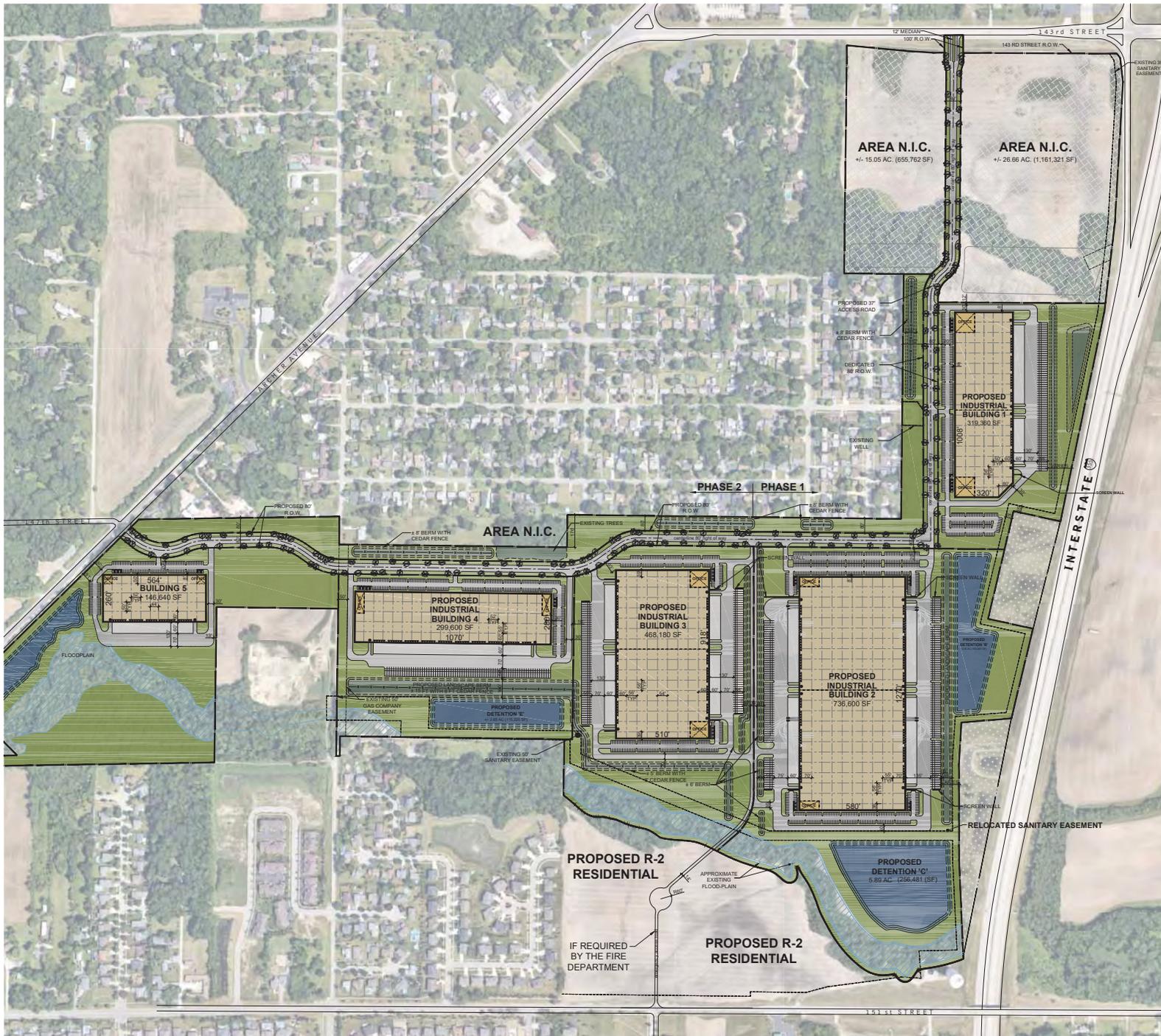
THIS CONCEPTUAL PLAN IS FOR MARKETING PURPOSES ONLY, AND HAS BEEN PREPARED BASED ON PRELIMINARY AVAILABLE SITE INFORMATION DEEMED RELIABLE. ALL DIMENSIONS AND AREA CALCULATIONS ARE SUBJECT TO VERIFICATION BY A PROFESSIONAL ENGINEER FOR COMPLIANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS.



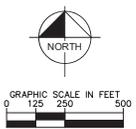
**PROLOGIS™**

6250 N. River Road  
Suite 1100  
Rosemont, IL 60018  
T (847) 292-3931

December 19, 2016



## **Section 4: Site Aerial w/ Dimensions**



SCALE: AS NOTED	DESIGNED BY: TM	CHECKED BY: EJT	NO.	DATE	BY
RESIDENT GRADING EXHIBIT	PROLOGIS - LOCKPORT	EX8			
ORIGINAL ISSUE: 12/20/2016 KHA PROJECT NO. 158156004 SHEET NUMBER EX8		© 2016 KIMLEY-HORN AND ASSOCIATES, INC. 1001 N. GOSSEL BLVD., SUITE 300, WARRICKVILLE, OHIO 45391 WWW.KIMLEY-HORN.COM			
<b>Kimley-Horn</b> © 2016 KIMLEY-HORN AND ASSOCIATES, INC. 1001 N. GOSSEL BLVD., SUITE 300, WARRICKVILLE, OHIO 45391 WWW.KIMLEY-HORN.COM		REVISIONS			

Drawings name: R:\0416\158156004\Prologis\_Lockport\158156004\Resident Grading Exhibit.dwg EC-3A Dec 21, 2016 11:08am by: hessingmacy  
 This document, together with the concepts and design presented herein, is an instrument of service, to be used only for the specific purpose and client for which it was prepared. Review of and/or reliance on this document without written authorization and approval by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

## **Section 5: Site Lines/Elevations**



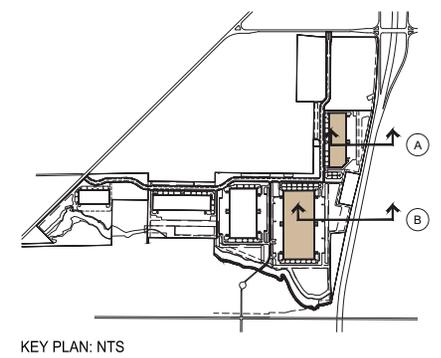
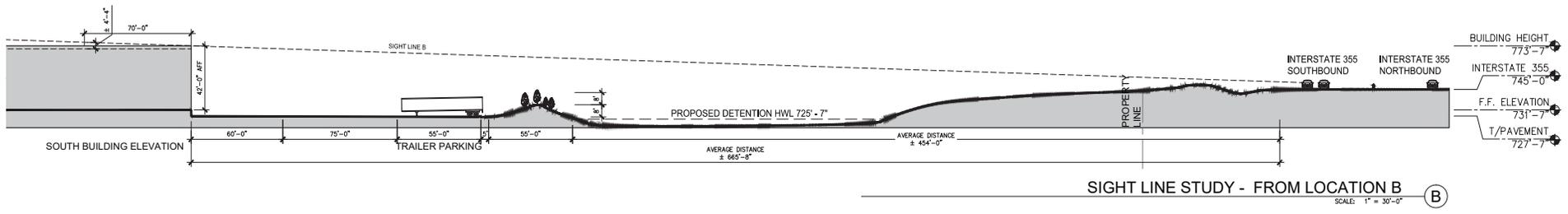
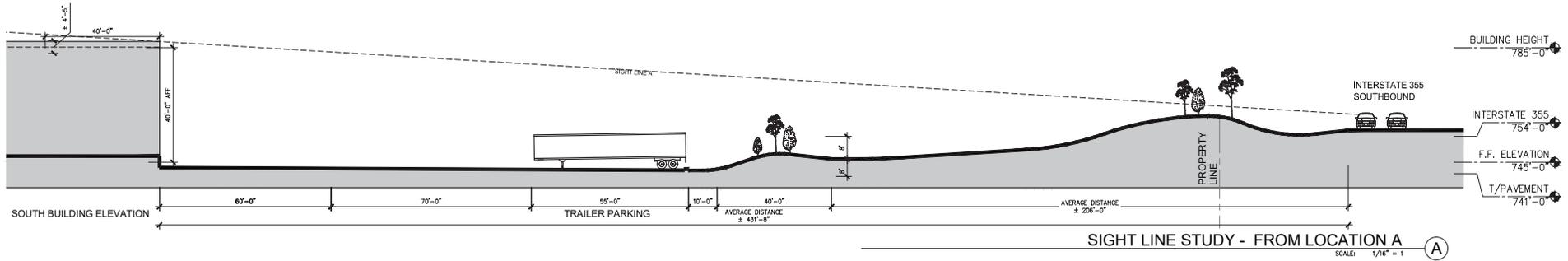
## Lockport Industrial Park

LOCKPORT, IL

CHI16-0267-00  
**SCHEMATIC DESIGN**  
12.20.2016

## WARE MALCOMB

architecture | planning | interiors | branding | civil

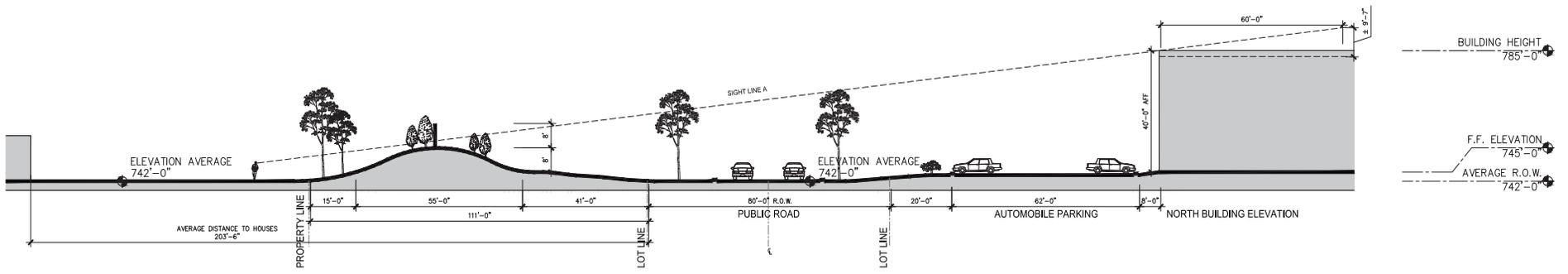


This conceptual design is based upon a preliminary review of entitlement requirements and an assumed and possibly incomplete site and/or building information, and is intended merely to avoid in exploring how the project might be developed.

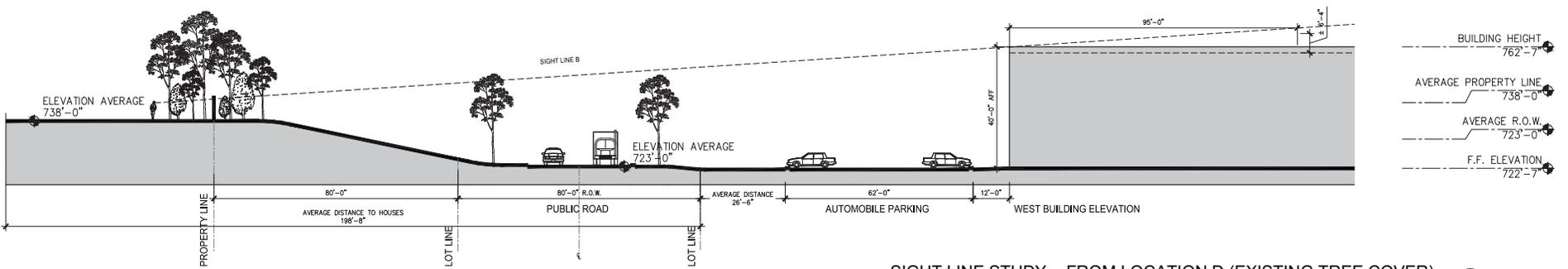


Sightline Study  
 LOCKPORT INDUSTRIAL PARK  
 LOCKPORT, IL

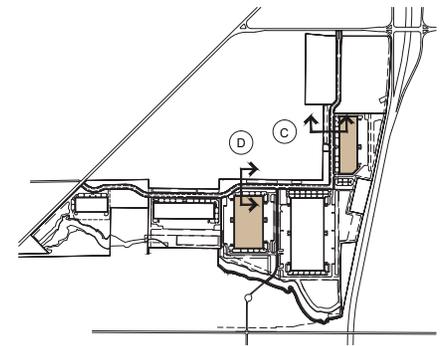
WARE MALCOMB  
 CH116-0267-00  
 12.20.2016  
 SHEET  
 2



SIGHT LINE STUDY - FROM LOCATION C (ADDED BERM, FENCE AND LANDSCAPING) SCALE: 1/16" = 1' (C)



SIGHT LINE STUDY - FROM LOCATION D (EXISTING TREE COVER) SCALE: 1/16" = 1' (D)



KEY PLAN: NTS

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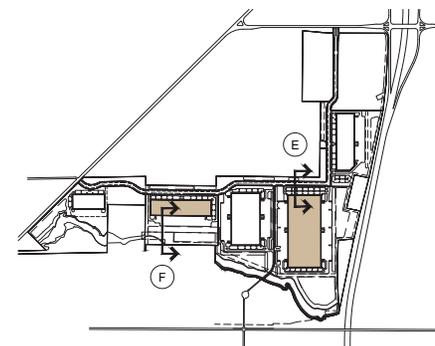
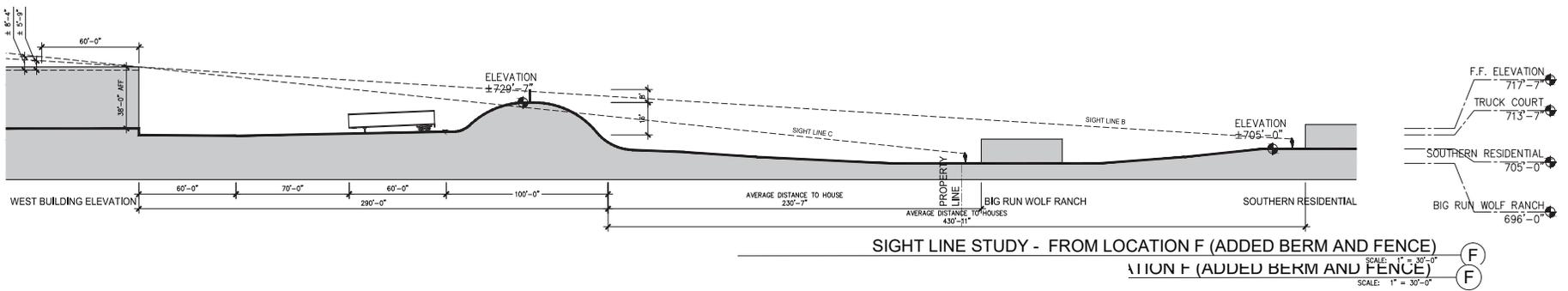
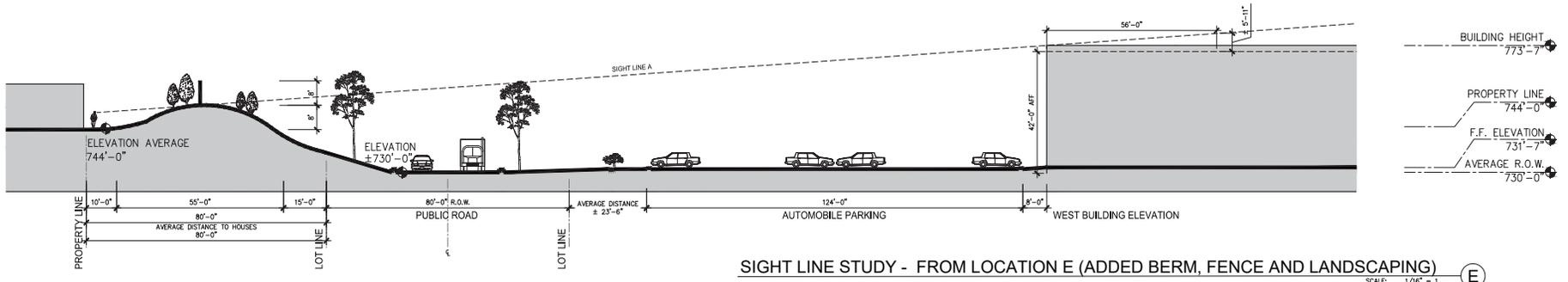


Sightline Study  
 LOCKPORT INDUSTRIAL PARK  
 LOCKPORT, IL

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CH16-0267-00  
 12.20.2016

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**3**



KEY PLAN: NTS

This conceptual design is based upon a preliminary review of entitlement requirements and an identified and possibly incomplete site and/or building information, and is intended merely to avoid in exploring how the project might be developed.

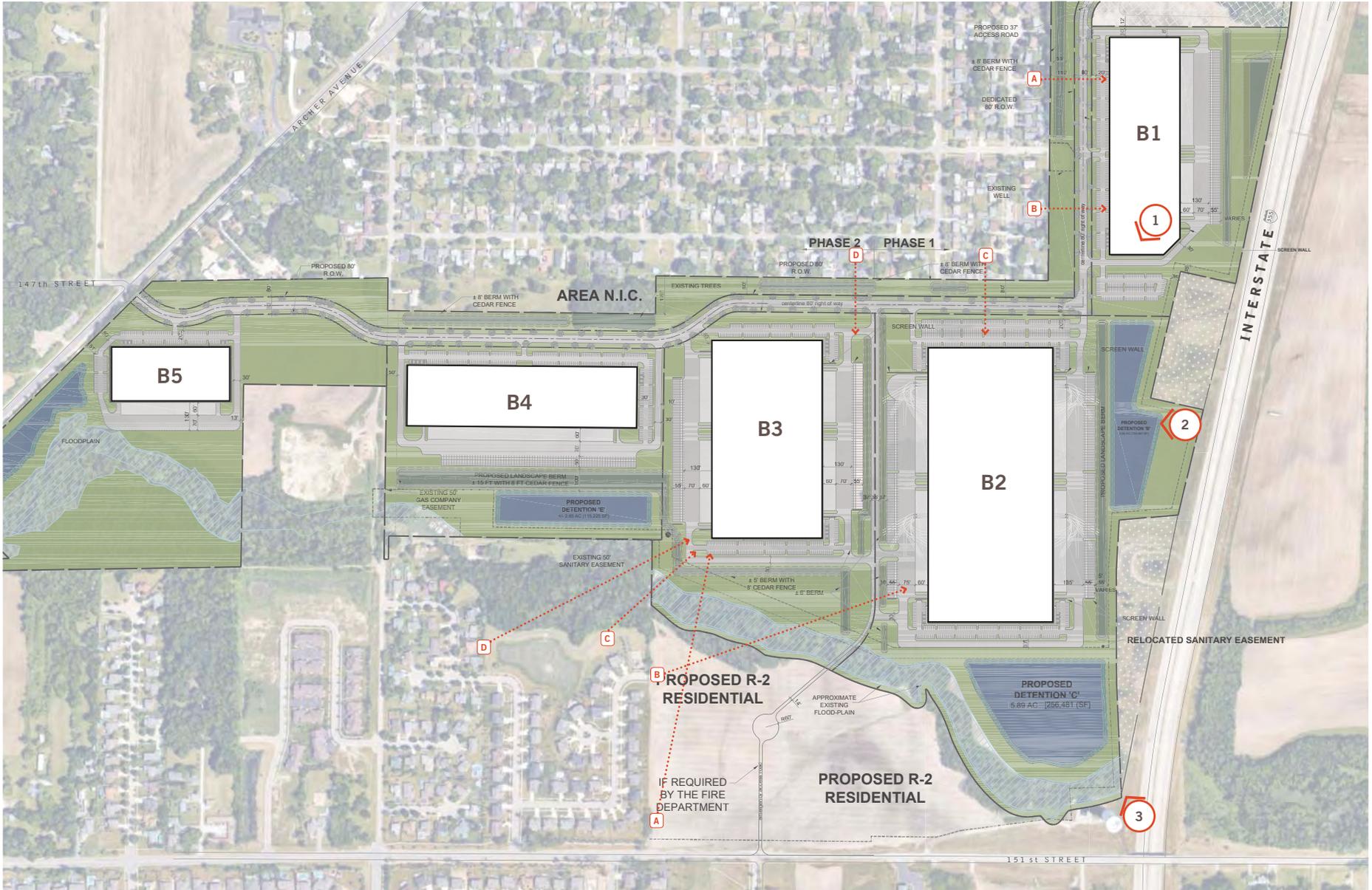


Sightline Study  
LOCKPORT INDUSTRIAL PARK  
LOCKPORT, IL

WARE MALCOMB

CH116-0267-00  
12.20.2016

SHEET  
4



This conceptual design is based upon a preliminary review of entitlement requirements and an unperfected and possibly incomplete site and/or building information, and is intended merely to assist in exploring how this project might be developed.



Legend Map

LOCKPORT INDUSTRIAL PARK  
LOCKPORT, IL

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12.20.2016

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5



This conceptual design is based upon a preliminary review of entitlement requirements and an effort to identify and integrate site-specific building information, and is intended merely to assist in exploring how the project might be developed.



Conceptual Aerial North East (1)

LOCKPORT INDUSTRIAL PARK  
LOCKPORT, IL

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12.20.2016

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6



This conceptual design is based upon a preliminary review of entitlement requirements and an estimated and possibly incomplete site and/or building information, and is intended merely to assist in exploring how the project might be developed.



Conceptual Aerial East (2)

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LOCKPORT, IL

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12.20.2016

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7



This conceptual design is based upon a preliminary review of entitlement requirements and an assumed and possibly incomplete site plan building information, and is intended merely to assist in exploring how the project might be developed.



Conceptual Aerial South East (3)

LOCKPORT INDUSTRIAL PARK  
LOCKPORT, IL

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12.20.2016

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8



Perspective\_B1\_West (A) (added berm, fence and landscape)



Perspective\_B1\_West (B) (existing landscape)



This conceptual design is based upon a preliminary review of entitlement requirements and an assumed and possibly incomplete site and/or building information, and is intended merely to assist in exploring how this project might be developed.



Perspective Views From North

LOCKPORT INDUSTRIAL PARK  
LOCKPORT, IL

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12.20.2016

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9



Perspective\_B2\_North (C) (existing landscape)



Perspective\_B3\_North (D) (added berm, fence and landscape)



Perspective Views From North

LOCKPORT INDUSTRIAL PARK  
LOCKPORT, IL

**WARE MALCOMB**

CHI16-0267-00  
12.20.2016

SHEET  
10

This conceptual design is based upon a preliminary review of entitlement requirements and an assumed and possibly incomplete site and/or building information, and is intended merely to assist in exploring how this project might be developed.





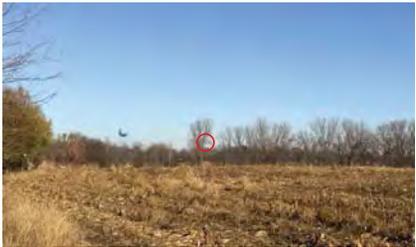
Perspective\_B2\_South-West (B)



Existing (B)



Perspective\_ B3\_South-West (A)



Existing (A)



This conceptual design is based upon a preliminary review of entitlement requirements and an effort to identify and integrate site and building information, and is intended merely to assist in exploring how the project might be developed.





Perspective\_B3\_South-West (C)



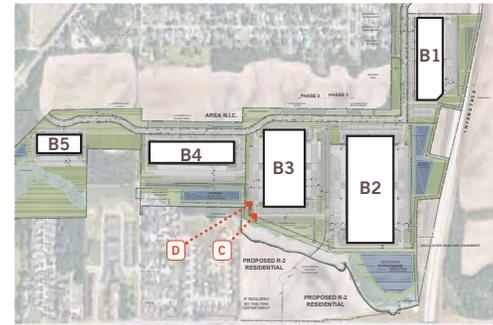
Existing (C)



Perspective\_B3\_South-West (D)



Existing (D)



This conceptual design is based upon a preliminary review of entitlement requirements and an effort and priority to incorporate the owner's building information, and is intended merely to assist in exploring how the project might be developed.



Perspective Views From South

LOCKPORT INDUSTRIAL PARK  
LOCKPORT, IL

WARE MALCOMB

CHI16-0267-00  
12.20.2016

SHEET  
12

## **Section 6: Noise**

# GENERAL INFORMATION:

**SITE AREA**  
3,515,296 SF USABLE SITE AREA

**BUILDING AREA**  
223,400 SF BUILDING "A"  
771,058 SF BUILDING "B"  
232,250 SF BUILDING "C"  
317,040 SF BUILDING "D"

1,539,090 SF TOTAL BUILDING AREA

**FLOOR AREA RATIO**  
1,543,748 BUILDING SF / 3,515,296 SITE SF = .439 FAR

**LEGEND**  
— SIGNAGE  
△ 12'W x 14'H DRIVE-IN DOOR  
▲ 9'W x 10'H DOCK DOOR

**PARKING**  
**BUILDING "A"**  
OFFICE (5%) = 11,170 SF @ 3/1000  
= 33 STALLS  
WHSE. (95%) = 212,230 SF @ 1/2000  
= 106 STALLS  
= 139 STALLS REQUIRED

STALLS PROVIDED = 181 STALLS PROVIDED  
TRAILERS PROVIDED = 55 TRAILER STALLS

**BUILDING "B"**  
OFFICE (3%) = 23,132 SF @ 3/1000  
= 69 STALLS  
WHSE. (97%) = 747,926 SF @ 1/2000  
= 374 STALLS  
= 480 STALLS REQUIRED

STALLS PROVIDED = 487 STALLS PROVIDED  
TRAILERS PROVIDED = 137 TRAILER STALLS

**BUILDING "C"**  
OFFICE (5%) = 11,612 SF @ 3/1000  
= 35 STALLS  
WHSE. (95%) = 220,638 SF @ 1/2000  
= 110 STALLS  
= 145 STALLS REQUIRED

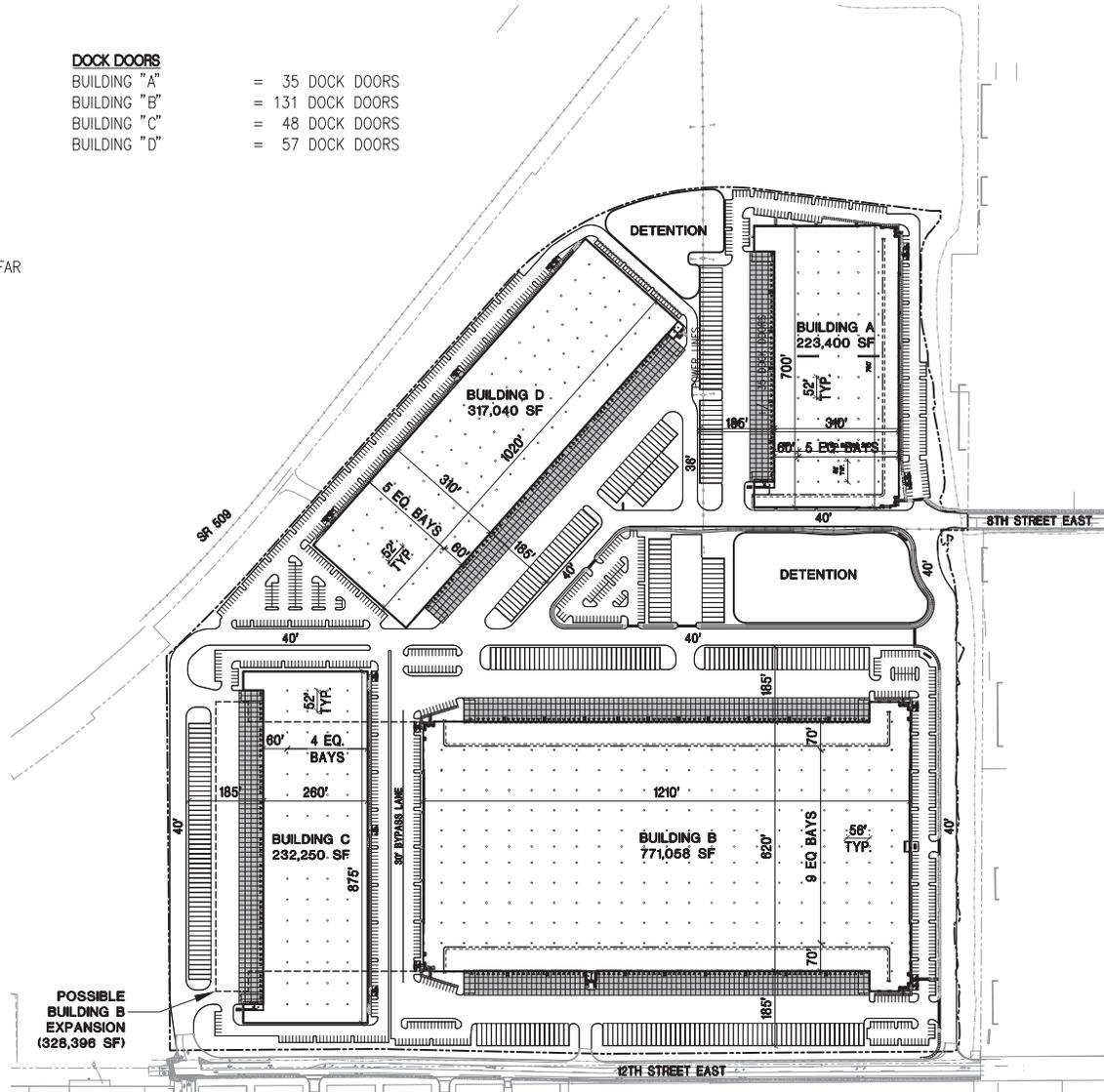
STALLS PROVIDED = 176 STALLS PROVIDED  
TRAILERS PROVIDED = 40 TRAILER STALLS

**BUILDING "D"**  
OFFICE (5%) = 15,852 SF @ 3/1000  
= 48 STALLS  
WHSE. (95%) = 301,188 SF @ 1/2000  
= 151 STALLS  
= 199 STALLS REQUIRED

STALLS PROVIDED = 365 STALLS PROVIDED  
TRAILERS PROVIDED = 57 TRAILER STALLS

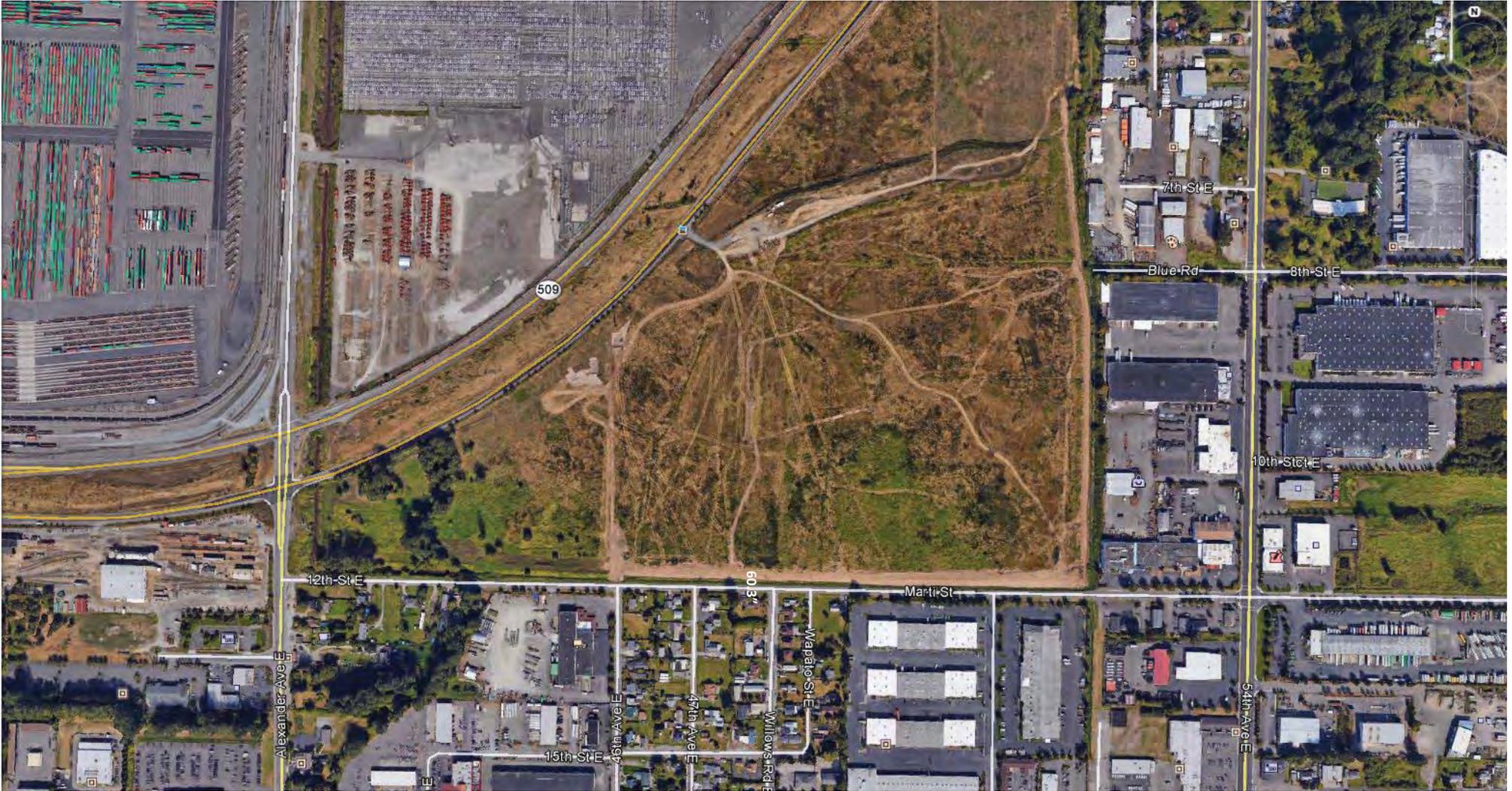
SHARED TRAILER STALLS = 30 TRAILER STALLS

**DOCK DOORS**  
BUILDING "A" = 35 DOCK DOORS  
BUILDING "B" = 131 DOCK DOORS  
BUILDING "C" = 48 DOCK DOORS  
BUILDING "D" = 57 DOCK DOORS



**PROLOGIS PARK TACOMA (80.80 ACRES)**  
**PRELIMINARY SITE PLAN (4 BLDG SCHEME)**  
1" = 300'  
07/27/16 - OPTION 1R9B





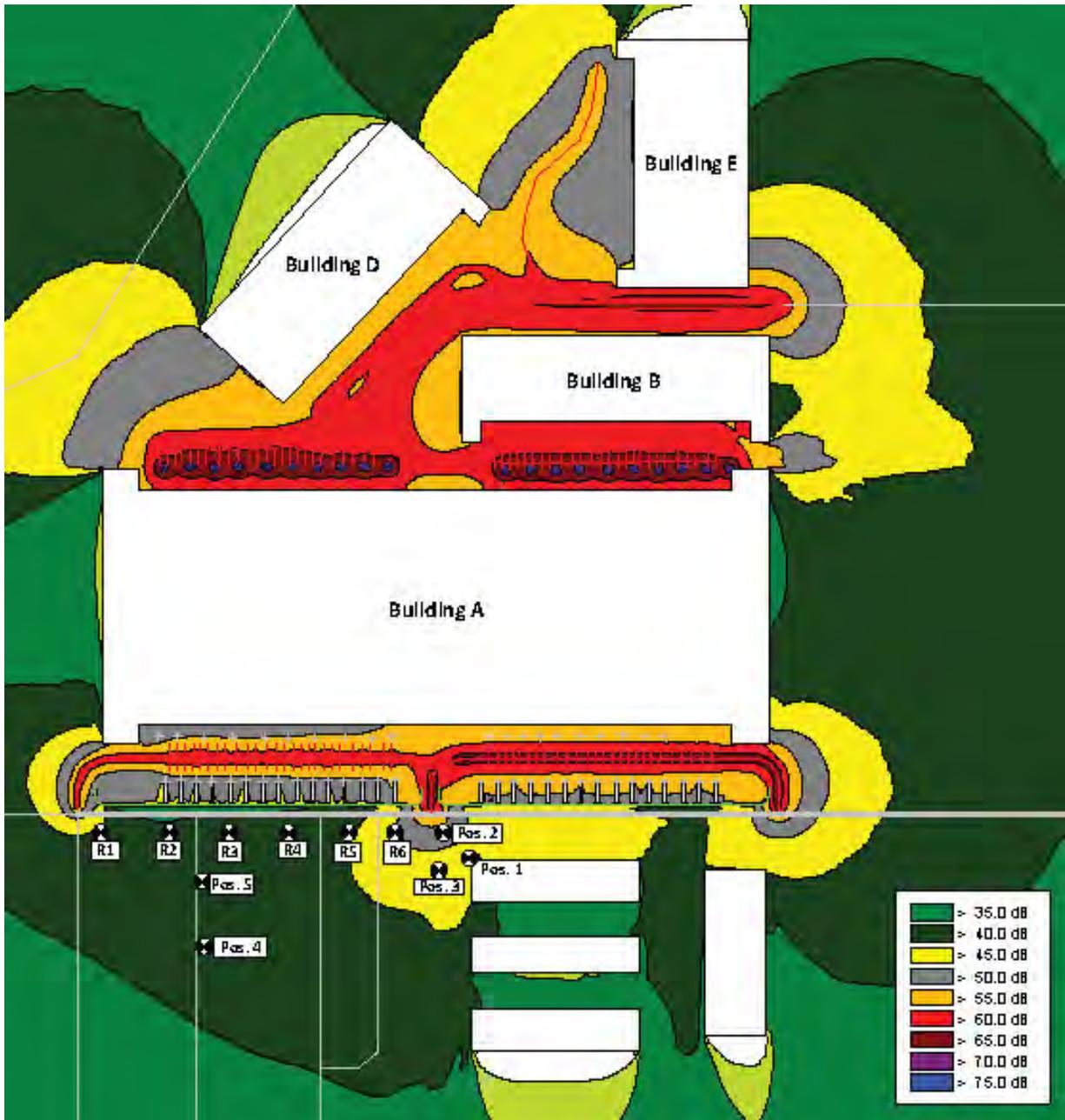


Figure B-1. Noise contours (dBA) for on-site traffic only during the 3 AM hour with no refrigeration units on the south side of Building A and 20 diesel powered refrigeration units on the north side of Building A.

## **Section 7: Traffic**



Excel (LG)

529K S.F.

North Bay  
Sandrik

Lennox

651K S.F.

Le Saint

750K S.F.

Kimberly  
Clark

805K S.F.

Kimberly Clark

2.735M Sq. Ft.

Crossroads Pkwy

Theodore Ct

Normantown Road Bike Trail

W Normantown Rd

Google Earth

© 2016 Google

41°39'27.09" N 88°06'06.60" W elev 693 ft eye alt 5045 ft

1994

Prairie Clover Dr

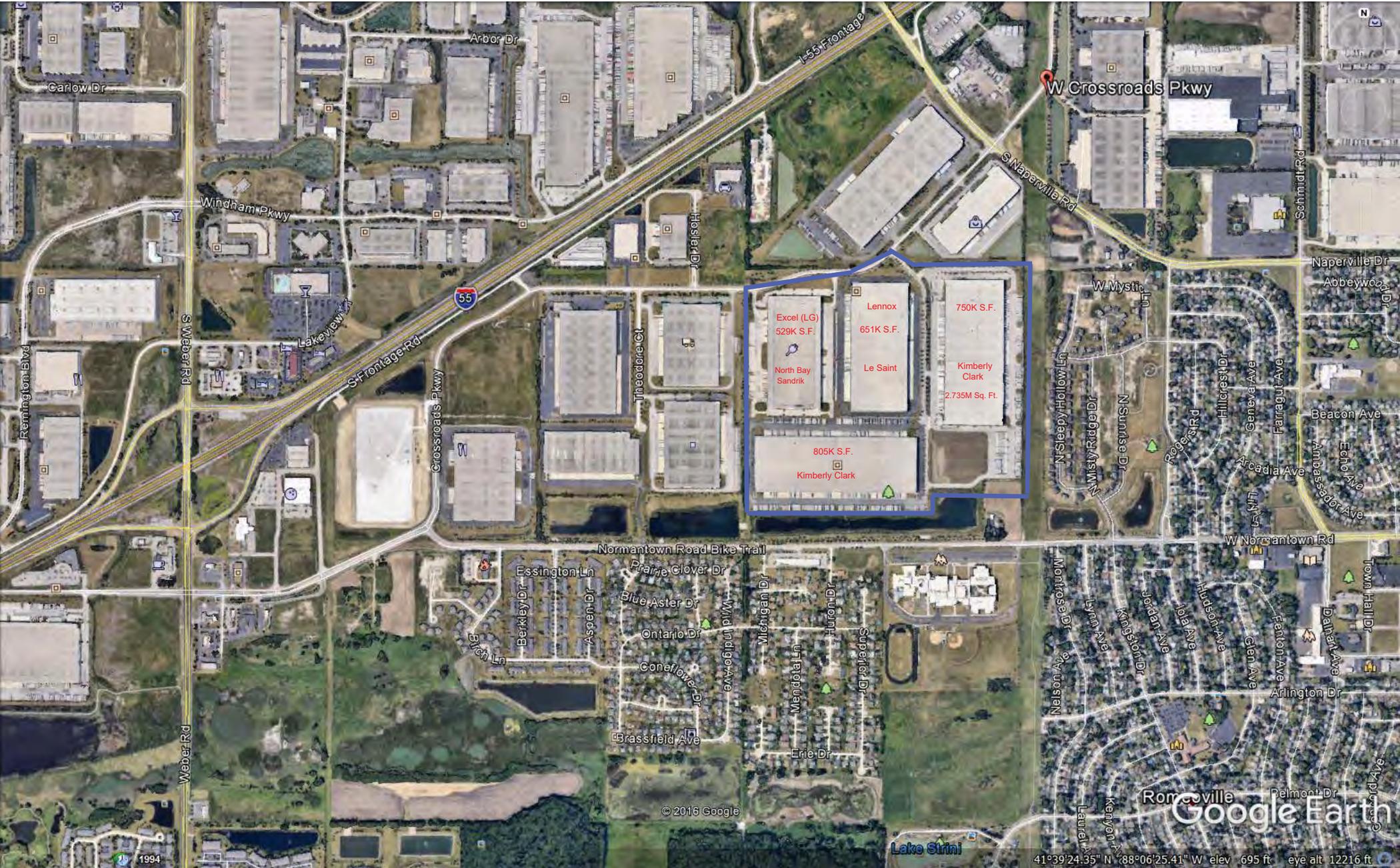
29

N

N Water Ct

N Sleepy Hollow Ln

N Misy Ridge Dr



Excel (LG) 529K S.F.	Lennox 651K S.F.	750K S.F.
North Bay Sandrik	Le Saint	Kimberly Clark
		2.735M Sq. Ft.
	805K S.F.	
	Kimberly Clark	

W Crossroads Pkwy

S Naperville Rd

W Mystic Ln

N Sleepy Hollow Ln

N Misty Ridge Dr

N Sunrise Dr

Rogers Park

Hillcrest Dr

Genevieve Ave

Farragut Ave

Arcadia Ave

Beacon Ave

Elm Ave

Ambassador Ave

W Normantown Rd

Blick Ln

Berkley Dr

Aspen Dr

Essington Ln

Prairie Clover Dr

Blue Aster Dr

Ontario Dr

Conflower Dr

Brassfield Ave

Mid Indigo Ave

Michigan Dr

Mendota Ln

Huron Dr

Superior Dr

Erie Dr

Montrose Dr

Lynn Ave

Kingston Dr

Jordan Ave

Iola Ave

Hudson Ave

Fenton Ave

Glen Ave

Danahy Ave

Arlington Dr

Town Hall Dr

Grand Ave

© 2016 Google

Romeoville  
Google Earth

41°39'24.35" N 88°06'25.41" W elev 695 ft eye alt 12216 ft

1994

Lake Stini

ROMEOVILLE TRIP GENERATION SURVEYS  
HOURLY VOLUMES

Hour	Inbound				Outbound				Total			
	PV	SU	ST	Total	PV	SU	ST	Total	PV	SU	ST	Total
12:00 A.M.	9	2	3	14	12	0	3	15	21	2	6	29
1:00 AM	6	0	1	7	18	0	4	22	24	0	5	29
2:00 AM	2	0	3	5	5	0	5	10	7	0	8	15
3:00 AM	25	2	1	28	5	2	1	8	30	4	2	36
4:00 AM	34	0	1	35	12	0	3	15	46	0	4	50
5:00 AM	213	2	11	226	46	2	1	49	259	4	12	275
6:00 AM	88	2	4	94	28	6	9	43	116	8	13	137
7:00 AM	72	5	11	88	11	4	8	23	83	9	19	111
8:00 AM	66	8	14	88	15	2	14	31	81	10	28	119
9:00 AM	24	6	22	52	22	4	20	46	46	10	42	98
10:00 AM	29	9	15	53	22	13	23	58	51	22	38	111
11:00 AM	52	5	21	78	42	4	20	66	94	9	41	144
12:00 PM	65	15	18	98	73	9	21	103	138	24	39	201
1:00 PM	28	7	15	50	33	12	17	62	61	19	32	112
2:00 PM	36	5	28	69	78	8	18	104	114	13	46	173
3:00 PM	27	10	19	56	96	17	15	128	123	27	34	184
4:00 PM	24	4	15	43	113	7	15	135	137	11	30	178
5:00 PM	47	2	15	64	141	5	13	159	188	7	28	223
6:00 PM	12	4	13	29	50	5	15	70	62	9	28	99
7:00 PM	7	2	7	16	23	2	19	44	30	4	26	60
8:00 PM	4	1	4	9	24	0	8	32	28	1	12	41
9:00 PM	6	2	7	15	22	2	4	28	28	4	11	43
10:00 PM	6	0	5	11	14	2	4	20	20	2	9	31
11:00 PM	7	1	1	9	12	3	1	16	19	4	2	25
Total	889	94	254	1,237	917	109	261	1,287	1,806	203	515	2,524

PV = Passenger Vehicles, SU = Single-Unit Trucks, ST = Semi-Trailer Trucks

ROMEDEVILLE TRIP GENERATION SURVEYS  
 24-HOUR TRAFFIC COUNTS

	Inbound				Outbound				Total			
	PV	SU	ST	Total	PV	SU	ST	Total	PV	SU	ST	Total
Prologis Drive	543	45	200	788	572	64	196	832	1,115	109	396	1,620
Eastern Access Drive	256	39	38	333	242	34	49	325	498	73	87	658
Western Access Drive	<u>90</u>	<u>10</u>	<u>16</u>	<u>116</u>	<u>103</u>	<u>11</u>	<u>16</u>	<u>130</u>	<u>193</u>	<u>21</u>	<u>32</u>	<u>246</u>
Total	889	94	254	1,237	917	109	261	1,287	1,806	203	515	2,524
Percentage	72%	8%	21%		71%	8%	20%		72%	8%	20%	

PV = Passenger Vehicles  
 SU = Single-Unit Trucks  
 ST = Semi-Trailer Trucks

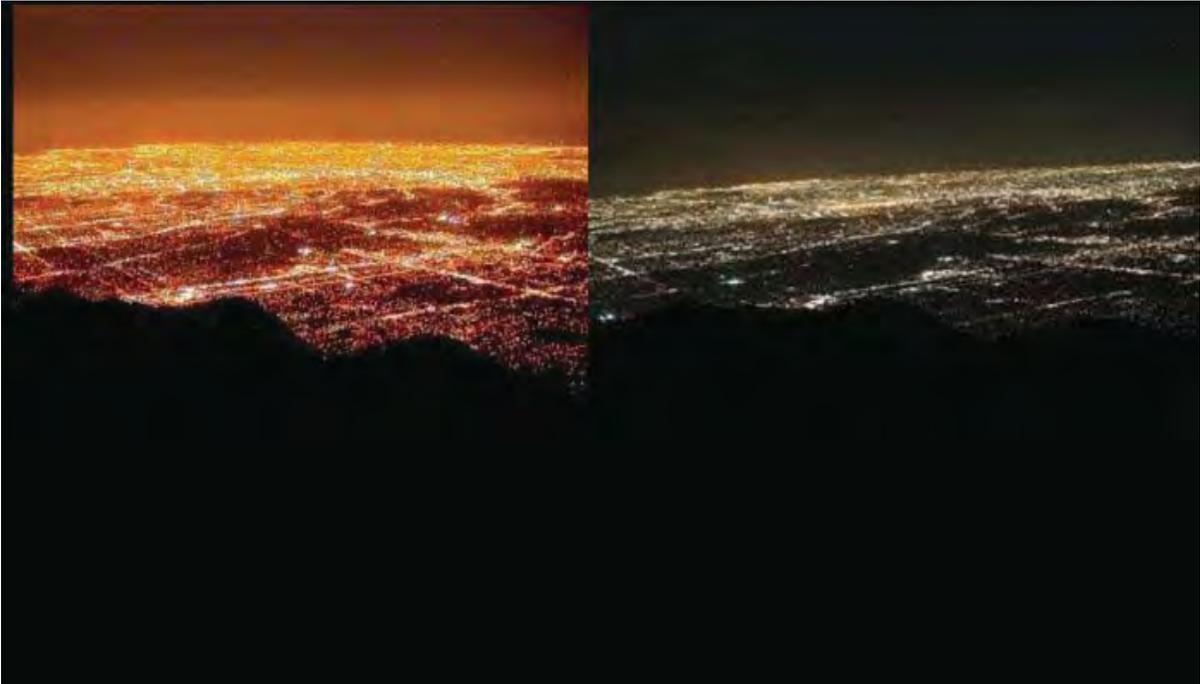
ROMEOVILLE TRIP GENERATION SURVEYS  
PEAK HOUR VOLUMES

	Inbound				Outbound				Total			
	PV	SU	ST	Total	PV	SU	ST	Total	PV	SU	ST	Total
<b>Morning Peak Hour</b>												
Volume	92	7	11	110	12	4	13	29	104	11	24	139
Percentage	84%	6%	10%		41%	14%	45%		75%	8%	17%	
<b>Evening Peak Hour</b>												
Volume	47	2	15	64	141	5	13	159	188	7	28	223
Percentage	73%	3%	23%		89%	3%	8%		84%	3%	13%	

PV = Passenger Vehicles  
SU = Single-Unit Trucks  
ST = Semi-Trailer Trucks

## **Section 8: LED Lighting**

**Cityscape:** Halogen vs. LED



**Street view:** Halogen vs LED



**Warehouse: LED**



**Parking Lot: LED**



## **Section 9: Financial Projections – Real Estate Taxes**

Prologis Park Lockport  
Real Estate Tax Revenue Analysis

Date and Rate Assumptions (At Today's Values):

	Square Feet	Tax Payment	With Agricultural Tax Exemption		Non-Agricultural Exempt Land		Partially Assessed Building (Not Fully Leased)			Fully Assessed Building (100% Leased)			
			Taxes \$/Month	Taxes \$/SF/Year	Grading Date (Removal of Ag. Exemption)	Taxes \$/Month	Taxes \$/SF/Year	Vertical Construction Completion Date	Taxes \$/Month	Taxes \$/SF/Year	Stabilization Date	Taxes \$/Month	Taxes \$/SF/Year
Building #1	319,360	Arrears	\$16.35	0.00	4/1/2018	\$5,323	\$0.20	1/31/2019	\$13,839	\$0.52	3/1/2020	\$28,796	1.08
Building #2	736,600	Arrears	\$43.26	0.00	4/1/2018	\$12,277	\$0.20	2/28/2019	\$27,623	\$0.45	4/1/2020	\$62,511	1.02
Building #3	468,180	Arrears	\$25.47	0.00	4/1/2020	\$7,803	\$0.20	12/31/2020	\$19,508	\$0.50	2/1/2022	\$40,974	1.05
Building #4	299,600	Arrears	\$15.87	0.00	4/1/2020	\$4,993	\$0.20	12/31/2022	\$13,732	\$0.55	2/1/2024	\$27,809	1.11
Building #5	146,640	Arrears	\$24.08	0.00	4/1/2022	\$2,444	\$0.20	12/31/2022	\$7,332	\$0.60	2/1/2024	\$14,000	1.15
<b>Total</b>	<b>1,970,380</b>		<b>\$125.04</b>	<b>\$0.00</b>		<b>\$32,840</b>	<b>\$0.20</b>		<b>\$82,033</b>	<b>\$0.50</b>		<b>\$174,091</b>	<b>\$1.06</b>

Fully Stabilized Tax Calculation (At Today's Rates):

	Estimated Market Value (\$/SF)	Estimated Market Value (\$)	Estimated Assessment Value (\$)	Tax Rate	Estimated Annual Tax Revenue (\$)	Estimated Taxes Per Year (\$/SF)	Estimated Monthly Tax Revenue (\$)
Building #1	\$34.00	\$10,858,240	\$3,619,413	9.5473%	\$345,556	\$1.08	\$28,796
Building #2	\$32.00	\$23,571,200	\$7,857,067	9.5473%	\$750,138	\$1.02	\$62,511
Building #3	\$33.00	\$15,449,940	\$5,149,980	9.5473%	\$491,684	\$1.05	\$40,974
Building #4	\$35.00	\$10,486,000	\$3,495,333	9.5473%	\$333,710	\$1.11	\$27,809
Building #5	\$36.00	\$5,279,040	\$1,759,680	9.5473%	\$168,002	\$1.15	\$14,000
<b>Total</b>	<b>\$33.32</b>	<b>\$65,644,420</b>	<b>\$21,881,473</b>	<b>9.5473%</b>	<b>\$2,089,090</b>	<b>\$1.06</b>	<b>\$174,091</b>

Prologis Park Lockport Projected Tax Revenue By Year (Assumes 1.5% overall growth):

Taxing Body	Rate	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total 12 Year
FOREST PRESERVE	0.1937	\$30	\$6,230	\$10,416	\$24,580	\$29,931	\$38,102	\$40,822	\$46,573	\$47,746	\$48,462	\$49,189	\$49,927	\$392,008
WILL COUNTY BLDG COMM	0.0218	\$3	\$701	\$1,172	\$2,766	\$3,369	\$4,288	\$4,594	\$5,242	\$5,374	\$5,454	\$5,536	\$5,619	\$44,119
HOMER TWP TOWN FUNDS	0.1034	\$16	\$3,326	\$5,560	\$13,121	\$15,978	\$20,339	\$21,792	\$24,861	\$25,487	\$25,870	\$26,258	\$26,652	\$209,260
HOMER TWP ROAD FUNDS	0.1828	\$29	\$5,879	\$9,830	\$23,197	\$28,247	\$35,958	\$38,525	\$43,952	\$45,059	\$45,735	\$46,421	\$47,117	\$369,949
HOMER TWP FIRE DIST	1.1033	\$173	\$35,485	\$59,327	\$140,008	\$170,486	\$217,026	\$232,520	\$265,276	\$271,956	\$276,035	\$280,176	\$284,378	\$2,232,848
SCHOOL DISTRICT 92	3.1773	\$499	\$102,191	\$170,852	\$403,198	\$490,969	\$624,994	\$669,615	\$763,946	\$783,183	\$794,931	\$806,854	\$818,957	\$6,430,190
HIGH SCHOOL DIST 205	2.0834	\$327	\$67,008	\$112,030	\$264,382	\$321,935	\$409,818	\$439,076	\$500,930	\$513,544	\$521,247	\$529,066	\$537,002	\$4,216,366
COMM COLLEGE DIST 525	0.3065	\$48	\$9,858	\$16,481	\$38,895	\$47,362	\$60,290	\$64,595	\$73,694	\$75,550	\$76,683	\$77,834	\$79,001	\$620,292
CITY OF LOCKPORT	0.9607	\$151	\$30,899	\$51,659	\$121,912	\$148,451	\$188,976	\$202,467	\$230,990	\$236,806	\$240,358	\$243,963	\$247,623	\$1,944,256
CITY LOCKPORT RD BR	0.1547	\$24	\$4,976	\$8,319	\$19,631	\$23,905	\$30,430	\$32,603	\$37,196	\$38,132	\$38,704	\$39,285	\$39,874	\$313,080
LOCKPORT PARK DIST	0.4797	\$75	\$15,429	\$25,795	\$60,874	\$74,125	\$94,360	\$101,097	\$115,338	\$118,243	\$120,016	\$121,817	\$123,644	\$970,812
HOMER TWP PUB LIBRARY	0.166	\$26	\$5,339	\$8,926	\$21,065	\$25,651	\$32,653	\$34,984	\$39,913	\$40,918	\$41,532	\$42,155	\$42,787	\$335,949
WILL COUNTY	0.614	\$96	\$19,748	\$33,016	\$77,916	\$94,878	\$120,778	\$129,400	\$147,629	\$151,347	\$153,617	\$155,921	\$158,260	\$1,242,608
<b>Total</b>	<b>9.5473</b>	<b>\$1,500</b>	<b>\$307,068</b>	<b>\$513,384</b>	<b>\$1,211,548</b>	<b>\$1,475,288</b>	<b>\$1,878,012</b>	<b>\$2,012,091</b>	<b>\$2,295,541</b>	<b>\$2,353,344</b>	<b>\$2,388,644</b>	<b>\$2,424,474</b>	<b>\$2,460,841</b>	<b>\$19,013,168</b>

## **Section 10: Customer Base**

# Prologis Customer Base



**Section 11: I-55 Submarket Industrial Properties  
Adjacent to Residential**



## **Section 12: Prologis Properties Adjacent to Residential**

# Recent Prologis Developments Adjacent to Residential

Prologis Park 121, Dallas, TX



Subaru Building, Indianapolis, IN



Lily Cache Lane, Bolingbrook, IL



Prologis Park 20/35, Dallas, TX

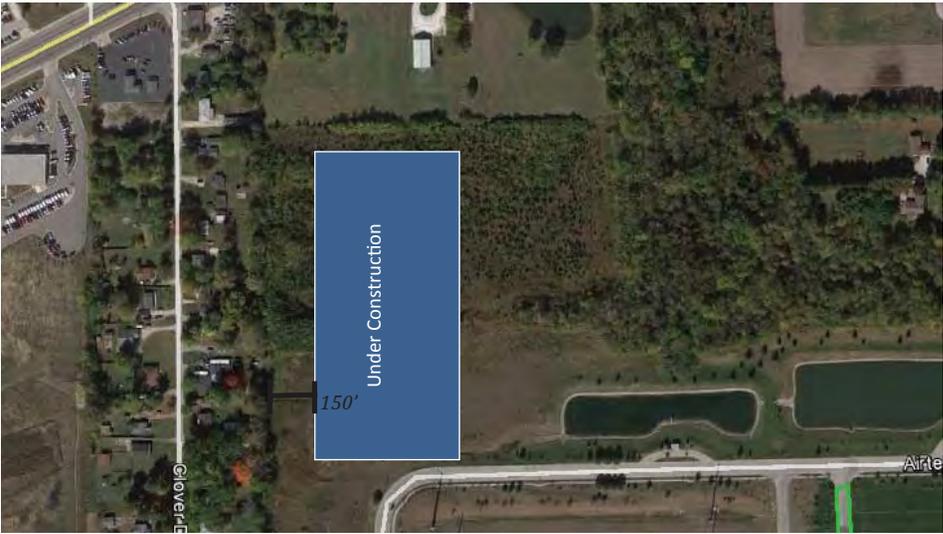


# Recent Prologis Developments Adjacent to Residential

Prologis Park Tacoma, Tacoma, WA



Airtech Park, Indianapolis, IN



# Traffic Impact Study Prologis Park Warehouse/Distribution Development Lockport, Illinois



Prepared For:



**PROLOGIS.**

Prepared By



December 22, 2016

# 1. Introduction

---

This report summarizes the methodologies, results, and findings of a traffic impact study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed Prologis Park warehouse/distribution development to be located in Lockport, Illinois. The development will generally occupy an L-shaped vacant parcel bounded by I-355 on the east and Archer Avenue (IL 171) on the west located just south of 143<sup>rd</sup> Street and just north of 151<sup>st</sup> Street. As proposed, the site will be developed with five buildings totaling approximately 2.1 million square feet of warehouse/distribution space. Access to and through the proposed development will be provided via an access roadway that will extend from 143<sup>rd</sup> Street to Archer Avenue with emergency access provided via 151<sup>st</sup> Street.

The purpose of this study was to examine background traffic conditions, assess the impact that the proposed development will have on traffic conditions in the area, and determine if any roadway or access improvements are necessary to accommodate traffic generated by the proposed development.

**Figure 1** shows the location of the site in relation to the area roadway system. **Figure 2** shows an aerial view of the site area.

The sections of this report present the following:

- Existing roadway conditions
- A description of the proposed development
- Directional distribution of the development traffic
- Vehicle trip generation for the development
- Future traffic conditions including access to the development
- Traffic analyses for the weekday morning and weekday evening peak hours
- Recommendations with respect to adequacy of the site access system and adjacent roadway system

Traffic capacity analyses were conducted for the weekday morning and weekday evening peak hours for the following conditions:

1. Existing Condition - Analyzes the capacity of the existing roadway system using existing peak hour traffic volumes in the surrounding area.
2. Future Condition - The future projected traffic volumes include the existing traffic volumes, traffic to be generated by nearby approved developments, and the traffic estimated to be generated by the proposed subject development.





Aerial View of Site Location

Figure 2

## 2.

### Existing Conditions

Existing transportation conditions in the vicinity of the site were documented based on a field visit conducted by KLOA, Inc. in order to obtain a database for projecting future conditions. The following provides a description of the geographical location of the site, physical characteristics of the area roadway system including lane usage and traffic control devices, and existing peak hour traffic volumes.

#### Site Location

The site, which is currently vacant, is generally bounded by I-355 on the east and Archer Avenue on the west located just south of 143<sup>rd</sup> Street and just north of 151<sup>st</sup> Street. Land uses in the vicinity of the site generally consist of residential and commercial uses in all directions and include Northwest Homer Fire Protection to the north and Rinks Gun & Sport, B & V Pizza, and Falcon Liquor to the west.

#### Existing Roadway System Characteristics

The characteristics of the existing roadways near the development are described below. **Figure 3** illustrates the existing roadway characteristics.

*143<sup>rd</sup> Street* is an east-west arterial roadway that in the vicinity of the site provides two lanes in each direction separated by a two-way left-turn lane. At its signalized intersection with Archer Avenue, 143<sup>rd</sup> Street provides dual left-turn lanes and an exclusive right-turn lane. At its signalized intersection with the I-355 southbound ramps/frontage road, 143<sup>rd</sup> Street provides two through lanes and an exclusive right-turn lane on the eastbound approach and an exclusive left-turn lane and two through lanes on the westbound approach. At its signalized intersection with the I-355 northbound ramps/frontage road, 143<sup>rd</sup> Street provides an exclusive left-turn lane and two through lanes on the eastbound approach and two through lanes and an exclusive right-turn lane on the westbound approach. 143<sup>rd</sup> Street is under the jurisdiction of the Will County Division of Transportation, carries an annual average daily traffic (AADT) volume of 6,850 vehicles (IDOT AADT 2012), and has a posted speed limit of 45 miles per hour.

*Archer Avenue* is a northeast-to-southwest arterial roadway that provides two lanes in each direction north of 143<sup>rd</sup> Street and one lane in each direction south of 143<sup>rd</sup> Street. At its signalized intersection with 143<sup>rd</sup> Street, Archer Avenue provides two through lanes and an exclusive right-turn lane on the northbound approach and an exclusive left-turn lane and two through lanes on the southbound approach. At its unsignalized intersection with 147<sup>th</sup> Street, Archer Avenue provides a shared left-turn/through lane on the northbound approach and a shared through/right-turn lane on the southbound approach. Archer Avenue is under the jurisdiction of the Illinois Department of Transportation (IDOT), carries an AADT volume of 11,900 vehicles north of 143<sup>rd</sup> Street and an AADT volume of 13,900 south of 143<sup>rd</sup> Street (IDOT AADT 2015), and has a posted speed limit of 50 and 45 miles per hour north and south of 143<sup>rd</sup> Street, respectively.



*Interstate 355 (I-355)* is a north-south tollway that in the vicinity of the site provides three lanes in each direction and has a full access interchange with 143<sup>rd</sup> Street/Archer Avenue. At its signalized intersection with 143<sup>rd</sup> Street, the southbound ramp/frontage road provides an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane. At its signalized intersection with 143<sup>rd</sup> Street, the I-355 northbound ramp/frontage road provides a shared left-turn/through lane and an exclusive right-turn lane. The southbound ramp/frontage road carries an AADT volume of 4,300 and 1,400 vehicles north and south of 143<sup>rd</sup> Street, respectively and the northbound ramp/frontage road carries an AADT volume of 4,450 and 1,100 vehicles north and south of 143<sup>rd</sup> Street, respectively (IDOT AADT 2014).

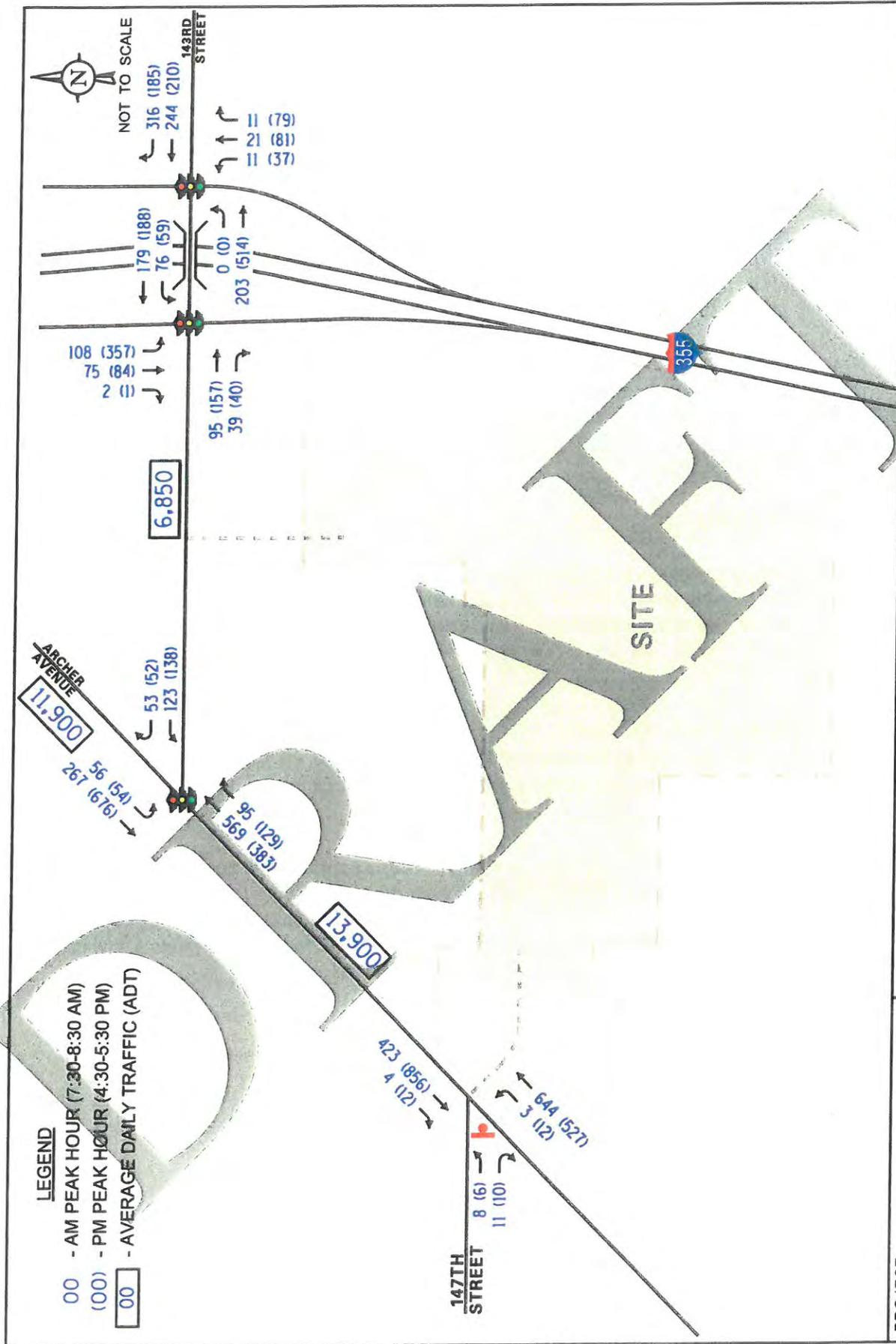
*147<sup>th</sup> Street* is an east-west local roadway that in the vicinity of the site provides one lane in each direction. At its unsignalized intersection with Archer Avenue, 147<sup>th</sup> Street provides a shared left-turn/right-turn lane under stop sign control. 147<sup>th</sup> Street is under the jurisdiction of Lockport Township, carries an AADT volume of 250 vehicles (IDOT AADT 2012), and has a posted speed limit of 20 miles per hour.

### Existing Traffic Volumes

In order to determine current traffic conditions in the vicinity of the site, KLOA, Inc. conducted peak period traffic counts using Miovision Scout Video Collection Units on Thursday, October 27, 2016 during the weekday morning (6:00 A.M. to 9:00 A.M.) and weekday evening (4:00 P.M. to 6:00 P.M.) peak periods. The traffic counts were conducted at the following intersections:

- Archer Avenue with 143<sup>rd</sup> Street
- 143<sup>rd</sup> Street with the I-355 Southbound Ramp/frontage road
- 143<sup>rd</sup> Street with the I-355 Northbound Ramp/frontage road
- Archer Avenue with 147<sup>th</sup> Street

The results of the traffic counts showed that the weekday morning peak hour of traffic occurs from 7:00 A.M. to 8:00 A.M. and the evening peak hour of traffic occurs from 4:30 P.M. to 5:30 P.M. **Figure 4** illustrates the existing peak hour traffic volumes and includes Year 2012/2014/2015 AADT volumes obtained from the IDOT *Getting Around Illinois* webpage. Copies of the traffic count summary sheets are included in the Appendix.



## Crash Data

KLOA, Inc. obtained crash data for the past five years (2010 to 2014) for the intersections of Archer Avenue with 143<sup>rd</sup> Street, 143<sup>rd</sup> Street with the I-355 northbound and southbound ramps/frontage roads, and Archer Avenue with 147<sup>th</sup> Street. A review of the crash data indicated the following:

- The intersection of Archer Avenue with 143<sup>rd</sup> Street experienced one crash in 2010 and 2012, two crashes in 2013, and three crashes in 2011 and 2014. This equates to an average of two crashes per year and none of the crashes resulted in a fatality.
- The intersection of 143<sup>rd</sup> Street with the I-355 southbound ramp/frontage road experienced zero crashes in 2010 and 2014, one crash in 2011, and two crashes in 2012 and 2013. This equates to an average of one crash per year and none of the crashes resulted in a fatality.
- The intersection of 143<sup>rd</sup> Street with the I-355 northbound ramp/frontage road experienced zero crashes in 2010, one crash in 2011 and 2013, two crashes in 2012, and six crashes in 2014. This equates to an average of two crashes per year and none of the crashes resulted in a fatality.
- The intersection of Archer Avenue with 147<sup>th</sup> Street experienced zero crashes in 2010 and 2012, one crash in 2013 and 2014, and three crashes in 2011. This equates to an average of one crash per year and none of the crashes resulted in a fatality.

### 3.

## Traffic Characteristics of the Proposed Development

In order to properly evaluate future traffic conditions in the surrounding area, it was necessary to determine the traffic characteristics of the proposed development, including the directional distribution and volumes of traffic that it will generate.

### Proposed Development Plan

As proposed, the plans call for developing the site with five industrial buildings totaling approximately 2.1 million square feet of warehouse/distribution space. Access to and through the proposed development is proposed via an access roadway that will extend from 143<sup>rd</sup> Street through the development and curve west to Archer Avenue and will provide one lane in each direction and a center left-turn lane. The following discusses the design of the access roadway and its intersections with 143<sup>rd</sup> Street and Archer Avenue:

- The proposed access roadway will intersect 143<sup>rd</sup> Street approximately 965 feet west of the I-355 southbound ramp/frontage road and will be aligned opposite the proposed access roadway for a proposed mixed-use development located on the north side of 143<sup>rd</sup> Street. At its intersection with 143<sup>rd</sup> Street, the proposed access roadway will provide two inbound lanes and three outbound lanes under stop sign control that will be striped to provide an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane. Furthermore, exclusive left-turn and right-turn lanes will be provided on 143<sup>rd</sup> Street serving the proposed access roadway.
- The proposed access roadway will intersect Archer Avenue approximately three-quarters of a mile south of 143<sup>rd</sup> Street and will be aligned opposite 147<sup>th</sup> Street. At its intersection with Archer Avenue, the proposed access roadway will provide one inbound lane and two outbound lanes that will be under stop sign control and striped to provide an exclusive left-turn lane and a shared through/right-turn lane. Furthermore, Archer Avenue will be widened to provide exclusive left-turn lanes serving the access roadway and 147<sup>th</sup> Street and an exclusive right-turn lane serving the access roadway.

### Directional Distribution

The directional distribution of future site-generated trips on the roadway system is a function of several variables, including the operational characteristics of the roadway system and the ease with which drivers can travel over various sections of the roadway system without encountering congestion. The directions from which employees of the proposed development will approach and depart the site were estimated based on existing travel patterns, as determined from the traffic counts. **Figure 5** illustrates the directional distribution of the development-generated traffic.



<p>PROJECT:          Prologis Park          Lockport, Illinois</p>	<p>TITLE:          Estimated Directional Distribution</p>
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## Estimated Site Traffic Generation

As stated previously, the development is proposed to consist of approximately 2.0 million square feet of warehouse/distribution space. The estimate of the peak hour traffic that will be generated by the development was based on the Warehouse (Land-Use Code 150) and High Cube Warehouse/Distribution Center (Land-Use Code 152) trip generation rates published in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9<sup>th</sup> Edition. Table 1 shows the estimated peak hour traffic to be generated by the development.

Table 1  
PROJECTED SITE-GENERATED TRAFFIC VOLUMES

Land-Use Code	Size	Weekday Morning Peak Hour			Weekday Evening Peak Hour		
		In	Out	Total	In	Out	Total
Warehousing (150)	900,000 s.f.	213	57	270	72	216	288
High Cube Warehouse (152)	1,200,000 s.f.	<u>91</u>	<u>41</u>	<u>132</u>	<u>45</u>	<u>99</u>	<u>144</u>
<b>TOTAL</b>		<b>304</b>	<b>98</b>	<b>402</b>	<b>117</b>	<b>315</b>	<b>432</b>

## 4. Projected Traffic Conditions

The total projected traffic volumes include the existing traffic volumes, increase in background traffic due to ambient growth, and the traffic estimated to be generated by the proposed subject development.

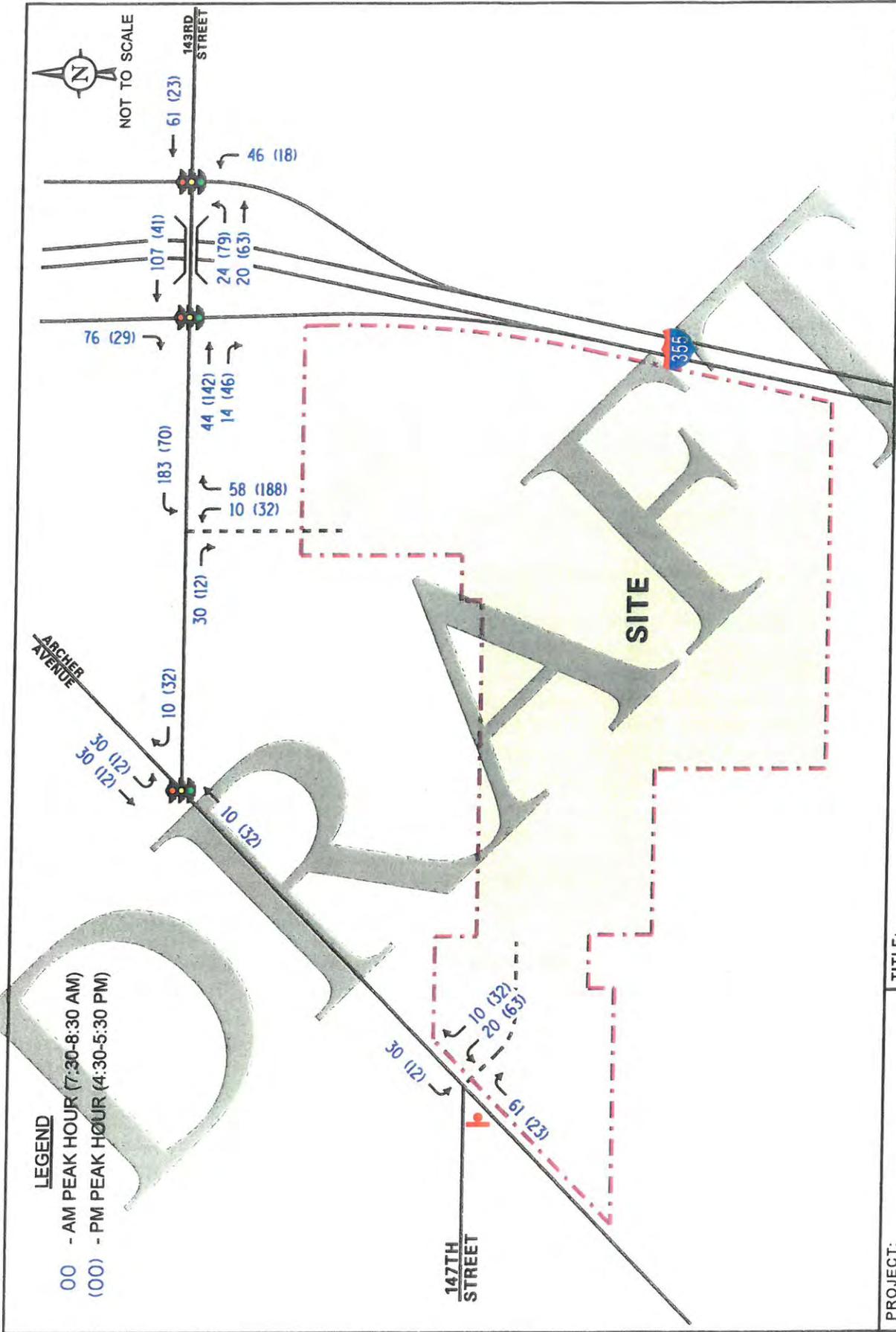
### Development Traffic Assignment

The estimated weekday morning and evening peak hour traffic volumes that will be generated by the proposed development were assigned to the roadway system in accordance with the previously described directional distribution (Figure 5). Figure 6 illustrates the development-generated traffic assignment.

### Background (No-Build) Traffic Conditions

The existing traffic volumes (Figure 4) were increased by a regional growth factor to account for the increase in existing traffic related to regional growth in the area (i.e., not attributable to any particular planned development). Based on ADT projections provided by the Chicago Metropolitan Agency for Planning (CMAP) in a letter dated November 8, 2016, an increase of approximately two percent per year was applied to project Year 2021 traffic volumes (5-year analysis) and Year 2036 traffic volumes (20-year analysis). A copy of the CMAP 2040 projections letter and the Year 2021 and Year 2036 background volumes are included in the Appendix. As part of the Year 2036 projected traffic volumes, the following previously approved or proposed developments were included:

- The two parcels of land located immediately north of the site along 143<sup>rd</sup> Street. As proposed, these parcels will be developed with approximately 400,000 square feet of warehouse/distribution space and approximately six acres of commercial space. Access to these parcels will be provided via the proposed access roadway.
- The proposed mixed-use development to be located on the north side of 143<sup>rd</sup> Street bounded by Archer Avenue on the west and I-355 on the east. This development is proposed to contain 240 condominium units and approximately seven and one-half acres of office and retail space. Access to the development is proposed on 143<sup>rd</sup> Street aligned opposite the proposed access roadway for the subject development. Additional access is proposed via Archer Avenue.
- An approximately 2,000,000 square-foot warehouse/distribution development under construction on the east side of I-355 and bounded by 143<sup>rd</sup> Street on the north and 151<sup>st</sup> Street on the south. Access to the warehouse/distribution development is provided off 143<sup>rd</sup> Street, 147<sup>th</sup> Street, and 151<sup>st</sup> Street.

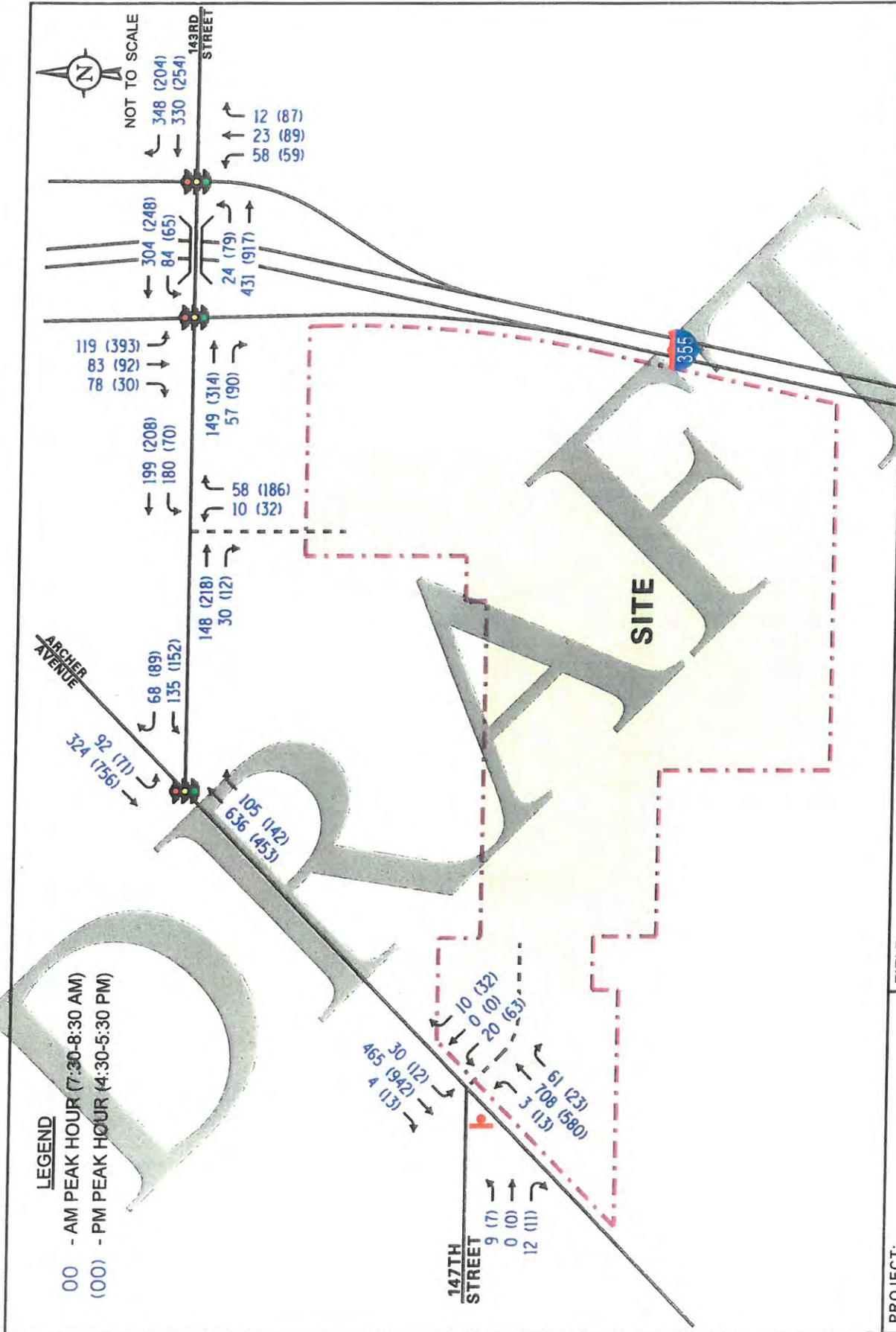


 <p>Job No: 16-261</p>	<p><b>Estimated Site-Generated Traffic Volumes</b></p>	<p>Figure: 6</p>
<p>PROJECT: Prologis Park Lockport, Illinois</p>	<p>TITLE:</p>	<p>Figure: 6</p>

## Total Projected Traffic Volumes

The development-generated traffic was added to the existing traffic volumes accounting for background growth to determine the Year 2021 and Year 2036 total projected traffic volumes. Year 2021 total projected traffic volumes include the background traffic volumes and buildout of the proposed development and are illustrated in **Figure 7**. Year 2036 total projected traffic volumes include the background traffic volumes, the traffic volumes generated by the total proposed development, and the traffic projected to be generated by the other area developments and are illustrated in **Figure 8**.

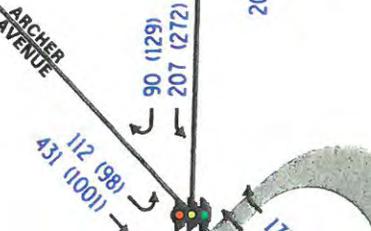
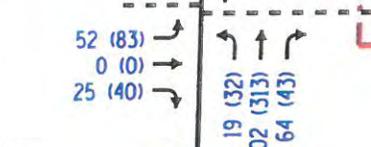
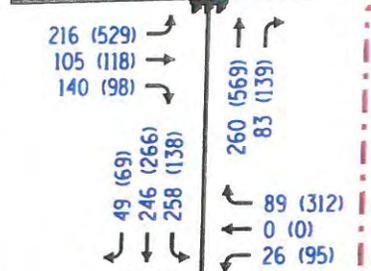
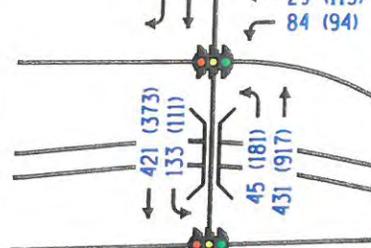
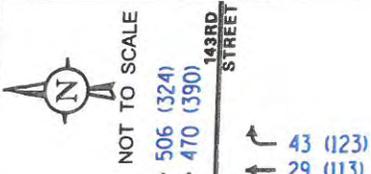
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 <p>Job No: 16-261</p>	<p>Year 2021 Total Projected Traffic Volumes</p>	<p>PROJECT: Prologis Park Lockport, Illinois</p>
<p>TITLE:</p>		<p>Figure: 7</p>

**LEGEND**

- 00 - AM PEAK HOUR (7:30-8:30 AM)
- (00) - PM PEAK HOUR (4:30-5:30 PM)



PROJECT: Prologis Park Lockport, Illinois  
TITLE: Year 2036 Total Projected Traffic Volumes

## 5. Traffic Analyses and Recommendations

The following provides an evaluation conducted for the weekday morning and weekday evening peak hours. The analysis includes conducting capacity analyses to determine how well the roadway system and access roadways are projected to operate and whether any roadway improvements or modification are required.

### Traffic Analyses

Roadway and adjacent or nearby intersection analyses were performed for the weekday morning and weekday evening peak hours for the existing (Year 2016), Projected Year 2021, and Projected Year 2036 traffic volumes.

The traffic analyses were performed using the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM), 2010* and analyzed using the HCS 2010 computer software. The analyses for the traffic-signal controlled intersections were accomplished using actual cycle lengths and phasings to determine the average overall vehicle delay and levels of service.

The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter from A to F based on the average control delay experienced by vehicles passing through the intersection. The *Highway Capacity Manual* definitions for levels of service and the corresponding control delay for signalized intersections and unsignalized intersections are included in the Appendix of this report.

Summaries of the traffic analysis results showing the level of service and overall intersection delay (measured in seconds) for the existing, Year 2021, and Year 2036 total projected conditions for the study area intersections are presented in **Tables 2** through **7**. A discussion of the intersections follows. It should be noted that the intersection of 143<sup>rd</sup> Street with the access roadway was analyzed assuming the intersection operates under stop sign control and assuming the intersection operates under traffic signal control. Summary sheets for the capacity analyses and the existing and projected queues at the signalized intersections are included in the Appendix.

Table 2

CAPACITY ANALYSIS RESULTS  
 ARCHER AVENUE WITH 143<sup>rd</sup> STREET – SIGNALIZED

Peak Hour	Eastbound			Westbound			Northbound			Southbound			Overall	
	L	T	R	L	T	R	L	T	R	L	T	R		
Existing Conditions				D	--	E	--	A	A	A	A	A	--	A - 8.6
				53.9		56.5		0.2	1.8	2.2	0.1			
Year 2021 Projected Conditions				D	--	D	--	A	A	A	A	A	--	A - 6.9
				48.3		48.7		0.4	2.1	2.4	0.2			
Year 2036 Projected Conditions				D	--	D	--	A	A	A	A	A	--	A - 9.4
				51.8		54.1		1.1	2.3	3.4	0.1			
Delay is measured in seconds.														



Table 4  
 CAPACITY ANALYSIS RESULTS  
 143<sup>rd</sup> STREET WITH I-355 NORTHBOUND RAMPS – SIGNALIZED

Peak Hour	Eastbound			Westbound			Northbound			Southbound			Overall
	L	T	R	L	T	R	L	T	R	L	T	R	
Existing Conditions	Weekday Morning Peak Hour	--	A 0.1	--	A 0.1	A 3.3	D 48.0	D 46.7					A-3.9
	Weekday Evening Peak Hour	--	A 0.1	--	A 0.1	A 3.1	D 52.8	D 48.2					A-9.7
Year 2021 Projected Conditions	Weekday Morning Peak Hour	A 2.1	A 0.1	--	A 0.1	A 4.7	E 67.6	D 49.6					A-7.5
	Weekday Evening Peak Hour	A 3.6	A 0.2	--	A 1.4	A 6.1	D 51.7	D 44.8					A-9.7
Year 2036 Projected Conditions	Weekday Morning Peak Hour	A 2.8	A 0.1	--	A 0.4	A 7.1	E 61.7	D 50.4					A-8.2
	Weekday Evening Peak Hour	A 5.3	A 1.1	--	A 3.7	B 10.3	D 48.2	D 41.4					B-10.2

Delay is measured in seconds.



Table 5  
 CAPACITY ANALYSIS RESULTS  
 ARCHER AVENUE WITH 147<sup>th</sup> STREET AND ACCESS ROADWAY – UNSIGNALIZED

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay
<b>Existing Conditions</b>				
• Eastbound Approach	C	16.6	C	23.0
• Northbound Left Turns	A	8.3	A	9.9
<b>Year 2021 Projected Conditions</b>				
• Eastbound Approach	B	12.8	B	14.2
• Westbound Left Turns	C	18.4	C	23.4
• Westbound Right Turns	C	15.5	B	13.8
• Northbound Left Turns	A	7.3	A	8.4
• Southbound Left Turns	B	10.5	A	9.4
<b>Year 2036 Projected Conditions</b>				
• Eastbound Approach	C	22.2	E	35.4
• Westbound Left Turns	D	34.9	F	140.1
• Westbound Right Turns	C	20.9	C	18.2
• Northbound Left Turns	A	9.0	B	12.4
• Southbound Left Turns	B	12.3	B	10.7
LOS = Level of Service Delay is measured in seconds.				

Table 6  
 CAPACITY ANALYSIS RESULTS  
 143<sup>rd</sup> STREET WITH PROPOSED ACCESS ROADWAY – UNSIGNALIZED

Intersection	Weekday Morning Peak Hour		Weekday Evening Peak Hour	
	LOS	Delay	LOS	Delay
<b>Year 2021 Projected Conditions</b>				
• Northbound Left Turns	C	17.6	B	14.4
• Northbound Right Turns	A	9.4	B	10.6
• Westbound Left Turns	A	8.6	A	8.4
<b>Year 2036 Projected Conditions</b>				
• Northbound Left Turns	E	35.8	E	46.0
• Northbound Right Turns	A	9.8	B	13.1
• Southbound Left Turns	E	41.3	F	68.0
• Southbound Right Turns	A	9.1	A	9.3
• Westbound Left Turns	A	9.3	A	9.2
• Eastbound Left Turns	A	7.9	A	8.1
LOS = Level of Service Delay is measured in seconds.				

Table 7  
 CAPACITY ANALYSIS RESULTS  
 143<sup>rd</sup> STREET WITH PROPOSED ACCESS ROADWAY – SIGNALIZED

Year 2036 Projected Conditions	Peak Hour	Eastbound			Westbound			Northbound			Southbound			Overall	
		L	T	R	L	T	R	L	T	R	L	T	R		
Weekday Morning Peak Hour	A	7.2	4.1	8.9	A	A	6.2	A	43.8	D	D	43.5	D	D	B – 11.8
	B				B	2.0		B	42.7	--	D	46.7	--	D	
Weekday Evening Peak Hour	A – 5.4		A – 4.2			D – 43.0			D – 44.5			C – 21.8			
	B	14.4	12.8	16.5	B	B	10.4	B	26.2	--	D	26.2	--	C	C – 21.8
B – 13.3		B – 11.8			D – 40.0			C – 27.4			C – 21.8				

Delay is measured in seconds.



## Discussion and Recommendations

The following summarizes how the intersections are projected to operate and identifies any roadway and traffic control improvements necessary to accommodate the development traffic.

### *Archer Avenue with 143<sup>rd</sup> Street*

The results of the capacity analysis indicate that overall this intersection operates at an acceptable Level of Service (LOS) A during the weekday morning and evening peak hours. Assuming Year 2021 conditions, this intersection overall is projected to continue operating at LOS A with increases in delay of less than one second. Assuming Year 2036 conditions, this intersection overall is projected to continue operating at LOS A during both peak hours with increases in delay of approximately two seconds or less. Assuming Year 2021 and 2036 conditions, the northbound and southbound approaches and all the movements are projected to continue operating at LOS A. The westbound approach is generally projected to continue to operate at a LOS D assuming the Year 2021 and Year 2036 conditions. As such, the intersection has sufficient reserve capacity to accommodate the projected traffic volumes and no roadway improvements or signal modifications will be required.

### *143<sup>rd</sup> Street with I-355 Southbound Ramp/Frontage Road*

The results of the capacity analysis indicate that overall this intersection currently operates at an acceptable LOS B during the weekday morning peak hour and at an acceptable LOS C during the weekday evening peak hour. Assuming Year 2021 conditions, this intersection is projected to continue to operate at LOS B during the weekday morning peak hour and at LOS D during the weekday evening peak hour with increases in delay of approximately two seconds or less during the weekday peak hours. It should be noted that the southbound left-turn movement is projected to operate at LOS F during the weekday evening peak hour. This level of service is attributed to the high number of southbound left-turn movements and the limited amount of green time given to the southbound approach. Assuming Year 2036 conditions, this intersection is projected to continue to operate at LOS B during the weekday morning peak and at LOS E during the weekday evening peak hour. This level of service is attributed to the southbound approach which has a high volume of left-turn movements, the minimal amount of green time allocated to the southbound approach, and the background growth applied to the existing traffic volumes. With a reallocation of approximately eight seconds of green time from the 143<sup>rd</sup> Street approaches to the frontage road approach, the overall intersection is projected to operate at an acceptable LOS C (see Table 7). As such, if the Year 2036 volumes are realized, minor signal modifications will be required to improve the operations of the southbound approach and the overall intersection.

### *143<sup>rd</sup> Street with I-355 Northbound Ramp/Frontage Road*

The results of the capacity analysis indicate that overall this intersection currently operates at LOS A during the weekday morning and weekday evening peak hours. Assuming Year 2021 conditions, this intersection is projected to continue to operate at LOS A during both peak hours with increases in delay of approximately four seconds during the weekday morning peak hour and less than one second during the weekday evening peak hour. Assuming Year 2036 conditions, the intersection is projected to operate at LOS A during the weekday morning peak hour and at LOS B during the weekday evening peak hour with increases in delay of approximately four seconds during the weekday morning peak hour and approximately one second during the weekday evening peak hour over existing conditions. Furthermore, the through movements along 143<sup>rd</sup> Street are projected to operate at LOS A under Year 2021 and Year 2036 conditions. The northbound approach is projected to generally continue to operate at a LOS D assuming the Year 2021 and Year 2036 conditions. As such, the intersection has sufficient reserve capacity to accommodate the projected traffic volumes and no roadway improvements or signal modifications will be required.

### *Archer Avenue with 147<sup>th</sup> Street and Access Roadway*

The results of the capacity analysis indicated that the eastbound approach at this intersection currently operates at LOS C during the weekday morning and weekday evening peak hours.

The proposed access roadway will intersect Archer Avenue aligned opposite 147<sup>th</sup> Street. At its intersection with Archer Avenue, the proposed access roadway will provide one inbound lane and two outbound lanes that will be under stop sign control and striped to provide an exclusive left-turn lane and a shared through/right-turn lane. Furthermore, Archer Avenue will be widened to provide exclusive left-turn lanes serving the access roadway and 147<sup>th</sup> Street and an exclusive right-turn lane serving the access roadway.

Assuming Year 2021 conditions with the proposed roadway improvements, the 147<sup>th</sup> Street approach is projected to continue to operate at LOS B during both peak hours and the access roadway approach is projected to operate at LOS C during both peak hours. Furthermore, left-turn movements to 147<sup>th</sup> Street and the proposed access roadway are projected to operate at LOS B or better during the peak hours with 95<sup>th</sup> percentile queues of one to two vehicles.

Assuming Year 2036 conditions with the proposed roadway improvements, the 147<sup>th</sup> Street approach is projected to operate at LOS C during the weekday morning peak hour and LOS E during the weekday evening peak hour. The access roadway approach is projected to operate at LOS D during the weekday morning peak hour and LOS F during the weekday evening peak hour. However, the poor level of service is common for a minor roadway such as the proposed access roadway that has an unsignalized intersection with a major roadway such as Archer Avenue. Furthermore, left-turn movements onto 147<sup>th</sup> Street and the proposed access roadway are projected to operate at LOS B or better during the peak hours with 95<sup>th</sup> percentile queues of one to two vehicles.

### *143<sup>rd</sup> Street with Proposed Access Roadway*

The proposed access roadway will intersect 143<sup>rd</sup> Street approximately 965 feet west of the I-355 southbound ramp/frontage road and will be aligned opposite the proposed access roadway for a proposed mixed-use development located on the north side of 143<sup>rd</sup> Street. At its intersection with 143<sup>rd</sup> Street, the proposed access roadway will provide two inbound lanes and three outbound lanes under stop sign control that will be striped to provide an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane. Furthermore, exclusive left-turn and right-turn lanes will be provided on 143<sup>rd</sup> Street serving the proposed access roadway.

Assuming Year 2021 conditions with the proposed roadway improvements and that the access roadway operates under stop sign control, the proposed access roadway approach is projected to operate at LOS B during the weekday morning and weekday evening peak hours. Furthermore, the westbound left-turn movement from 143<sup>rd</sup> Street to the access roadway is projected to operate at LOS A during both peak hours with 95<sup>th</sup> percentile queues of one to two vehicles.

Assuming Year 2036 conditions, which includes the proposed roadway improvements, the north leg to the intersection of 143<sup>rd</sup> Street, and that both access roadways operate under stop sign control, the northbound approach is projected to operate at LOS C during both weekday peak hours. The southbound approach is projected to operate at LOS D during the weekday morning peak hour and at LOS E during the weekday evening peak hour. The westbound left-turn movement from 143<sup>rd</sup> Street to the proposed access roadway is projected to operate at LOS A during both weekday peak hours with 95<sup>th</sup> percentile queues of one to two vehicles.

A review of the projected traffic volumes and the warrants that control the installation of a traffic signal as provided in the *Manual of Uniform Traffic Control Devices* shows that a traffic signal will be warranted at this intersection. The results of the capacity analyses show that the intersection is projected to operate at a LOS C or better assuming the projected Year 2036 traffic volumes and the provision of a traffic signal. Further, all of the movements along 143<sup>rd</sup> Street are projected to operate at a LOS B.

## 6. Conclusion

Based on the preceding analyses and recommendations, the following conclusions have been made:

- Access to and through the proposed development is proposed via an access roadway that will extend from 143<sup>rd</sup> Street through the development and curve west to Archer Avenue and will provide one lane in each direction and a center left-turn lane.
- The proposed access roadway's intersection with 143<sup>rd</sup> Street will be located approximately 965 feet west of the I-355 southbound ramps/frontage road and will be aligned opposite the access roadway for a proposed mixed-use development located on the north side of 143<sup>rd</sup> Street. The proposed access roadway will provide two inbound lanes and three outbound lanes under stop sign control that will be striped to provide an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane. Furthermore, exclusive left-turn and right-turn lanes will be provided on 143<sup>rd</sup> Street serving the proposed access roadways. A review of the projected traffic volumes and the warrants that control the installation of traffic signals shows that a traffic signal will be warranted at this intersection.
- The proposed access roadway's intersection with Archer Avenue will be located approximately three-quarters of a mile south of 143<sup>rd</sup> Street and will be aligned opposite 147<sup>th</sup> Street. The access roadway will provide one inbound lane and two outbound lanes that will be under stop sign control and striped to provide an exclusive left-turn lane and a shared through/right-turn lane. Furthermore, Archer Avenue will be widened to provide an exclusive left-turn lane and an exclusive right-turn lane serving the access roadway and an exclusive left-turn lane serving 147<sup>th</sup> Street.
- All of the intersections are projected to generally operate at an acceptable level of service assuming the Year 2021 and Year 2036 projected traffic volumes. If the Year 2036 traffic volumes are realized, the signalized intersection of 143<sup>rd</sup> Street with the I-355 southbound ramp/frontage road will require minor signal modifications. As such, all of the intersections have sufficient reserve capacity to accommodate the proposed development and no roadway improvements are required other than those proposed to serve the access roadway.
- The proposed access roadway will be adequate in accommodating the traffic projected to be generated by the proposed warehouse/distribution development and will provide efficient and flexible access.

DRAFT

Appendix





**JAMES J. BENES AND ASSOCIATES, INC.**

950 Warrenville Road • Suite 101 • Lisle, Illinois • 60532  
Tel. (630) 719-7570 • Fax (630) 719-7589

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**MEMORANDUM**

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Date: January 3, 2017

To: Pam Hirth  
Community & Economic Development Director  
City of Lockport

Ms. Amy Wagner  
Director of Engineering

From: James J. Benes and Associates, Inc.  
Daniel H. Schoenberg, P.E.  
Project Engineer

Re: Project No. 1134.108  
PROLOGIS  
Traffic Review

**RECEIVED**

JAN - 3 2017

City of Lockport  
Community Development

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We have reviewed the submittal for the proposed development improvements.

1. Prologis Site Plan, prepared by Prologis and dated December 13, 2016
2. Traffic Impact Study for Prologis Park prepared by KLOA dated December 22, 2016

Five buildings are proposed on the L-shaped vacant parcel bounded by I-355 on the east and Archer Ave on the west. The development is south of 143<sup>rd</sup> and north of 151<sup>st</sup> Streets. Access is proposed from 143<sup>rd</sup> Street about 965' west of the I-355-143<sup>rd</sup> signalized intersection and on Archer Ave opposite the intersection with 147<sup>th</sup> Street. The 143<sup>rd</sup> Street access is opposite the proposed multi-use "Highlands" development north of 143<sup>rd</sup> Street. Will County DOT has jurisdiction of 143<sup>rd</sup> Street, although ISTHA has some jurisdiction due to the proximity to I-355. IDOT has jurisdiction over Archer Avenue. We have the following general comments on the submittal:

**Access:**

The Study suggests the proposed access intersection with 143<sup>rd</sup> Street will have three northbound lanes, but the plans show a two lane approach. The Study also says the westbound 143<sup>rd</sup> Street approach will have a separate left turn lane and the eastbound approach will have separate left and right turn lanes, but they are not shown on the plans. There appears to be sufficient right-of-way for the pavement expansion.

The proposed access intersection with Archer at 147<sup>th</sup> Street calls for a northeast bound separate left and right turn lanes and for a southwest bound left turn lane not shown on the plans. At this location, right-of-way is limited. We expect a larger percentage of passenger car traffic and a smaller percentage of truck traffic at this location.

We agree with the alignment of the central access road termini with existing (147<sup>th</sup> St) or proposed (Highlands) intersections.

### **Traffic generation:**

Table 1 of the Traffic Study projects future traffic volumes of the full development based upon a split of the overall development gross floor area. The Study is based upon about 1,200K square feet GFA as high cube warehouse and 900K square feet GFA as standard warehouse. A more accurate assumption would be to assume the proposed buildings are either one land use or the other and to project the traffic of each building accordingly. If one assumes that buildings 2 and 3 (1,204,780 square feet GFA) are high-cube warehouse and buildings 1, 4 and 5 (765,600 square feet GFA) are conventional warehouse, then the projected traffic of the entire development is about 120 trips higher in the AM peak and 38 trips higher in the PM peak.

It is reasonable to project most of the truck traffic to and from this development will be coming to and from I-355 via the 143<sup>rd</sup> Street connection. A smaller percentage of passenger car traffic will use this route. The distribution of trips in figure 5 of the study does not discriminate between the truck and car traffic. This should be discussed in the report.

The assumed 2% per year increase in background traffic growth is reasonable and conservative. Over a twenty year period this represents a significant increase in traffic volumes. It is also reasonable to incorporate the three identified off-site developments that contribute to 143<sup>rd</sup> Street traffic volumes and to a lesser extent, Archer-147<sup>th</sup> Street volumes. There is no breakdown of these projections in the totals shown in figure 8. The Traffic Study assumes none of these developments are on-line in year 2021. We have confirmed the projected traffic for the Highlands project is the same as the January 2015 report provided to the City for that development.

The Site Plan says there will be two phases of construction. The first phase includes the 143<sup>rd</sup> Street access and the construction of Buildings 1 and 2. The terminus of the internal pavement during Phase 1 is not delineated. There must be an adequate turnaround for emergency and maintenance equipment. There is an implication that an access to 151<sup>st</sup> Street may be installed. Is this connection part of the Phase 1 road network or is it intended for emergency use only?

There should be an analysis of the Phase 1 traffic projections.

### **Traffic Impact**

We did not receive the Appendix by which we could verify the Level of Service projections. We expect projected Levels of Service for weekday peak hours in 2021 will be acceptable. In 2036 westbound left turns from the access road to 147<sup>th</sup>-Archer will be difficult as will southbound left turns from Highlands project to 143<sup>rd</sup> Street even though as a whole the intersections will perform within acceptable levels of service. Signalizing the future access

intersection at 143<sup>rd</sup> Street would improve the performance significantly, assuming it is coordinated with nearby signals.

### Parking

Assuming the buildings are 90% warehouse and 10% office space, the required on-site parking for the development would be 1,205 spaces. Over 1,400 spaces are proposed. Each building except #3 exceeds the calculated totals. See the attached table. We have not seen enough detail to confirm the dimensions of these spaces.

bldg #	GFA	90%		10%		reqd warehouse parking 1/5K	reqd office parking 4.5/K*	reqd total parking	prop parking
		warehouse GFA	office GFA	warehouse GFA	office GFA				
1	319,360	287,424	31,936			57	144	201	296
2	736,600	662,940	73,660			133	295	428	483
3	468,180	421,362	46,818			84	211	295	253
4	299,600	269,640	29,960			54	135	189	273
5	146,640	131,976	14,664			26	66	92	132
TOTAL	1,970,380	1,773,342	197,038			354	851	1,205	1,437

\* 4.0/K over 50K GFA

Should you have any questions regarding this review please call.

-end-

**Project Traffic Review #1**

To: Ben Benson  
City Administrator, City of Lockport

From: Lynn M. Means, P.E., PTOE  
Senior Transportation Engineer

Date: January 10, 2017

Subject: Proposed Prologis Park  
Warehouse / Distribution Development  
Lockport, Illinois

**RECEIVED**

JAN 10 2017

City of Lockport  
Community Development

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Per your request, Gewalt Hamilton Associates, Inc. (GHA) has reviewed the following material provided for the above captioned project:

1. Draft Traffic Impact Study (TIS) prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), dated December 22, 2016.
2. Site Plan prepared by Prologis, dated December 19, 2016.
3. Memorandum summarizing a review of above documentation prepared by James J. Benes and Associates, Inc. dated January 3, 2017.
4. Preliminary Geometric Plan – IL Rte 171 (Archer Ave) at 147<sup>th</sup> St, Exhibits A, A-1 and A-2, prepared by KLOA dated January 3, 2017.
5. Preliminary Geometric Plan – 143<sup>rd</sup> Street at Access Road, Exhibit B, prepared by KLOA dated January 3, 2017.

Conclusions of this effort and recommendations are presented below:

1. The TIS prepared by KLOA is generally in conformance with the guidelines published by the Institute of Transportation Engineers (ITE).
2. As documented in the TIS, 143<sup>rd</sup> Street is under the jurisdiction of the Will County Division of Transportation (DOT) and Illinois Route 171 (Archer Avenue) is under the jurisdiction of the Illinois Department of Transportation (IDOT). Had Will County DOT or IDOT reviewed the TIS and provided comments?
3. As documented in the James J. Benes review memorandum, the supporting Appendix (traffic counts, calculations, capacity analysis, etc.) were not provided and, therefore, cannot be verified.
4. Inconsistencies were noted between the text (last paragraph page 4 of the TIS) and the traffic volume exhibits (Figures 4 and 6-8) related to the timeframe of the AM peak hour. *Note: this will not materially impact the findings / recommendations of the TIS.*
5. Figure 4 (Existing Traffic Volumes) indicates there are currently zero (0) eastbound left-turn movements from 143<sup>rd</sup> Street to northbound I-355 / Frontage Road during both the weekday morning and evening peak periods. This base volume of zero was then used to project future traffic volumes for this movement. Supporting traffic counts should be provided or the traffic volume networks, along with corresponding analyses, should be adjusted, accordingly.
6. GHA concurs with the James J. Benes review memorandum, inconsistencies exist between the Site Plan and TIS, related to access and proposed off-site improvements. The KLOA Preliminary Geometric Plans, appropriately depict the proposed / recommended improvements.

7. The trip generation estimates provided in the TIS were for a development approximately 5 percent greater (2.1 million square feet versus approximately 2.0 million square feet) than depicted on the Site Plan; thus, providing a conservative analysis scenario.
8. The TIS assumes approximately 45 percent (900,000 square feet) of the proposed 2.1 million square foot development would consist of traditional warehousing use, while the remaining 1.2 million square feet would comprise of high cube warehouse / distribution center use. While it is unclear how the split of uses was determined, based on the Site Plan, the warehouse use could comprise of the space contained within Buildings 2 and 5 (approximately 880,000 square feet) or Buildings 3 through 5 (approximately 910,000 square feet). With the specific users currently unknown, providing a split between the two uses appears to be an appropriate methodology. Should the development comprise of more traffic intense uses, such as general light and/or heavy industrial, an update to the TIS should be performed to determine if additional off-site roadway / traffic control measures are required to mitigate the development's impact.
9. The projected site-generated traffic volumes contained within Table 1 of the TIS were based on using the ITE average rates versus equations, which is typically the accepted practice by both IDOT and Will County DOT. Use of the equations results in 16 additional trips during the weekday AM peak hour and 37 less trips during the weekday PM peak hour. *It is not anticipated that this will materially impact the findings / recommendations of the TIS.*

Also, with the use of the ITE equations, if the development were conservatively assumed to be comprised of entirely traditional warehouse use, this would result in only 38 additional weekday AM peak hour trips and 14 less weekday PM peak hour trips than assumed in the TIS. *Again, this incremental delta is not anticipated to materially change the findings contained within the TIS.*

10. GHA concurs with the J. James Benes review memorandum – the TIS should distinguish between truck and employee/visitor/passenger vehicle trip generation and distribution. We also concur with the review memorandum that the truck distribution will be heavily oriented to/from I-355, with a more even distribution of passenger vehicle traffic, similar to that assumed in the study (depicted on Figure 5 of the TIS).

Per available data reported to ITE, trucks percentages for warehousing and high cube warehouse / distribution center uses ranged between 9 and 29 percent daily. Available trip generation rates for the high cube warehouse / distribution center use are 0.03 and 0.04 trucks per 1,000 square feet of gross floor area during the weekday morning and evening peak periods, respectively. Applying these rates to the entire development footprint (approximately 2.0 million square feet), results in 60 truck trips during the weekday AM peak hour and 80 truck trips during the weekday PM peak hour. Based on the anticipated truck distributions, proposed site access and building locations, we would anticipate a majority (approximately 85%) of the truck trips to occur at the 143<sup>rd</sup> Street access. Only approximately 10 to 15 truck trips during the peak hours would be expected at the proposed Archer Avenue access, opposite 147<sup>th</sup> Street. It should be noted, Archer Avenue is designated as a Class II truck route and can accommodate the increase in projected site truck traffic.

11. The TIS projects traffic volumes to a 5-year and 20-year design horizon. This is consistent with IDOT and Will County DOT guidelines for the preparation of traffic impact studies.
12. GHA concurs with the use of Chicago Metropolitan Agency for Planning (CMAP) 2040 projections to develop an annual growth rate to account for background growth along the study area roadways. The calculated growth rate of two (2) percent per year appears appropriate and consistent with recent studies performed in the subject area.
13. The study also appropriately includes projected traffic volumes from three previously approved developments within the study area. However, none of the development was assumed to occur within the five (5) year design horizon (year 2021). The TIS does not document the rationale behind this assumption – was it concluded based

on discussions with the City, County, IDOT, etc.? Supporting documentation should be provided or the 2021 traffic volume networks should be adjusted, accordingly.

14. It should be noted, the CMAP projections are based on socioeconomic information, projected buildout and population projections for the region, which would include development of most the vacant properties, including the subject parcel, thus making the addition of the proposed site traffic to those projections potentially overly conservative.
15. Figure 7 (year 2021 Total Traffic Volumes) of the TIS has the following errors:
  - o At the 143<sup>rd</sup> Street / Site Access intersection: the westbound left-turn volume should be 183 versus 180 during the weekday AM peak hour and the northbound right-turn volume should be 188 versus 186 during the weekday PM peak hour.
  - o At the 143<sup>rd</sup> Street / I-355 Northbound Ramp intersection, the eastbound through volume should be approximately 630 not 917 during the weekday PM peak hour.

Since the supporting appendices were not provided, it cannot be verified if the correct volumes were used in the analysis.

16. The capacity analysis summary tables (Tables 2 through 4) in the TIS show improvement for several movements between existing and future year conditions for the existing signalized study area intersections, yet the text indicates that no adjustments to the signal timings were required as part of this development. While it is feasible with actuated traffic signal systems for this to occur, without reviewing the supporting analyses this cannot be verified.
17. The TIS does not indicate at what level of development a traffic signal is warranted or will be constructed at the site access intersection with 143<sup>rd</sup> Street. It appears, based on a review of the Manual of Uniform Traffic Control Devices (MUTCD) signal warrant criteria, a traffic signal would not be warranted at this location until the development is fully built-out, along with the development of the two parcels of land located immediately to the north of the site (south of 143<sup>rd</sup> Street).

GHA concurs with the J. James Benes review memorandum and TIS findings that a traffic signal, when warranted, will improve operations at this intersection. We also concur that it should be coordinated with the existing adjacent traffic signals to provide progression along 143<sup>rd</sup> Street. Sufficient storage should be provided in the proposed turn lanes, so as not to impede adjacent intersection / through traffic operations.

18. The off-site roadway and traffic signal improvements, as illustrated on the Preliminary Geometric Plans, appear appropriate and consistent with Will County DOT and IDOT's requirements for this level of development.
19. GHA concurs with the parking summary provided in the J. James Benes review memorandum.

\* \* \* \* \*

We hope you find these comments helpful in your assessment of the proposed development. Should you have any questions please do not hesitate to contact GHA at 847-478-9700. This project traffic review conducted by:

*Lynn M. Means*

Lynn M. Means, P.E., PTOE  
Senior Transportation Engineer  
[lmeans@gha-engineers.com](mailto:lmeans@gha-engineers.com)

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**JAMES J. BENES AND ASSOCIATES, INC.**

950 Warrenville Road ▪ Suite 101 ▪ Lisle, Illinois ▪ 60532

Tel. (630) 719-7570 ▪ Fax (630) 719-7589

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**MEMORANDUM**

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Date: January 3, 2017

To: Pam Hirth  
Community & Economic Development Director  
City of Lockport

Ms. Amy Wagner  
Director of Engineering

From: James J. Benes and Associates, Inc.  
Steve J. Gidley, P.E.  
Senior Associate

Re: Project No. 1134.108  
PROLOGIS  
Concept Plan Review

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We have reviewed the submittal for the proposed development improvements.

1. Prologis Concept Plan, prepared by Prologis and dated 12-19-16

We have the following general comments on the submittal;

**Special Management Areas**

1. According to the Flood Insurance Rate Map, there are areas of Zone A floodplain on the property.
2. A detailed flood study needs to be performed for the project site. Base flood elevations need to be determined. A CLOMR will be required before construction can commence. A LOMR will be required after mass grading is completed. Compensatory storage will be required at a 1.5:1 ratio for all floodplain fill. No occupancy permits may be obtained until the City receives a LOMR for those buildings located in the mapped floodplain limits.
3. The project will need to be submitted to IDNR-OWR for their review and approval.
4. The mapped floodplain limits should be shown on future submittals.
5. The Army Corps will require that permanent deed restrictions be placed on the wetlands, wetland buffers and created wetlands.

**Wetlands**

6. Several wetlands were identified in the Army Corps permit for this property. The status of mitigation or other action must be discussed in the preliminary submittal.

**Stormwater:**

7. The incorporation of Best Management Practices into this development will require the use of naturalized detention areas.
8. Stormwater management facilities shall be designed such that the difference in elevation between normal water level (NWL) and high water level (HWL), commonly referred to as “bounce”, is no greater than eight feet (8’). The “bounce” in dry bottom facilities shall be calculated from the lowest point of the bottom to the HWL. Stormwater management facility side slopes shall conform to the following chart:

BOUNCE	MAXIMUM PERMITTED SIDE SLOPE
0.0' - 4.0'	4:1
4.1' - 5.0'	5:1
5.0' - 8.0'	6:1

Slopes steeper than 4:1 will not be permitted under any circumstances. The maximum permitted slope above the HWL for all facilities is 4:1.

All basins shall be designed to have an emergency overflow weir that is capable of conveying a minimum of 1 cfs per tributary acre. The overflow weir elevation shall be 0.5’ above the design HWL. The weir shall be stabilized to prevent erosion.

A berm shall be constructed around the perimeter of all basins. The top of the berm shall be 1.0’ above the calculated overflow elevation (assume clogged restrictor with all flow conveyed via the overflow weir).

The minimum allowable longitudinal bottom slope for dry bottom facilities is 2%.

The bottom of dry facilities and the side slopes of all facilities shall be sodded or seeded. Seeded areas will not be accepted until sufficient turf has been established to prevent soil erosion.

Erosion protection shall be provided at the NWL for all wet bottom facilities. Protection shall be in the form of natural plantings.

A planting ledge having a slope of no greater than 10:1 shall be constructed for natural plantings. The ledge shall be a minimum of twenty feet (20’) wide. The ledge shall extend ten feet (10’) into the water. The ledge shall be planted with emergent and

shoreline plantings that are acceptable to the City. A list of proposed plantings shall be provided for review and approval.

A long-term maintenance program for the plantings shall be provided for review and approval.

A bond shall be provided for a time period of five (5) years to ensure that the plantings are established. The City shall perform annual inspections of the plantings beginning in the second growing season. If the City determines that the overall condition of the plantings is good, then the establishment bond shall be reduced. The City shall determine the percentage of reduction based on the condition of the plantings. The Developer shall agree to correct any deficiencies noted during the inspections. If necessary, the City will perform a final inspection during the fifth growing season. The establishment bond will be released after all deficiencies have been corrected.

9. Some of the proposed detention basins are located immediately adjacent to the existing floodplain. The basins will have to be designed assuming a zero release rate condition below the base flood elevation. The basins will also need to be designed to meet the release rate criteria assuming a dry condition in the creek.
10. A preliminary stormwater submittal will be required during preliminary engineering.

**Traffic Impact Analysis:** (a draft traffic report was submitted and reviewed under separate cover)

11. Please note that 143<sup>rd</sup> Street is under the jurisdiction of Will County. A submittal must be made to the County and their comments provided to the City during the preliminary plan review. Please note that access from 143<sup>rd</sup> Street will be controlled by Will County and the tollway due to proximity to the ramp.
12. Provide verification that the intersection alignment proposed is in agreement with the proposed access for the “Highlands” development on the north side of 143<sup>rd</sup> Street.
13. A proposed traffic signal at the 143<sup>rd</sup> Street entrance will be at the cost of the developer, if permitted and warranted.
14. Please note that Archer Avenue is under the jurisdiction of IDOT. A submittal must be made to the IDOT and their comments provided to the City during the preliminary plan review.
15. A proposed traffic signal at the Archer Avenue entrance will be at the cost of the developer, if permitted and warranted.

16. No connections to any City of Lockport streets are anticipated, with the possible exception of an emergency drive from the south.

### **Public Street Improvements**

17. The proposed roadway through the site shall have 36 foot minimum pavement width with B6.24 curb and gutters. The roadway will lie in an 80 foot minimum dedicated ROW.
18. A ten foot wide bike path along the public street has been proposed by the City. The alignment/route of the path will be reviewed with preliminary plans.
19. Roadway lighting shall be provided on the main roadway. (The light poles and fixtures shall be similar to those used in Heritage Crossing Corporate Center or on John Lane Crossing.)

### **Sanitary Sewer and Water Main**

20. The City has existing sanitary main along the south side and the east side of the site. Any conflicts with the proposed development will need to be reviewed.
21. The City has a 16 inch water main from the existing well house north to 143<sup>rd</sup> and east to the toll authority property. A 12 inch line exists along the Smith/Farrell ROW from 151<sup>st</sup> Street to the residential subdivision. The development will need to have a 12 inch main from Archer to the well site as well as any internal loops required around the buildings. (The design will be reviewed by the City Water and Sewer Consultants).
22. The City consultants have identified the area adjacent to the existing well house as a desirable location for additional well facilities.

### **Miscellaneous**

23. Triggers for the schedule of various improvements in Phase One and Phase Two will need to be discussed and agreed upon.
24. A temporary roadway turn around will be required at the dead end of the Phase One roadway.

Should you have any questions regarding this review please call.

-end-

1133 East Treeline Drive  
Lockport, IL 60441  
December 24, 2016

Pam Hirth  
Director of Community and Economic Development  
222 E. 9<sup>th</sup> Street  
Lockport, IL 60441

Dear Ms. Hirth,

I've immensely enjoyed living in Lockport for ten years, and I hope to continue living here for many years to come. Because of my strong feelings for the city, I am compelled to protect it against what I believe is a terrible plan for constructing an industrial park close to my home.

The plan I'm referring to is the 5-building Prologis Industrial Park that is proposed to be built within the area bordered by Archer Avenue, 143<sup>rd</sup> Street, I-355, and 151<sup>st</sup> Street. The details of the project are online at <http://www.dontdestroylockport.com>. (I have no connection to that website and have nothing to do with its existence.) Due to the plan's large size, I'm sure you know about it, the noise and air pollution it will cause, and the reduction of property values and quality of life for nearby residents that will result if it's built.

Inserting a peninsula of industrial noise, pollution, and traffic within a tranquil, stable, safe array of residential neighborhoods is poor land use planning, and will cause irreparable financial, health, and psychological harm to hundreds of residents. In short, it's a terrible, terrible idea that should not be permitted.

However, I'm not one to complain without offering a possible solution. Enclosed is a depiction of an alternative plan I believe would allow the best of both worlds: constructing industrial buildings in the same general area, on land that's desirable for industry due to highway proximity and undesirable for residential use due to the same highway proximity, while preserving a large tract of land much better suited for residential development. The enclosed plan has the most salient advantages and features listed on it.

I certainly hope that you will vote to reject the construction of the proposed park as it's planned, and to rezone the area in the manner indicated on the enclosed plan.

Thank you so very much for your time, and in helping to preserve the character of our wonderful little city. Please call me at 708-645-6878 if I can help in any way with this matter.

Sincerely,



Neil M. Goldman

**RECEIVED**

DEC 29 2016

City of Lockport  
Community Development

Alternative Lockport, IL PROLOGIS plan. Drawn by Neil Goldman 12/24/2016

Features:

- Industrial buildings located next to highway, creating a noise buffer between highway and existing residential area, and placing buildings in areas that are less desirable for residential construction.
- New roadway enters 143rd Street at existing proposed plan and parallels I-355, keeping truck traffic, noise, and pollution away from residential area.
- No high-mounted exterior building lighting facing residential areas; parking lot lighting only. This minimizes unwanted light pollution into people's homes and eliminates the waste of operating powerful lights, designed to attract business, that face entirely residential areas.
- Earthen berm deflects vehicle noise and partially blocks unsightly views.
- Rezoning of green area to residential only, preserving existing property values and the quality of life of existing residents. Road tie-ins to Smith Road and 147th St/Archer Avenue.



Why Prologis?

Why now?

What is going to happen to us?

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JAN - 3 2017

City of Lockport  
Community Development

These are simple questions that many of us are asking. The answers are not so simple and they raise even more questions. Let's start with the effects on the environment.

The development itself will provide for over 2 million square feet of industrial buildings and over 500 spaces for semi-tractor trailer trucks as well as nearly a thousand spaces for cars to park. The location is desirable for this type of development because it is next to the I-355 interchange.

The 2 most important environmental issues are the effects upon the air we breathe and the water. Let's start with water. The greatest effect on water is going to be the road salt. Chicago area winters demand an effective and affordable means of de-icing roadways. The primary agent used for this purpose is sodium chloride (road salt), which is composed of 40 percent sodium ions (Na+) and 60 percent chloride ions (Cl-). Other components in salt like Ferro cyanide, which is used for anti-caking, and impurities like phosphorus and iron, can represent up to 5 percent of the total weight. The sodium, chloride, Ferro cyanide and impurities make their way into our environment through the runoff from rain, melting snow and ice, as well as through splash and spray by vehicles and by wind. They find their way onto vegetation and into the soil, groundwater, storm drains, and surface waters causing significant impact to the environment.

This type of contamination cannot be solved by simple detention ponds and the amount of road salt residue from the daily volume of truck traffic will be considerable. For a detailed study of the effects of road salt on our environment please go to the State of New Hampshire's, Department of Environmental Services web site at <http://des.nh.gov/organization/divisions/water/wmb/was/salt-reduction-initiative/impacts.htm>.

The question of air quality may have an even greater impact on our environment. The following is taken directly from Wikipedia-Air Pollution:

#### **Mortality**[\[edit\]](#)

The [World Health Organization](#) estimated in 2014 that every year air pollution causes the premature death of some 7 million people worldwide.<sup>[2]</sup> India has the highest death rate due to air pollution.<sup>[26]</sup> India also has more deaths from asthma than any other nation according to the World Health Organization. In December 2013 air pollution was estimated to kill 500,000 people in China each year.<sup>[27]</sup> There is a positive correlation between [pneumonia](#)-related deaths and air pollution from motor vehicle emissions.<sup>[28]</sup>

Annual premature European deaths caused by air pollution are estimated at 430,000.<sup>[29]</sup> An important cause of these deaths is nitrogen dioxide and other nitrogen oxides (NOx) emitted by road vehicles.<sup>[29]</sup> Across the [European Union](#), air pollution is estimated to reduce [life expectancy](#) by almost nine months.<sup>[30]</sup> Causes of deaths include [strokes](#), [heart disease](#), COPD, lung cancer, and lung infections.<sup>[2]</sup>

Urban outdoor air pollution is estimated to cause 1.3 million deaths worldwide per year. Children are particularly at risk due to the immaturity of their respiratory organ systems.<sup>[31]</sup>

The [US EPA](#) estimates that a proposed set of changes in [diesel engine](#) technology (*Tier 2*) could result in 12,000 fewer *premature mortalities*, 15,000 fewer [heart attacks](#), 6,000 fewer [emergency room](#) visits by children with asthma, and 8,900 fewer respiratory-related hospital admissions each year in the United States.<sup>[32]</sup>

The US EPA has estimated that limiting ground-level ozone concentration to 65 parts per billion, would avert 1,700 to 5,100 premature deaths nationwide in 2020 compared with the 75-ppb standard. The agency projected the more protective standard would also prevent an additional 26,000 cases of aggravated asthma, and more than a million cases of missed work or school.<sup>[33][34]</sup> Following this assessment, the EPA acted to protect public health by lowering the National Ambient Air Quality Standards (NAAQS) for ground-level ozone to 70 parts per billion (ppb).<sup>[35]</sup>

A new economic study of the health impacts and associated costs of air pollution in the [Los Angeles Basin](#) and [San Joaquin Valley](#) of Southern California shows that more than 3,800 people die prematurely (approximately 14 years earlier than normal) each year because air pollution levels violate federal standards. The number of annual premature deaths is considerably higher than the fatalities related to auto collisions in the same area, which average fewer than 2,000 per year.<sup>[36][37][38]</sup>

Diesel exhaust (DE) is a major contributor to combustion-derived particulate matter air pollution. In several human experimental studies, using a well-validated exposure chamber setup, DE has been linked to acute vascular dysfunction and increased thrombus formation.<sup>[39][40]</sup>

What we can expect from this type of development is that there will be at least 12 deaths of our citizens in Lockport over the next 20 years as a direct result of air pollution.

Another impact that we should address is the economic impact. It has been a long held belief that commercial and industrial development will lower property tax rates for the residents. At one time this may have been true but that was before we adopted land use practices based upon "Urban Sprawl".

This practice started in 1956 when the U.S. adopted the first Federal Highway Act. We started building highways, expressways and Tollways and people moved from the cities into the suburbs.

In the Chicago area the first huge shift occurred in DuPage County when the I-88 Tollway was built back in the 60s. In 1991, DuPage County conducted a landmark study to show what the effect of all the development had on the local residential tax base. They were shocked. Despite all of their expectations to the contrary, the study showed that local tax rates increased because of the development and that the quality of life was reduced because of increased traffic congestion.

When our section 12 mile extension of I-355 was built, it cost nearly a billion dollars. As a result there were huge toll increases on every tollway. Everyone was expecting huge developments to pop up everywhere overnight but that didn't happen. We now have a Jewel and a Walmart and new strip malls with fast food. Has our property tax rate been lowered as a result? Has there been a lowering of your tax rate? Lockport's sales tax is the highest allowed in Illinois. 86% of all other cities in the state have a lower sales tax rate than Lockport. Why is our sales tax so high if the City is making money from all the new development?

The next question that should cross your mind is what is land use planning? Who makes the decisions and how are these decisions made?

At its simplest a plan should keep residential use separate from commercial and industrial areas. Each will have different traffic and infrastructure needs. There is no question that I-355 has had a huge impact on our city. Major traffic projects in the Chicago area are planned by the Metropolitan Planning Authority. In our area this is known as CATS, (Chicago Area Transportation Study). There are lots of rules and regulations that are supposed to require a co-operation between local land use planning and regional transportation planning.

When the Prologis property was first zoned as industrial in 1971, the only use for the property would have been manufacturing or some type of building related operation like a lumber yard or perhaps a scrapyard. A shipping facility next to a tollway interchange would never have been thought of or considered at that time.

I was part of the planning process that went into the I-355 extension. I attended numerous CATS meetings and land use training seminars as well as hearings with the Federal Highway Administration, IDOT and the Joint Oversight Committee of the General Assembly.

When the I-355 interchange was being designed, it was assumed that industrial parks would be planned for by building a frontage road along the Tollway to serve as an industrial zone to buffer the tollway from existing and future residential use. This is a common practice adopted all over the country. This did not happen.

The Prologis development was never anticipated when the interchange was designed and built and the interchange will have to be re-built for the huge volume of truck traffic. Interchanges and

highways are supposed to be designed to handle future traffic over a 20 year period. Where was the co-operation between local land use and Regional transportation planning? I wonder what would have happened when I-355 was being approved if local home owners would have known that this is the kind of development that was going to happen next to their homes.

This property has been zoned as industrial since 1971 and since 1971 it has never been used for any industrial purpose. Can we change the zoning of the property? Of course we can...there have been significant changes in land use because we allowed residential use on all of the surrounding properties because there was no need or use for industrial zoning on all of the adjacent properties. The nature of the area is now residential and has been for over 3 decades. I'm a little perplexed by the City of Lockport's web site because they claim that the zoning cannot be changed because the owner would file a lawsuit. The real question is this...if the property were re-zoned for mixed use commercial and residential would the value of the property be less than industrial? If the property is more valuable as residential and commercial than there are no damages for the property owner and even if the value were to be less, the damages would be the difference in value between the two.

I was also confused by the City's discussion concerning the Big Run Wolf Ranch. The City claimed that they did not know of any potential adverse effect upon the endangered species that are being cared for at the facility. The adverse environmental impacts of air and water pollution are very well known and I'm concerned that the City of Lockport is unaware of these impacts, not only for the endangered animals at the Big Run Wolf Ranch but also for the hundreds of homeowners that surround the proposed development. Is the City of Lockport in support of this development? Whose interests are they concerned with? I can't help but think that the City of Lockport wants this development for money to help pay for development costs that have already occurred from the development along 159<sup>th</sup> Street. The decision making process should allow the people who will be affected to participate in the decision making process. The City of Lockport should be honest when they talk about environmental and economic impacts. A lie by omission is still a lie.

John P. Walliser

**ATTACHMENT 2** - A general summary of concerns/comments expressed by neighbors:

1. Docks on building 4 should face north.
2. Enforcement of truck noise.
3. Colors of buildings – something other than “white” which is reflective.
4. Provide higher berms in minimize impact on site lines from 2<sup>nd</sup> story windows; HVAC visibility.
5. Diesel fumes-smoke/truck fluid run-off into detention ponds.
6. Impact of diesel fumes on animals (Wolf Ranch) and campground.
7. Location of other projects in the middle of residential.
8. Air quality – impact on children and adults with breathing issues.
9. Safety.
10. Impact on home values.
11. Truck traffic cutting through neighborhoods & on Archer Avenue.
12. Building 4 should be eliminated; building 3 should be turned.
13. Why is Lockport relying on industrial development?
14. Putting developer (Prologis) above own residents.
15. Proximity of residents to the north (greater impact).
16. Noise (sited City’s noise ordinance) – “can’t make noise at night”.
17. Neighbor’s investment in their homes & families.
18. Lost truck drivers are a danger to neighborhoods; children.
19. Semi-truck traffic is ruining lots on Archer Avenue.
20. Noise from I-355 can be heard in neighborhoods.
21. Concern with children venturing into development.
22. City has current codes which prohibit use.
23. Is this what “we” want for Lockport?
24. Truck idling.
25. City’s ultimatum to Mr. Basile.
26. Don’t do it, just because you can.
27. Long-time families are leaving Lockport with announcement of this development.
28. Prologis vacancies in other communities.
29. Long-term maintenance of berms & landscaping.
30. Develop a school, shops and/or parkland.
31. Development will ruin neighborhoods and negatively impact health.
32. Ground water contamination.
33. Communication with neighbors; notify them of what’s happening.

**ATTACHMENT 3** - A general summary of comments/concerns expressed by Plan & Zoning Commission members:

1. Why only partial berms (berming is intermittent) along north property line?
2. Recommend a higher berm be provided behind building 3 to mitigate noise better.
3. Tree preservation to be addressed at time of preliminary review.
4. Make sure meeting transitional yard requirements.
5. Clarifying that proposed road is a public road.
6. Detention ponds – anticipated type of pre-treatment process.
7. How will developer LEED buildings (all buildings will be LEED eligible).
8. Why design of fire access between buildings 2 & 3?
9. Recommend a more naturalized pond design/shape.
10. Provide consistent setbacks from neighborhoods.
11. Recommend using a maintenance free fence with a wood grain pattern.
12. Buildings will be subject to City’s design and development guidelines for industrial buildings (design elements, colors, articulation).
13. Green roofs would be good; use native grasses.
14. Sustainable design should be used.
15. Truck traffic comparison of buildings 2 & 3 (with double loaded docks) vs. buildings with single located docks.
16. Amount of parking provided – is it all needed?
17. Building height should be 40 feet.
18. Address quality of life issues with building design & site design.
19. Archer Avenue traffic – should be widened to 4 lanes.
20. Site lines – increase height of berms; make sure to include vegetation.
21. Noise levels are important.
22. Control of emissions, pollutions – IEPA standards. Note: The IEPA establishes vehicle emission standards for trucks. Those regulations are a matter of statewide concern. Municipalities are preempted from changing the regulations imposed by the IEPA.
23. Water run-off.
24. Odors should be addressed.
25. Modeling used for traffic study.
26. Building 4 – make smaller so that building can be shifted more to the north.
27. Provide enough screening so that buildings cannot be seen.
28. Regulate hours of operation.
29. Truck idling; refrigeration unit restrictions.
30. Move building 4 truck docks to north side of building.
31. Limit building 3 to truck docks on east only.
32. Restrict lighting.
33. Limit hours of operation to prevent loud truck movements during overnight hours.
34. Limit truck idling, especially overnight.
35. Truck storage or parking restrictions?
36. Limit uses so not intrusive.
37. Retention vs. detention ponds – if retention install aerators to prevent stagnant water.
38. Protect existing tree line; restrict removal of trees.

### **ATTACHMENT 3 (continued)**

39. Install walking path/trail along creek similar to Creekside.
40. No through street to 151<sup>st</sup> Street.
41. Floodplain delineation; army corps approvals required?
42. Limited use or hold building permits until Archer Avenue is improved.
43. Building height to be as low as possible, 40 feet?
44. Building elevation improvements – add windows or appearance of windows and other features to building exterior where residents can see it (especially top half of buildings).  
Try to make aesthetically pleasing.

**Committee of  
the Whole**  
Agenda Memorandum

ED-1

Item #

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**To:** Mayor & City Council

**From:** Amy Wagner, PE, Director of Engineering  
Chris Ulm, Strand Associates  
Tom Thanas, City Attorney

**Subject:** Award Well 14 Iron Filtration Facility Addition contract contingent upon IEPA issuance of State Revolving Fund loan.

**Date:** January 26, 2017

**BACKGROUND/HISTORY**

Well 14 (near Oak Prairie School on Gougar Road and south of 151st Street) like many of the City's wells, produces elevated levels of iron. The elevated iron levels make the water aesthetically unpleasing and causes staining and excessive wear on appliances. Bidding documents have been prepared and bids have been received for the construction an iron filtration water treatment plant at Well 14 that will treat the water and remove much of the excess iron. The City will apply for a low interest loan from the IEPA to take advantage of a 1.64 percent interest rate. The loan is to be repaid from the Water and Sewer fund.

A total of 7 bids were received ranging from a low bid of \$1,869,000 to \$2,054,000. The engineer's opinion of probable cost was \$2,018,070 so the bids received were at or below anticipated amounts. Bid tabulations are attached for review.

There are many required steps and items for obtaining State Revolving Fund loans. Several of those requirements involve taking steps necessary to maximize the opportunity to have disadvantaged business enterprise participation on the project. The low bidder for this project failed to perform a critical step involving the advertisement for proposals for subcontractors, which is a step that must have taken place prior to the bid opening. IEPA has indicated that it is the City's responsibility to review the bidding and determine if a bidder is non-responsive, however, they have indicated that the failure to advertise for DBE subcontractors prior to the bid opening is grounds for determining that their bid was non-responsive. Award to a bidder who is non-responsive may generate protest from the second or other bidders. This protest will significantly delay and may compromise the loan approval process.

The City Attorney has reviewed the information and is recommending that the low bidder be declared non-responsive and the second low bidder, J.J. Henderson, in the base bid, is awarded the contract in the lump sum amount of \$ 1,922,000 contingent upon successful loan approval.

### **PROS/CONS/ALTERNATIVES**

The addition of the iron filtration system will improve the quality of water for Lockport residents and water customers. The City's ability to access the IEPA low interest loan program will provide a cost effective method for financing the project. Joseph J. Henderson & Sons is the lowest responsive bidder and their bid amount of \$1,922,000 was less than the engineer's opinion of probable cost of \$2,018,070 and their bid amount also remains within the previously approved total project amount of \$2,541,000 which include other fees and expenses associated with the project.

### **RECOMMENDATION**

It is recommended that the council reject the apparent low bid from Kee Construction due to the bidder not complying with mandatory Illinois Environmental Protection Agency requirements regarding the prebid solicitation of disadvantaged businesses as subcontractors.

It is further recommended that the council award the contract to J.J. Henderson, contingent upon successful loan approval for the lump sum amount of \$ 1,922,000.

### **ATTACHMENTS**

- Bid tabulations
- Strand's letter regarding bid evaluation
- City Attorney's Letter regarding review of the bids
- Second Low Bidder's Protest Letter
- Resolution of Award

### **SPECIFIC CITY COUNCIL ACTION REQUIRED**

Declare Joseph J. Henderson & Sons the low responsive bidder and authorize Ben Benson to issue the Notice of Intent to Award to Joseph J. Henderson & Sons for the Well 14 Iron Filtration Facility Addition, contingent upon Illinois Environmental Protection Agency (IEPA) approval.

BID DATE: January 9, 2017  
 BID TIME: 10:00 A.M.

STRAND ASSOCIATES, INC.  
 Consulting Engineers  
 1170 Houbolt Road  
 Joliet, IL 60435

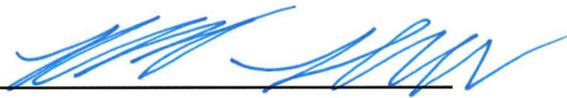
WELL 14 IRON FILTRATION FACILITY ADDITION

CONTRACT 1-2016

3704.049

CITY OF LOCKPORT, ILLINOIS

BIDDER AND ADDRESS	Bid Bond or Guarantee	Addenda Acknowledged	Cost of Equipment in Base Bid	Alternative Manufacturer/ Base Bid Add or Deduct	Computed Total Bid
Kee Construction, LLC 11002 S. Whipple Chicago, IL 60655	10%	1 and 2	None	None	\$ 1,869,000.00
Joseph J. Henderson & Son, Inc. 4288 Old Grand Avenue Gurnee, IL 60031	10%	1 and 2	\$ 498,000.00	None --	\$ 1,922,000.00
Simpson Construction Company 701 25th Avenue Bellwood, IL 60104	10%	1 and 2	\$ 494,844.00	Hungerford & Terry \$ (91,000.00)	\$ 1,936,000.00
Vissering Construction Company 175 Benchmark Industrial Drive Streator, IL 61364	10%	1 and 2	None	None	\$ 1,957,000.00
Boller Construction Company 3045 Washington Street Waukegan, IL 60085	10%	1 and 2	\$ 494,844.00	Hungerford & Terry \$ 50,000.00	\$ 1,958,800.00
Gaskill & Walton Construction PO Box 367 Chicago, Heights, IL 60411	10%	1 and 2	\$ 598,000.00	None	\$ 1,998,000.00
Paul Borg Construction Company 2007 S. Marshall Boulevard Chicago, IL 60623	10%	1 and 2	\$ 494,844.00	None	\$ 2,054,000.00

Reviewed by: 

BID DATE: January 9, 2017  
 BID TIME: 10:00 A.M.

STRAND ASSOCIATES, INC.  
 Consulting Engineers  
 1170 Houbolt Road  
 Joliet, IL 60435

WELL 14 IRON FILTRATION FACILITY ADDITION  
 CONTRACT 1-2016  
 CITY OF LOCKPORT, ILLINOIS

CASH ALLOWANCES

BIDDER AND ADDRESS				Kee Construction, LLC 11002 S. Whipple Chicago, IL 60655		Joseph J. Henderson & Son, Inc. 4288 Old Grand Avenue Gurnee, IL 60031		Simpson Construction Company 701 25th Avenue Bellwood, IL 60104		Vissering Construction Company 175 Benchmark Industrial Drive Streator, IL 61364		Boiler Construction Company 3045 Washington Street Waukegan, IL 60085		Gaskill & Walton Construction PO Box 367 Chicago, Heights, IL 60411		Paul Borg Construction Company 2007 S. Marshall Boulevard Chicago, IL 60623	
Item No.	Description	Quantity Included in the Lump Sum Base Bid	Unit	Unit Price	Total Included in Lump Sum Bid	Unit Price	Total Included in Lump Sum Bid	Unit Price	Total Included in Lump Sum Bid	Unit Price	Total Included in Lump Sum Bid	Unit Price	Total Included in Lump Sum Bid	Unit Price	Total Included in Lump Sum Bid	Unit Price	Total Included in Lump Sum Bid
1.	Unsuitable Foundation Material for Structures and Roads, Section 02222	20	CY	\$ 50.00	\$ 1,000.00	\$ 100.00	\$ 2,000.00	\$ 93.00	\$ 1,860.00	\$ 100.00	\$ 2,000.00	\$ 95.00	\$ 1,900.00	\$ 125.00	\$ 2,500.00	\$ 123.00	\$ 2,460.00
2.	Unsuitable Foundation Material for Utility Trenches, Section 02222	20	CY	\$ 50.00	\$ 1,000.00	\$ 70.00	\$ 1,400.00	\$ 85.00	\$ 1,700.00	\$ 100.00	\$ 2,000.00	\$ 115.00	\$ 2,300.00	\$ 125.00	\$ 2,500.00	\$ 125.00	\$ 2,500.00
3.	Face Brick	14	M, f.o.b.	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00	\$ 600.00	\$ 8,400.00
4.	Will County Building Permit	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
5.	Telephone Service	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00

Reviewed by 



Strand Associates, Inc.®

1170 South Houbolt Road

Joliet, IL 60431

(P) 815-744-4200

(F) 815-744-4215

January 12, 2017

Mr. Tom Thanas, City Attorney  
City of Lockport  
222 East Ninth Street  
Lockport, IL 60441

Re: Well 14 Iron Filtration Facility Addition Contract 1-2016  
Lockport, Illinois (City)

Dear Tom,

The bid tabulation for the above mentioned project is enclosed for your reference. The apparent low bidder is Kee Construction of Chicago, Illinois, with a bid of \$1,869,000.

Part of the bid package that was specifically related to the Illinois Environmental Protection Agency (IEPA) loan was the titled, "The Specification for Disadvantaged Business Enterprise Participation." This section was numbered 00480 in the bid documents.

To comply with the requirements of this section, the contractor was required to submit, as part of its bid, either a signed certification attesting that it would use no subcontractors, or adequate evidence of proof of publication at least 16 days prior to the bid opening of a newspaper advertisement soliciting Disadvantaged Business Enterprise (DBE) participation as subcontractors.

A review of the Kee Construction's bid package revealed an apparent error by the low bidder on this section. Kee Construction elected to complete the bidder certification form attesting that it would use no subcontractors. In a phone conversation with the low bidder after the bid opening, the low bidder indicated that it intends to use subcontractors to complete the project and that it had not advertised to solicit DBE subcontractors as required. Section 00480 appears to indicate that failure to submit the documentation related to soliciting DBE subcontractors makes a bid non-responsive if the contractor intends to use subcontractors.

Please review the low bidders bid package I have provided to you, especially Section 00480. Once the City has decided on a course of action, please let us know how you would like to proceed.

STRAND ASSOCIATES, INC.®

A handwritten signature in blue ink, appearing to read 'Richard Scheer', is written over the typed name.

Richard Scheer P.E.

Enclosure

c/enc: Ben Benson, City of Lockport, Illinois  
Amy Wagner, City of Lockport, Illinois  
Scott Green, City of Lockport, Illinois

RES:amm\R:\JOL\Documents\Specifications\Archive\2016\Lockport, IL\3704.049.1-2016.RES\14 Bid Tabs\Tom Thanas bid letter 1-12-16.docx

BID DATE: January 9, 2017  
 BID TIME: 10:00 A.M.

STRAND ASSOCIATES, INC.  
 Consulting Engineers  
 1170 Houbolt Road  
 Joliet, IL 60435

WELL 14 IRON FILTRATION FACILITY ADDITION

CONTRACT 1-2016

3704.049

CITY OF LOCKPORT, ILLINOIS

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Reviewed by: 

BID DATE: January 9, 2017  
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WELL 14 IRON FILTRATION FACILITY ADDITION  
 CONTRACT 1-2016  
 CITY OF LOCKPORT, ILLINOIS

CASH ALLOWANCES

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4.	Will County Building Permit	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
5.	Telephone Service	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00

Reviewed by 



Lockport: City of Historic Pride

# City of Lockport

Steven Streit, *Mayor*  
Alice Matteucci, *City Clerk*  
David H. Palya, *Treasurer*  
Thomas A. Thanas, *Interim Attorney*  
Benjamin J. Benson, *City Administrator*

Central Square Building, Suite 4, 222 E. Ninth Street, Lockport, Illinois 60441-3497 Phone (815)838-0549 Fax (815)838-9498

January 25, 2017

Christopher J. Salomon  
Sr. PM/Estimator  
Kee Construction  
11002 South Whipple St.  
Chicago, IL 60655

**Subject: City of Lockport Well 14 Iron Filtration Contract  
Notice of Non-Responsive Bid**

Dear Mr. Salomon:

This letter is intended to confirm our email exchange on January 24, 2017, regarding the recommendation of the City Administration to deem the bid submitted by Kee Construction for the Well 14 Iron Filtration Project as nonresponsive. The basis for the recommendation is that your company, Kee Construction, failed to comply with the mandatory bidding procedures specified by the Illinois Environmental Protection Agency (IEPA), the state agency that is providing the financing for the project.

The City Administration has made the following findings of fact:

1. Section 00480-1, Subsection I(A), of the bid document requires all bidders "to take affirmative steps to assure disadvantaged businesses are used when possible as sources of supplies, equipment, construction, and services . . . ."
2. Section 00480-1, Subsection II(A), of the bid documents requires all bidders "to advertise subcontracting opportunities and to negotiate with disadvantaged businesses prior to bid opening."
3. Section 00480-1, Subsection II(A), of the bid documents also provides:

*Failure to document such affirmative efforts **shall** be deemed, relative to disadvantaged business compliance **nonresponsive**.*

4. Section 00480-1, Subsection II(C), of the bid documents provides:

*City of Lockport disadvantage business policy clearly intends for bidders to contact and encourage the participation of disadvantage*

*businesses prior to bid opening. Affirmative efforts (the written record of conscientious and honest communications between the bidder and disadvantaged business) must be initiated and completed by the bidder prior to bid opening. All bidders **must document** compliance with the requirements of the disadvantaged business policy.*

5. Section 00480-1 and 2, Subsection III(A) of the bid documents provides:

*As a prerequisite to demonstrate compliance with the City of Lockport disadvantaged business policy **ALL bidders** shall provide the following with its bid:*

1. Completed and signed certification from the bidder(s), attesting that the bidder will award no sub-agreements, including the procurement of equipment, materials, supplies and services, in the performance of this contract.

OR

2. "Certification of publication," or adequate evidence of proof of publication, including an actual copy of the newspaper advertisement from the "key" newspaper utilized by each bidder based upon the projects locality (reference attached map of Illinois identifying the "key" newspaper to be utilized by each region). The advertisement (reference attached "suggested" advertisement) must run one day at least **(16) days prior** to bid opening.

That section then specifies other obligations that bidders have with respect to showing compliance with the recruitment process for disadvantaged businesses.

6. Section 00480-3, Subsection IV(A) of the bid documents provides the authority to the City of Lockport to reject "*bids where the information submitted by the bidder(s) fails to objectively demonstrate compliance with the disadvantage requirements ....*"
7. Section 00480-3, Subsection IV(A) of the bid documents provides the following example of noncompliance with the mandatory provisions of the bidding process:

***failure to place the pre-bid advertisement by the bidder(s) at least (16) days prior to bid opening shall not be considered as objectively demonstrating compliance with the disadvantaged business requirements.***

8. Section 00480-3, Subsection IV(B) of the bid documents provides the remedy for noncompliance with mandatory provisions of the bidding process and includes the following remedy:

1. *Declare the bidder and/or subcontractor non-responsible and therefore **ineligible for contract award.***

9. Kee Construction submitted the "Bidder Certification" dated January 10, 2017, as Section 00480-4 of the bid documents certifying the following:

*This firm (Kee Construction) will award no sub-agreements, including procurement of equipment, materials, supplies, and services, in the performance of this contract.*

The document is signed by the President of Kee Construction, but the signature is illegible.

10. Section 00480-7 of the bid documents which is identified as "Data Sheet #1 Disadvantaged Business Participation Documentation" is the document that would identify the certificate of publication that would have established the date of publication in the *Chicago Tribune* (the newspaper required by the IEPA . . . see Section 00480-6 of the bid documents) soliciting disadvantaged participation in the bid submitted by Kee Construction.

Kee Construction left Section 00480-7 **completely blank** and provided no proof of publication or any effort to engage disadvantage businesses in the procurement of equipment, materials, supplies, and services.

### ***City Administration Recommendation to City Council***

The City of Lockport is financing this project through a loan program offered by the IEPA. The IEPA loan program includes a very specific pre-bid process that every prospective bidder must follow to ensure the opportunity for disadvantaged businesses to participate in the contract. Section 00480-1 and 2, Subsection III(A), of the bid documents give prospective bidders the option of:

- (1) doing all of the construction work and manufacturing all equipment, materials, and supplies on its own and not going through a solicitation process for disadvantaged businesses, **or**

- (2) advertising a solicitation for disadvantaged businesses to participate in the project by advertising the solicitation in the *Chicago Tribune* at least 16 days before submitting a bid.

In this case, Kee Construction selected Option 1 by submitting a “Bidder Certification” as Section 00480-4 of Kee’s bid certifying the following:

*This firm will award no sub-agreements, including procurement of equipment, materials, supplies, and services, in the performance of this contract.*

Kee Construction representatives have already acknowledged that it will need to rely on some sub-agreements to perform some of the work on the project and to provide some of the equipment, materials, and supplies. Kee Construction representatives have also acknowledged that the Kee Construction did not comply with the mandatory advertisement requirement by placing a notice in the *Chicago Tribune*.

Section 00480-3, Subsection IV(A) of the bid documents provides the following example of noncompliance with the mandatory provisions of the bidding process:

***failure to place the pre-bid advertisement by the bidder(s) at least (16) days prior to bid opening shall not be considered as objectively demonstrating compliance with the disadvantaged business requirements.***

Section 00480-1 and 2, Subsection III(A) of the bid documents provides that as “a prerequisite to demonstrate compliance with the City of Lockport disadvantaged business policy **ALL bidders** shall provide” proof of the following:

The IEPA mandated rules provides that proof of publication of the *Chicago Tribune* of compliance with the mandatory provisions of the bidding process or certification that the bidder will rely on NO subcontractors for the procurement of equipment, materials, supplies, and services.

Kee Construction chose the latter option . . . and Kee Construction now acknowledges that its certification was in error and not accurate. The IEPA loan rules require strict compliance with the solicitation process for disadvantaged businesses, and noncompliance with those requirements mandate that the City of Lockport declare the bidder and/or subcontractor non-responsible and therefore “**ineligible for contract award.**”

Based on the foregoing, the City is required to deem Kee Construction’s bid as nonresponsive and to decline to award the contract to Kee Construction.

Kee Construction makes the argument that because Kee Construction has been designated by various state and local agencies as a “DBE” (disadvantaged business), it is thus exempt from the mandatory requirements of the IEPA loan rules. Kee Construction points to nothing in the bid documents . . . which are a form prescribed by the IEPA to obtain the loan. Kee Construction does not point to any binding precedent where the IEPA has authorized a loan

recipient to waive the noncompliance with its mandatory rules. In fact, the bid documents as drafted by the IEPA specify that "**ALL bidders shall provide**" proof of publication or a bidder's certification showing compliance with Section 00480-1 and 2, Subsection III(A). Absent any binding precedent allowing the City to waive noncompliance, the City has no choice but to declare Kee Construction's bid nonresponsive.

The City is using the IEPA loan program to finance a seven-figure project that is designed to improve the City water quality. The project has a sense of urgency and is intended to help the City provide a safe potable water supply to its residents. The City cannot afford having the City's loan application under the IEPA program delayed or stopped.

The City Council of the City of Lockport will be considering the City Administration's recommendation at the Committee of Whole meeting on February 1, 2017, at 7:00 p.m., and it is anticipated that the City Council will make a final award of contract at the City Council meeting on February 15, 2017, at 7:00 p.m. You are welcome to attend both meetings and/or submit any written document in response to the City Administration's recommendation.

The documents referenced in this letter are attached to this letter.

This letter is being emailed and sent in accordance with Section 00480-3, Subsection III(B) of the bid documents.

Sincerely,



**Thomas A. Thanas**  
**Interim City Attorney**

TAT/tt

**Enclosures (7 pages)**

**Copy: Ben Benson, City Administrator**

**Amy Wagner, Director of Engineering**

**Strand Associates, Chris Ulm and Richard Scheer**

Specification for Disadvantaged Business Enterprise Participation

(Name of Loan Recipient) City of Lockport

I. Disadvantaged Business Enterprise Policy

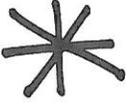
- 
- A. It is the policy of the State of Illinois to award a fair share of sub-agreements to disadvantaged businesses. In complying with this requirement, contractors are required to take affirmative steps to assure that disadvantaged businesses are used when possible as sources of supplies, equipment, construction, and services as explained herein.
  - B. These specifications define the terms, conditions, and requirements of the State Revolving Fund Loan Program, and the (Name of Loan Recipient) City of Lockport policy and procedures for complying with these requirements.
  - C. As required by the award conditions of USEPA's Assistance Agreement with IEPA, the fair share percentages are 5% for MBEs and 12% for WBEs.

II. Pre-Contract Award Obligations

- 
- A. Bidders are required to advertise subcontracting opportunities and to negotiate with disadvantaged businesses prior to bid opening. Failure to document such affirmative efforts shall be deemed, relative to disadvantaged business compliance non-responsive.
  - B. To establish a bid as responsible, the bidder will be required to document the proposed utilization of disadvantaged businesses with letters of intent signed by the bidder and by the disadvantaged business listed in the bid. The documentation requirements are outlined in Section III.
  - C. (Name of Loan Recipient) City of Lockport disadvantaged business policy clearly intends for bidders to contact and encourage the participation of disadvantaged businesses prior to bid opening. Affirmative efforts (the written record of conscientious and honest communications between the bidder and disadvantaged business) must be initiated and completed by the bidder prior to bid opening. All bidders must document compliance with the requirements of the disadvantaged business policy.

III. Evaluation of Disadvantaged Business Utilization and Affirmative Efforts

- A. As a prerequisite to demonstrate compliance with the (Name of Loan Recipient) City of Lockport disadvantaged business policy, ALL bidders shall provide the following with its bid:



1. Completed and signed certification from the bidder(s), attesting that the bidder will award no sub-agreements, including the procurement of equipment, materials, supplies and services, in the performance of this contract.

OR

2. "Certification of publication," or adequate evidence of proof of publication, including an actual copy of the newspaper advertisement from the "key" newspaper utilized by each bidder based upon the projects locality (reference attached map of Illinois identifying the "key" newspaper to be utilized by each region). The advertisement (reference attached "suggested" advertisement) must run one day at least (16) days prior to bid opening.
3. List of all disadvantaged business enterprise (DBE) and non-DBE's that submitted proposals to the bidder along with the date of the proposal.
4. List of disadvantaged businesses not being utilized and justification for non-utilization.
5. Certification from the Bidder that Form 6100-2 (DBE Subcontractor Participation Form) has been provided to DBE subcontractors being utilized.
6. Completed and signed copies of Forms 6100-3 (DBE Subcontractor Performance Form) and Form 6100-4 (DBE Subcontractor Utilization Form).
7. Completed and signed certification from the bidder(s) utilizing disadvantaged businesses, attesting that the bidder has no controlling or dominating interest or conflict of interest with the disadvantaged business that is proposed to be utilized (reference attached certification for the information necessary).
8. In instances where the bidder(s) does not receive any proposals from disadvantaged businesses prior to bid opening, the bidder(s) must provide a written certification attesting that no proposals were received (reference attached certification for information necessary).

NOTE: Data Sheet #1 may be used for this purpose.

Failure to submit the documentation pursuant to the requirements of A (1-8) above may cause rejection of the bid as non-responsive.

- B. The low, responsive bidder will be deemed responsible with respect to the disadvantaged business requirements if:
  1. The low, responsive bidder submits Form 6100-3 (DBE Subcontractor Performance Form) and Form 6100-4 (DBE Subcontractor Utilization Form).

Failure to submit the documentation pursuant to the requirements of B(1) above may cause rejection of the bid as non-responsible.

Where the bidder is considered non-responsible under this subsection, the owner will promptly advise the bidder, in writing, of the basis for the non-responsibility determination.

IV. Sanctions

A. The (Name of Loan Recipient) City of Lockport may reject one or all bids where the information submitted by the bidder(s) fails to objectively demonstrate compliance with the disadvantaged business requirements (i.e., failure to place the pre-bid advertisement by the bidder(s) at least (16) days prior to bid opening shall not be considered as objectively demonstrating compliance with the disadvantaged business requirements).



B. Upon finding that any Party has not complied with the requirements of these specifications, including misrepresenting a firm as a disadvantaged business, any one or a combination of the following actions may be taken.

1. Declare the bidder and/or subcontractor non-responsible and therefore ineligible for contract award.
2. Disallow all contract costs associated with non-compliance.
3. Refer any matter, which may be fraudulent to the Illinois Attorney General.
4. Refer any matter, which may lead to criminal prosecution of a claim for funds to the Illinois Attorney General.



V. Post-Contract Award Compliance

- A. As required by the award conditions of USEPA's Assistance Agreement with IEPA, all sub-agreements of the prime contractor must identify that the fair share percentages are 5% for MBEs and 12 % for WBEs.
- B. After award of the prime contract copies of all disadvantaged business related sub-agreements between the prime contractor and subcontractors shall be submitted to the owner.
- C. Subsequent to Bid Submission, any changes in previously reported disadvantaged businesses utilization shall be handled in accordance with Part 33.302(b-h). If the contractor fails to initiate such actions, the owner may withhold payments and/or institute other appropriate sanctions.

**Bidder Certification**

I Greta Keranen, do hereby certify that:  
(Name)

1. I am President of the Kee Construction  
(Position) (Firm)

and have authority to execute this certification on behalf of the firm;



2. This firm will award no sub-agreements, including the procurement of equipment, materials, supplies, and services, in the performance of this contract.



Name of Firm Kee Construction

Signature 

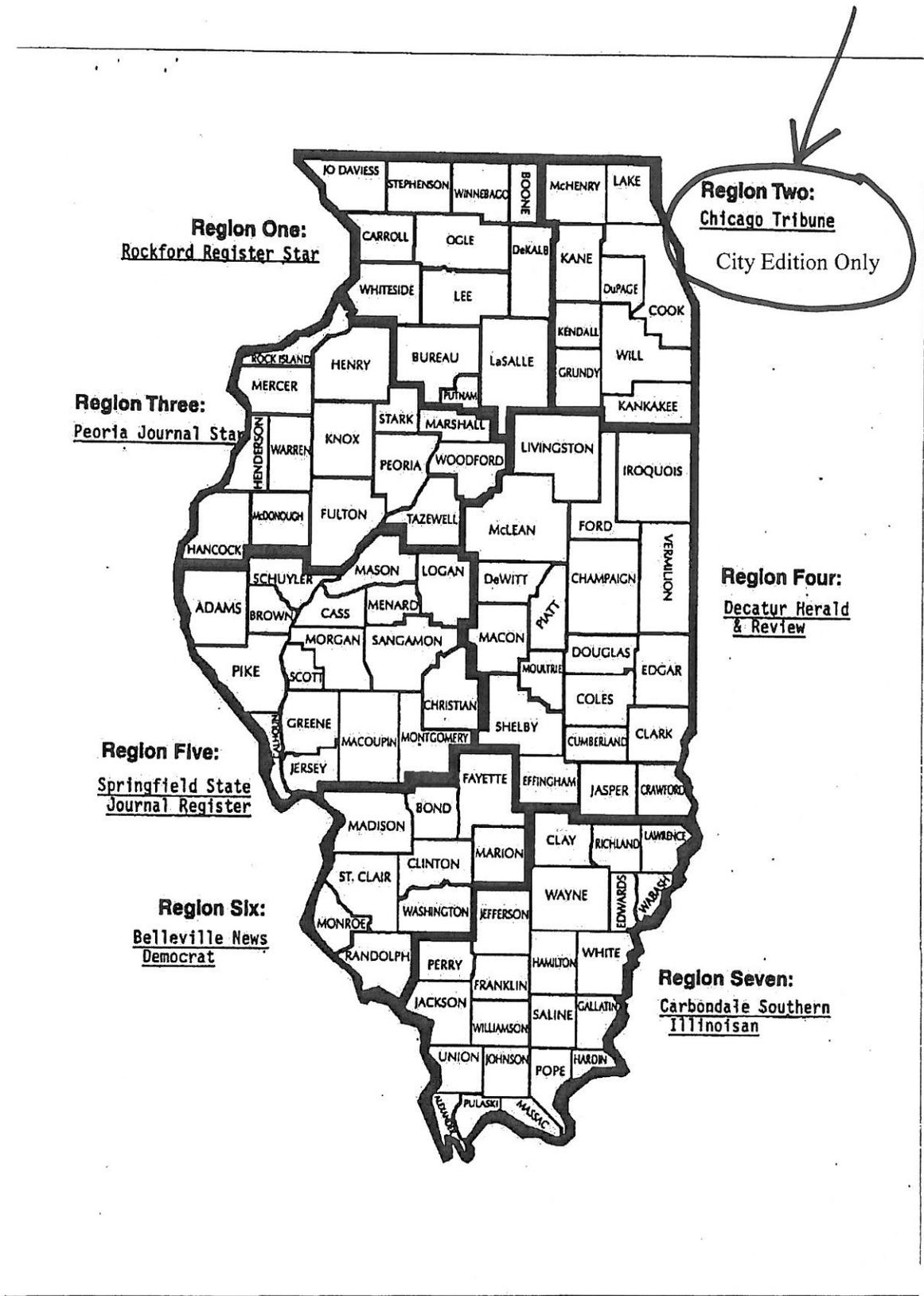
Title President

Date 1/10/17

Corporate Seal (where appropriate)







**Data Sheet #1 Disadvantaged Business Participation Documentation**

- 1) Completed and signed certification from bidder(s), attesting that the bidder will award no sub-agreements, including the procurement of equipment, materials, supplies and services in the performance of this contract.

OR

- 2) "Certificate of publication, or adequate evidence of proof of publication, including an actual copy of the newspaper advertisement from the "key" newspaper utilized by each bidder based upon the projects locality.

Dates of bidder advertisement: \_\_\_\_\_

Date of bid opening: \_\_\_\_\_

**BLANK**

- 3) List of all disadvantaged business enterprises (DBE) and non-DBE's that submitted proposals to the bidder. Specify as DBE\*, along with the type of DBE, or non-DBE\* with the following information:

Name of Company:  
Name of Owners:  
Address of Company:  
E-mail Address of Company:  
Telephone Number:  
Date of Proposal:  
\* \_\_\_\_\_ Business \_\_\_\_\_ Type of DBE:  
Description of work to be performed

(Furnish data for additional subcontractors on plain bond paper).

- 4) List of disadvantaged businesses that submitted proposals to the bidder but will not be utilized. Justification for non-utilization must be provided.  
  
(If necessary, furnish data on plain bond paper.)
- 5) Certification from the Bidder that Form 6100-2 (DBE Subcontractor participation Form) has been provided to DBE subcontractors being utilized.
- 6) Completed and signed copies of Forms 6100-3 (DBE Subcontractor Performance Form) and Form 6100-4 (DBE Subcontractor Utilization Form). Only applies if using DBE subcontractors.
- 7) Completed and signed certification from bidder(s) attesting that the bidder has no dominating or conflict of interest with the disadvantaged business to be utilized.
- 8) In instances where the bidder(s) does not receive any proposals from disadvantaged businesses prior to bid opening, the bidder(s) must provide a written certification attesting that no proposals were received.



JOSEPH J. HENDERSON & SON, INC.  
GENERAL CONTRACTOR  
ESTABLISHED 1928

4288 Old Grand Avenue  
Gurnee, Illinois 60031  
Phone: 847-244-3222  
Fax: 847-244-9572

January 12, 2017

Ms. Amy Wagner  
City of Lockport  
222 East Ninth Street  
Lockport, IL 60441

Re: Well 14 Iron Removal Facility Addition Contract 1-2016  
Bid Protest

Dear Ms. Wagner,

On January 10, 2017 bids were submitted for the City of Lockport Well 14 Iron Removal Facility Addition, Contract 1-2016. It has come to our attention that the apparent low bidder, Kee Construction, did not follow the requirements of "City of Lockport Specifications for Disadvantaged Business Enterprise Participation" as detailed in specification section 00480. Kee Construction did not advertise for disadvantage business subcontracting opportunities as required.

As stated in paragraph II.A, on page 1 of specification section 00480, "Bidders are required to advertise subcontracting opportunities and to negotiate with disadvantaged businesses prior to bid opening. Failure to document such affirmative efforts shall be deemed, relative to disadvantaged business compliance **nonresponsive.**"

As stated in paragraph III.A.2, on page 2 of specification section 00480, "'Certification of publication," or adequate evidence of proof of publication, including an actual copy of the newspaper advertisement from the "key" newspaper utilized by each bidder based upon the projects locality (reference attached map of Illinois identifying the "key" newspaper to be utilized by each region). The advertisement (reference attached "suggested" advertisement) must run one day at least **(16) days prior** to bid opening."

For this reason the City of Lockport must reject Kee Construction's bid and find their bid non-responsive.

Sincerely,  
Joseph J. Henderson & Son, Inc.

David Henderson  
President

Cc: Richard Scheer- Strand Associates  
Chris Ulm- Strand Associates

**NOTICE OF INTENT TO AWARD**

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The OWNER has considered the BID submitted by you for the above described WORK, in response to its Advertisement for Bids, dated \_\_\_\_\_ and Information for Bidders.

You are hereby notified that your BID will be accepted, contingent upon Illinois Environmental Protection Agency (IEPA) approval, for items in the amount of \_\_\_\_\_.

You will be required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND and certificates of insurance within ten (10) calendar days from the date of the final Notice to be sent upon IEPA approval, to you.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
OWNER

By: \_\_\_\_\_

Title: \_\_\_\_\_

**NOTICE OF AWARD**

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROJECT Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated \_\_\_\_\_, 20 \_\_\_\_\_ and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$\_\_\_\_\_.

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND and certificates of insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said BONDS within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
(Owner)

By \_\_\_\_\_

Title \_\_\_\_\_

**ACCEPTANCE OF NOTICE**

Receipt of the above NOTICE OF AWARD is hereby acknowledged,

by \_\_\_\_\_,

this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

By \_\_\_\_\_

Title \_\_\_\_\_

RESOLUTION NO. 17- 009

**RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH  
J.J. HENDERSON & SON, INC., IN THE AMOUNT OF \$1,922,000,  
CONTINGENT UPON ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
(IEPA) STATE REVOLVING LOAN FUND APPROVAL,  
FOR THE WELL NO.14 IRON FILTRATION PROJECT**

---

**WHEREAS**, the Mayor and City Council of the City of Lockport have determined that it is in the best interests of public health, safety, and welfare of the residents of the City of Lockport to improve the public drinking water system with the construction of a new iron filtration facility at the existing Well 14 Well House; and

**WHEREAS**, the City has completed the plans and specifications for the project and has determined that the most cost effective manner of financing the project is through a low interest loan program sponsored by the Illinois Environmental Protection Agency (IEPA), and the City Administration and the City's consultant, Strand Associates, have submitted the required IEPA loan application for financing the construction of the facility.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LOCKPORT AS FOLLOWS:**

**Section 1:** The City hereby accepts the bid submitted by J.J. Henderson & Son, Inc., in the amount of \$1,922,000, for the Well No.14 Iron Filtration project.

**Section 2:** The bid submitted by Kee Construction is deemed to be noncompliant with the mandatory bid requirements as established by the IEPA as part of it loan program for the reasons set forth in the City Attorney's letter dated January 25, 2017, and the bid submitted by Kee Construction is rejected.

**Section 3:** The award of contract to J.J. Henderson & Son, Inc., is contingent upon the City's loan application being approved by the IEPA and the financing being made available to pay the contractor through the IEPA State Revolving Fund loan in the amount of \$2,541,000 to be applied towards the contract and other fees and costs associated with the project.

**Section 4:** The Mayor and City Clerk are authorized to sign the Contract and loan documents on behalf of the City.

**Section 5:** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017, with

\_\_\_\_\_ **ALDERMEN** voting aye    \_\_\_\_\_ **ALDERMEN** abstaining

\_\_\_\_\_ **ALDERMEN** voting nay    \_\_\_\_\_ **ALDERMEN** absent

The **MAYOR** voting aye \_\_\_\_\_, voting nay \_\_\_\_\_, not voting \_\_\_\_\_

\_\_\_\_\_ **PETRAKOS**    \_\_\_\_\_ **CAPADONA**    \_\_\_\_\_ **GILLOGLY**    \_\_\_\_\_ **SMITH**

\_\_\_\_\_ **VANDERMEER**    \_\_\_\_\_ **DESKIN**    \_\_\_\_\_ **PERRETTA**    \_\_\_\_\_ **BARTELSEN**

\_\_\_\_\_ **MAYOR**

\_\_\_\_\_  
**Steven Streit, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Alice Matteucci, City Clerk**



Strand Associates, Inc.®

1170 South Houbolt Road

Joliet, IL 60431

(P) 815-744-4200

(F) 815-744-4215

January 26, 2017

Ms. Amy Wagner P.E., Director of Public Works  
City of Lockport  
17112 South Prime Boulevard  
Lockport, IL 60441

Re: Well 14 Iron Filtration Addition  
Contract No. 1-2016  
City of Lockport

Dear Amy:

After review of the January 25, 2017 letter from City Attorney Tom Thanas, titled "*City of Lockport Well 14 Iron Filtration Contract Notice of Non-Responsive Bid*" to Kee Construction, LLC, it appears that the City intends to reject the low bid of \$1,869,000 from Kee Construction, LLC on the basis of their bid being non-responsive.

Joseph J. Henderson & Son, Inc. of Gurnee, Illinois, was the apparent second low bidder at \$1,922,000. The bid included a bid bond for 10 percent and Addendum Nos. 1 and 2 were acknowledged.

Strand Associates, Inc.® has previously worked with Joseph J. Henderson & Son, Inc. on projects for the Thorn Creek Basin Sanitary District, the City of Joliet, and the Kankakee River Metropolitan Agency. Based on our previous experience with this contractor, we have found Joseph J. Henderson & Son, Inc. to be responsible.

We suggest that you consider evaluating Joseph J Henderson's financial status prior to award and other information submitted to you as required by Article 19.05.2 found in the Instructions to Bidders of the Contract Documents.

Sincerely,

STRAND ASSOCIATES, INC.®

A handwritten signature in blue ink that reads "Chris J. Ulm".

Chris J. Ulm, P.E.  
Senior Associate

Enclosure

# Committee of The Whole

## Agenda Memorandum

Item # **ED-2**

To: Mayor & City Council

From: Amy Wagner

Subject: Consultant Selection for  
STP Bridge- Second Street Bridge Project, Phase 3

Date: January 19, 2017

### **BACKGROUND/HISTORY**

In September 2013, the City's Engineering Department requested Surface Transportation Bridge Program (STBP) funding for the repair or replacement of the Second Street Bridge over the I & M Canal (Structure No. 099-6507). The latest inspection resulted in a sufficiency rating of 25.0 making it eligible for rehabilitation through federal STBP funding.

In October 2013, we were notified that we are to receive the requested funding and at the end of 2013, the City of Lockport solicited proposals for the services of a professional engineering firm to complete the Phase 1 & Phase 2 processes. Baxter & Woodman was selected in early 2014 and the project is scheduled for a 2017 letting.

The current estimate breakdown for construction and funding amounts are as follows:

<b>Work</b>	<b>Total</b>	<b>Federal</b>	<b>Local</b>	<b>Account</b>
<i>Construction Estimate</i>	\$1,480,000.00	\$1,184,000.00	\$296,000.00	MFT
<i>Utility Relocation</i>	\$30,000.00	\$24,000.00	\$6,000.00	MFT
<i>Construction Engineering</i>	\$169,000.00	\$135,200.00	\$33,800.00	General Fund
<b>Total Cost</b>	<b>\$1,679,000.00</b>	<b>\$1,343,200.00</b>	<b>\$335,800.00</b>	

In order to utilize MFT funding for the Local Share of the Construction costs, the City must appropriate the funds, by passing the attached resolution.

Funding is available to cover 80% of the Phase 3 construction engineering costs. Baxter & Woodman has familiarity with the project, and has experienced IDOT certified resident engineer's on staff to handle the Phase 3 construction engineering and documentation required for Federal Aid projects. Therefore, we asked them to provide a proposal for construction engineering services.

**PROS/CONS/ALTERNATIVES (IF APPLICABLE)**

The not-to-exceed proposal submitted by Baxter & Woodman for the Phase 3 Construction Engineering for the 2<sup>nd</sup> Street Bridge project was \$168,241.32, including \$11,683.00 for testing services through Interra. The current construction cost estimate for this project is \$1.48 M. The proposed cost is 11.4% of the estimated construction cost (10-12% typical). The City's portion of this cost will be 20% or \$33,650.

The amount of the agreement is draft only at this point and may change slightly upon IDOT approval.

**RECOMMENDATION**

We recommend that the City enter into an agreement with Baxter & Woodman for the Phase 3 Construction Engineering of the Second Street Bridge STP-Bridge Project in the amount of \$168,241.32, upon approval of the final agreement by IDOT.

We also recommend that the City approve the attached MFT resolution in the amount of \$302,000 for the local share of construction and utility relocation.

**ATTACHMENTS (IF APPLICABLE)**

- A. Resolution authorizing the City Administrator to enter into an agreement with Baxter & Woodman for the Phase 3 Construction Engineering of the Second Street Bridge STP-Bridge Project in the amount of \$168,241.32.
- B. Copy of the draft Phase 3 Engineering Agreement
- C. MFT Resolution for allocation of funds for construction and utility relocation in the amount of \$302,000.
- D. Copy of the draft Phase 3 Local Agency Agreement

**SPECIFIC CITY COUNCIL ACTION REQUIRED**

Agree that these resolutions may be brought directly to council for approval upon approval of the final agreements by IDOT.

RESOLUTION # 17-\_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH BAXTER & WOODMAN FOR THE PHASE 3 CONSTRUCTION ENGINEERING OF THE SECOND STREET BRIDGE STP-BRIDGE PROJECT IN THE AMOUNT OF \$168,241.32**

**WHEREAS**, the City has determined that the Second Street Bridge over the I&M Canal, is in need of improvement; and

**WHEREAS**, the City has received Federal STP-Bridge funding for 80% of the cost of the improvement; and

**WHEREAS**, the City has solicited a proposal to complete phase 3 construction engineering for this project; and

**WHEREAS**, the City understands that the City shall pay the full cost of the services, and request reimbursement for the Federal share (80%) upon payment of progress invoices;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LOCKPORT AS FOLLOWS:**

Section 1: The City Administrator is authorized to enter into an agreement with Baxter & Woodman for the Phase 3 Construction Engineering of the Second Street Bridge STP-Bridge Project in the amount of \$168,241.32.

Section 2: Effective Date: This Resolution shall become effective upon passage, approval and publication in book and pamphlet form as provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_ ALDERMEN VOTING AYE

\_\_\_\_\_ ALDERMEN VOTING NAY

\_\_\_\_\_ ALDERMEN ABSTAINING

\_\_\_\_\_ ALDERMEN ABSENT

the MAYOR voting aye \_\_\_\_\_ voting nay \_\_\_\_\_ not voting \_\_\_\_\_

\_\_\_\_\_ PETRAKOS \_\_\_\_\_ CAPADONA \_\_\_\_\_ GILLOGLY \_\_\_\_\_ SMITH

\_\_\_\_\_ DESKIN \_\_\_\_\_ VANDERMEER \_\_\_\_\_ PERRETTA \_\_\_\_\_ BARTELSEN

\_\_\_\_\_ MAYOR ATTEST:

\_\_\_\_\_  
Steve Streit, Mayor

\_\_\_\_\_  
Alice Matteucci, City Clerk

Local Agency City of Lockport	<b>LOCAL AGENCY</b>  <b>Illinois Department of Transportation</b>  <b>Construction Engineering Services Agreement For Federal Participation</b>	<b>CONSULTANT</b>	Consultant Baxter & Woodman, Inc
County Will			Address 8840 West 192 <sup>nd</sup> St
Section 13-00080-BR			City Mokena
Project No. BROS-4003(334)			State Illinois
Job No. C-91-314-14			Zip Code 60448
Contact Name/Phone/E-mail Address Amy Wagner 815-838-0549 awagner@lockport.org			Contact Name/Phone/E-mail Address Craig Mitchell 815-444-3278 cmitchell@baxterwoodman.com

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the PROJECT described herein. Federal-aid funds allotted to the LA by the state of Illinois under the general supervision of the Illinois Department of Transportation (STATE) will be used entirely or in part to finance engineering services as described under AGREEMENT PROVISIONS.

WHEREVER IN THIS AGREEMENT or attached exhibits the following terms are used, they shall be interpreted to mean:

<b>Regional Engineer</b>	Deputy Director Division of Highways, Regional Engineer, Department of Transportation
<b>Resident Construction Supervisor</b>	Authorized representative of the LA in immediate charge of the engineering details of the PROJECT
<b>In Responsible Charge</b>	A full time LA employee authorized to administer inherently governmental PROJECT activities
<b>Contractor</b>	Company or Companies to which the construction contract was awarded

**Project Description**

Name Second Street Route MUN 3035 Length 0.052mi Structure No. 099-6068

Termini Over Illinois & Michigan Canal

Description: Replacement of the existing bridge carrying Second St over the I&M Canal with a 3 sided box culvert, removal of the existing structure, pavement removal and replacement, tree removal, earth excavation, agg base courses, HMA binder and surface courses, curb & gutter, storm sewer, pavt markings, and other misc items of work. Engineers Project No.:131048.60

**Agreement Provisions**

**I. THE ENGINEER AGREES,**

1. To perform or be responsible for the performance of the engineering services for the LA, in connection with the PROJECT hereinbefore described and checked below:
  - a. Proportion concrete according to applicable STATE Bureau of Materials and Physical Research (BMPR) Quality Control/Quality Assurance (QC/QA) training documents or contract requirements and obtain samples and perform testing as noted below.
  - b. Proportion hot mix asphalt according to applicable STATE BMPR QC/QA training documents and obtain samples and perform testing as noted below.
  - c. For soils, to obtain samples and perform testing as noted below.
  - d. For aggregates, to obtain samples and perform testing as noted below.

NOTE: For 1a. through 1d. the ENGINEER is to obtain samples for testing according to the STATE BMPR "Project Procedures Guide", or as indicated in the specifications, or as attached herein by the LA; test according to the STATE BMPR "Manual of Test Procedures for Materials", submit STATE BMPR inspection reports; and verify compliance with contract specifications.

- e. Inspection of all materials when inspection is not provided at the sources by the STATE BMPR, and submit inspection reports to the LA and the STATE in accordance with the STATE BMPR "Project Procedures Guide" and the policies of the STATE.
  - f. For Quality Assurance services, provide personnel who have completed the appropriate STATE BMPR QC/QA trained technician classes.
  - g. Inspect, document and inform the LA employee In Responsible Charge of the adequacy of the establishment and maintenance of the traffic control.
  - h. Geometric control including all construction staking and construction layouts.
  - i. Quality control of the construction work in progress and the enforcement of the contract provisions in accordance with the STATE Construction Manual.
  - j. Measurement and computation of pay items.
  - k. Maintain a daily record of the contractor's activities throughout construction including sufficient information to permit verification of the nature and cost of changes in plans and authorized extra work.
  - l. Preparation and submission to the LA by the required form and number of copies, all partial and final payment estimates, change orders, records, documentation and reports required by the LA and the STATE.
  - m. Revision of contract drawings to reflect as built conditions.
  - n. Act as resident construction supervisor and coordinate with the LA employee In Responsible Charge.
2. Engineering services shall include all equipment, instruments, supplies, transportation and personnel required to perform the duties of the ENGINEER in connection with the AGREEMENT.
  3. To furnish the services as required herein within twenty-four hours of notification by the LA employee In Responsible Charge.
  4. To attend meetings and visit the site of the work at any reasonable time when requested to do so by representatives of the LA or STATE.
  5. That none of the services to be furnished by the ENGINEER shall be sublet, assigned or transferred to any other party or parties without the written consent of the LA. The consent to sublet, assign or otherwise transfer any portion of the services to be furnished by the ENGINEER shall not be construed to relieve the ENGINEER of any responsibility for the fulfillment of this AGREEMENT.
  6. The ENGINEER shall submit invoices, based on the ENGINEER's progress reports, to the LA employee In Responsible Charge, no more than once a month for partial payment on account for the ENGINEER's work completed to date. Such invoices shall represent the value, to the LA of the partially completed work, based on the sum of the actual costs incurred, plus a percentage (equal to the percentage of the construction engineering completed) of the fixed fee for the fully completed work.
  7. That the ENGINEER is qualified technically and is entirely conversant with the design standards and policies applicable to improvement of the SECTION; and that the ENGINEER has sufficient properly trained, organized and experienced personnel to perform the services enumerated herein.
  8. That the ENGINEER shall be responsible for the accuracy of the ENGINEER's work and correction of any errors, omissions or ambiguities due to the ENGINEER'S negligence which may occur either during prosecution or after acceptance by the LA. Should any damage to persons or property result from the ENGINEER's error, omission or negligent act, the ENGINEER shall indemnify the LA, the STATE and their employees from all accrued claims or liability and assume all restitution and repair costs arising from such negligence. The ENGINEER shall give immediate attention to any remedial changes so there will be minimal delay to the contractor and prepare such data as necessary to effectuate corrections, in consultation with and without further compensation from the LA.
  9. That the ENGINEER will comply with applicable federal statutes, state of Illinois statutes, and local laws or ordinances of the LA.
  10. The undersigned certifies neither the ENGINEER nor I have:
    - a) employed or retained for commission, percentage, brokerage, contingent fee or other considerations, any firm or person (other than a bona fide employee working solely for me or the above ENGINEER) to solicit or secure this AGREEMENT;

- b) agreed, as an express or implied condition for obtaining this AGREEMENT, to employ or retain the services of any firm or person in connection with carrying out the AGREEMENT or
  - c) paid, or agreed to pay any firm, organization or person (other than a bona fide employee working solely for me or the above ENGINEER) any fee, contribution, donation or consideration of any kind for, or in connection with, procuring or carrying out the AGREEMENT.
  - d) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  - e) have not within a three-year period preceding the AGREEMENT been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
  - f) are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (e) of this certification; and
  - g) have not within a three-year period preceding this AGREEMENT had one or more public transactions (Federal, State or local) terminated for cause or default.
11. To pay its subconsultants for satisfactory performance no later than 30 days from receipt of each payment from the LA.
  12. To submit all invoices to the LA within one year of the completion of the work called for in this AGREEMENT or any subsequent Amendment or Supplement.
  13. To submit BLR 05613, Engineering Payment Report, to the STATE upon completion of the work called for in the AGREEMENT.
  14. To be prequalified with the STATE in Construction Inspection when the ENGINEER or the ENGINEER's assigned staff is named as resident construction supervisor. The onsite resident construction supervisor shall have a valid Documentation of Contract Quantities certification.
  15. Will provide, as required, project inspectors that have a valid Documentation of Contract Quantities certification.

**II. THE LA AGREES,**

1. To furnish a full time LA employee to be In Responsible Charge authorized to administer inherently governmental PROJECT activities.
2. To furnish the necessary plans and specifications.
3. To notify the ENGINEER at least 24 hours in advance of the need for personnel or services.
4. To pay the ENGINEER as compensation for all services rendered in accordance with this AGREEMENT, on the basis of the following compensation formulas:

Cost Plus Fixed Fee Formulas

- $FF = 14.5\%[DL + R(DL) + OH(DL) + IHDC]$ , or
- $FF = 14.5\%[(2.3 + R)DL + IHDC]$

Where: DL = Direct Labor  
 IHDC = In House Direct Costs  
 OH = Consultant Firm's Actual Overhead Factor  
 R = Complexity Factor  
 FF=Fixed Fee  
 SBO = Services by Others

Total Compensation =  $DL + IHDC + OH + FF + SBO$

- Specific Rate  (Pay per element)
- Lump Sum  \_\_\_\_\_

5. To pay the ENGINEER using one of the following methods as required by 49 CFR part 26 and 605 ILCS 5/5-409:

With Retainage

- a) **For the first 50% of completed work**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to 90% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **After 50% of the work is completed**, and upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments covering work performed shall be due and payable to the ENGINEER, such payments to be equal to 95% of the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- c) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and the STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

Without Retainage

- a) **For progressive payments** – Upon receipt of monthly invoices from the ENGINEER and the approval thereof by the LA, monthly payments for the work performed shall be due and payable to the ENGINEER, such payments to be equal to the value of the partially completed work minus all previous partial payments made to the ENGINEER.
- b) **Final Payment** – Upon approval of the work by the LA but not later than 60 days after the work is completed and reports have been made and accepted by the LA and STATE, a sum of money equal to the basic fee as determined in this AGREEMENT less the total of the amounts of partial payments previously paid to the ENGINEER shall be due and payable to the ENGINEER.

6. The recipient shall not discriminate on the basis on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.).

7. To submit approved form BC 775 (Exhibit C) and BC 776 (Exhibit D) with this AGREEMENT.

### III. It is Mutually Agreed,

- 1. That the ENGINEER and the ENGINEER's subcontractors will maintain all books, documents, papers, accounting records and other evidence pertaining to cost incurred and to make such materials available at their respective offices at all reasonable times during the AGREEMENT period and for three years from the date of final payment under this AGREEMENT, for inspection by the STATE, Federal Highway Administration or any authorized representatives of the federal government and copies thereof shall be furnished if requested.
- 2. That all services are to be furnished as required by construction progress and as determined by the LA employee In Responsible Charge. The ENGINEER shall complete all services specified herein within a time considered reasonable to the LA, after the CONTRACTOR has completed the construction contract.
- 3. That all field notes, test records and reports shall be turned over to and become the property of the LA and that during the performance of the engineering services herein provided for, the ENGINEER shall be responsible for any loss or damage to the documents herein enumerated while they are in the ENGINEER's possession and any such loss or damage shall be restored at the ENGINEER's expense.
- 4. That this AGREEMENT may be terminated by the LA upon written notice to the ENGINEER, at the ENGINEER's last known address, with the understanding that should the AGREEMENT be terminated by the LA, the ENGINEER shall be paid for any services completed and any services partially completed. The percentage of the total services which have been rendered by the ENGINEER shall be mutually agreed by the parties hereto. The fixed fee stipulated in numbered paragraph 4d of Section II shall be multiplied by this percentage and added to the ENGINEER's actual costs to obtain the earned value of work performed. All field notes, test records and reports completed or partially completed at the time of termination shall become the property of, and be delivered to, the LA.
- 5. That any differences between the ENGINEER and the LA concerning the interpretation of the provisions of this AGREEMENT shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA, and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
- 6. That in the event the engineering and inspection services to be furnished and performed by the LA (including personnel furnished by the ENGINEER) shall, in the opinion of the STATE be incompetent or inadequate, the STATE shall have the right to supplement the engineering and inspection force or to replace the engineers or inspectors employed on such work at the expense of the LA.

7. That the ENGINEER has not been retained or compensated to provide design and construction review services relating to the contractor's safety precautions, except as provided in numbered paragraph 1f of Section I.
8. This certification is required by the Drug Free Workplace Act (30ILCS 580). The Drug Free Workplace Act requires that no grantee or contractor shall receive a grant or be considered for the purpose of being awarded a contract for the procurement of any property or service from the State unless that grantee or contractor will provide a drug free workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of contract or grant payments, termination of a contract or grant and debarment of contracting or grant opportunities with the State for at least one (1) year but no more than five (5) years.

For the purpose of this certification, "grantee" or "contractor" means a corporation, partnership or other entity with twenty-five (25) or more employees at the time of issuing the grant, or a department, division or other unit thereof, directly responsible for the specific performance under a contract or grant of \$5,000 or more from the State, as defined in the Act.

The contractor/grantee certifies and agrees that it will provide a drug free workplace by:

- (a) Publishing a statement:
    - (1) Notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including cannabis, is prohibited in the grantee's or contractor's workplace.
    - (2) Specifying the actions that will be taken against employees for violations of such prohibition.
    - (3) Notifying the employee that, as a condition of employment on such contract or grant, the employee will:
      - (A) abide by the terms of the statement; and
      - (B) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
  - (b) Establishing a drug free awareness program to inform employees about:
    - (1) the dangers of drug abuse in the workplace;
    - (2) the grantee's or contractor's policy of maintaining a drug free workplace;
    - (3) any available drug counseling, rehabilitation and employee assistance program; and
    - (4) the penalties that may be imposed upon an employee for drug violations.
  - (c) Providing a copy of the statement required by subparagraph (a) to each employee engaged in the performance of the contract or grant and to post the statement in a prominent place in the workplace.
  - (d) Notifying the contracting or granting agency within ten (10) days after receiving notice under part (B) of paragraph (3) of subsection (a) above from an employee or otherwise receiving actual notice of such conviction.
  - (e) Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted, as required by section S of the Drug Free Workplace Act.
  - (f) Assisting employees in selecting a course of action in the event drug counseling, treatment and rehabilitation is required and indicating that a trained referral team is in place.
  - (g) Making a good faith effort to continue to maintain a drug free workplace through implementation of the Drug Free Workplace Act.
9. The ENGINEER or subconsultant shall not discriminate on the basis of race, color, national origin or sex in the performance of this AGREEMENT. The ENGINEER shall carry out applicable requirements of 49 CFR part 26 in the administration of DOT-assisted contracts. Failure by the ENGINEER to carry out these requirements is a material breach of this AGREEMENT, which may result in the termination this AGREEMENT or such other remedy as the LA deems appropriate.







CITY OF LOCKPORT  
SECOND STREET OVER I & M CANAL

EXHIBIT C

**SCOPE OF SERVICES**

1. Act as the Owner's representative with duties, responsibilities and limitations of authority as assigned in the construction contract documents.
2. PROJECT INITIATION
  - Attend the IDOT preconstruction conference, and review the Contractor's proposed construction schedule and list of subcontractors.
3. CONSTRUCTION ADMINISTRATION
  - Attend periodic construction progress meetings.
  - Shop drawing and submittal review by Engineer shall apply only to the items in the submissions and only for the purpose of assessing, if upon installation or incorporation in the Project, they are generally consistent with the construction documents. Owner agrees that the contractor is solely responsible for the submissions (regardless of the format in which provided, i.e. hard copy or electronic transmission) and for compliance with the contract documents. Owner further agrees that the Engineer's review and action in relation to these submissions shall not constitute the provision of means, methods, techniques, sequencing or procedures of construction or extend to safety programs of precautions. Engineer's consideration of a component does not constitute acceptance of the assembled item.
  - Prepare construction contract change orders and work directives when authorized by the Owner.
  - Review the Contractor's requests for payments as construction work progresses, and advise the Owner of amounts due and payable to the Contractor in accordance with the terms of the construction contract documents.
  - Research and prepare written response by Engineer to request for information from the Owner and Contractor.
  - Provide the services of a materials testing company, as a subconsultant, to perform proportioning and testing of the Portland cement concrete and bituminous mixtures in accordance with the IDOT's Bureau of Materials manuals of instructions for proportioning. Review laboratory, shop and mill test reports of materials and equipment furnished by the Contractor.
  - Project manager or other office staff visit site as needed.
4. FIELD OBSERVATION
  - Engineer's site observation shall be at the times agreed upon with the Owner. Engineer will provide Resident Project Representatives at the construction site on a full-time basis of forty (40) hours per week from Monday through Friday, from the Engineer's office of not more than eight (8) hours per regular weekday, not including legal holidays (for up to 936 hours) as deemed necessary by the Engineer, to assist the Contractor with interpretation of the Drawings and Specifications, to observe in

- general if the Contractor's work is in conformity with the Final Design Documents, and to monitor the Contractor's progress as related to the Construction Contract date of completion. Through standard, reasonable means, Engineer will become generally familiar with observable completed work. If Engineer observes completed work that is inconsistent with the construction documents, that information shall be communicated to the contractor and Owner to address. Engineer shall not supervise, direct, control, or have charge or authority over any contractor's work, nor shall the Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, or the safety precautions and programs incident thereto, for security or safety at the site, nor for any failure of any contractor to comply with laws and regulations applicable to such contractor's furnishing and performing of its work. Engineer neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform the work in accordance with the contract documents, which contractor is solely responsible for its errors, omissions, and failure to carry out the work. Engineer shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any of their agents or employees or any other person, (except Engineer's own agents, employees, and consultants) at the site or otherwise furnishing or performing any work; or for any decision made regarding the contract documents, or any application, interpretation, or clarification, of the contract documents, other than those made by the Engineer.
- Provide the necessary base lines, benchmarks, and reference points to enable the Contractor to proceed with the work.
  - Keep a daily record of the Contractor's work on those days that the Engineers are at the construction site including notations on the nature and cost of any extra work, and provide weekly reports to the Owner of the construction progress and working days charged against the Contractor's time for completion.

#### 5. COMPLETION OF PROJECT

- Provide construction inspection services when notified by the Contractor that the Project is complete. Prepare written punch lists during final completion inspections.
- Review the Contractor's written guarantees and issue a Notice of Acceptability for the Project by the Owner.
- Review the Contractor's requests for final payment, and advise the Owner of the amounts due and payable to the Contractor in accordance with the terms of the construction contract documents.

#### 7. PROJECT CLOSEOUT

- Provide construction-related engineering services including, but not limited to, General Construction Administration and Resident Project Representative Services.

City of Lockport  
MUN 3035 (Second St)  
Section: 13-00080-00-BR  
Project: BROS-4003(334)  
Job No.: C-91-314-14

Explanation of In-House Direct Costs (IHDC)

Vehicle expenses - Travel at IRS rate of \$0.54/mile

Eng Tech III - 40 mi/trip x 115 trips = 4600 miles

Sr. Engineer IV - 20 trips @ 40mi/trip = 800 miles

Precon attendance - 50mi SE IV + 80mi ET III = 130 miles

Total = 5,530 miles @ \$0.535/mile = \$2,958.55

TOTAL IN-HOUSE DIRECT COSTS = \$2,958.55



Local Public Agency Resident Construction Supervisor/ In Responsible Charge

John Fortmann, PE
Regional Engineer
Department of Transportation
201 West Center Court
Schaumburg, Illinois 60196

County Will
Municipality City of Lockport
Section 13-00080-00-BR
Route MUN 3035(Second St)
Contract No.
Job No. C-91-314-14
Project BROS-4003(334)

- I recommend the following individual as a local public agency employee qualified to be resident construction supervisor and to be in responsible charge of this construction project.
I certify that I am in responsible charge as defined by the department of this construction project. Since the local public agency does not have a local public agency employee qualified to be the resident construction supervisor, I am recommending a consulting engineer to serve as resident construction supervisor.

Date Signature and Title (for the Local Public Agency)

Craig Mitchell, PE
Applicants Name (Type or Print)

The following describes my educational background, experience and other qualifications to be resident construction supervisor of this construction project for the Local Public Agency.
For Consultants: I certify that my firm is prequalified in Construction Inspection and my Documentation of Contract Quantities certificate number is 13-0155.
BSCE Iowa State University, 15+ years IDOT construction employee, former IDOT RE. Licensed Professional Engineer in Illinois, completed hundreds of construction projects.

12/6/16 Vice President Construction
Signature of Applicant

Based on the above information and my knowledge of the applicant's experience and training, it is my opinion that the applicant is qualified to serve as the resident construction supervisor on this construction project.

Approved Date Regional Engineer

cc: Engineer of Local Roads and Streets, Central Bureau of Local Roads and Streets
Engineer of Construction, Central Bureau of Construction
Resident Construction Supervisor
Local Public Agency



Local Public Agency  
Construction Inspector

John Fortmann, PE  
Regional Engineer  
Department of Transportation  
201 West Center Court  
Schaumburg, Illinois 60196

County	<u>Will</u>
Municipality	<u>City of Lockport</u>
Section	<u>13-00080-00-BR</u>
Route	<u>MUN3035(Second St)</u>
Contract No.	<u></u>
Job No.	<u>C-91-314-14</u>
Project	<u>BROS-4003(334)</u>

I consider the following individual to be qualified as a local public agency construction inspector. In addition, I certify that adequate instruction has been given this individual concerning the requirements of the contract, specifications and construction manual which pertain to the work which he/she will inspect. This individual has been instructed on the proper procedures for any necessary tests. Furthermore, if a consultant, this individual has a valid Documentation of Contract Quantities certification.

Approved 12/6/16 Date  Vice President Construction  
Signature and Title of Resident Construction Supervisor

Jake Holmbeck, PE  
Applicants Name (Type or Print)

The following describes the educational background, experience and other qualifications of the named applicant to serve as an inspector on this project.

**For Consultants Employees:** Documentation of Contract Quantities certificate number is 16-11284.  
Jake is a PE with over 9 years experience, after graduating from Bradley University and has completed numerous IDOT Federal Documentation projects, has passed the ICORS and Erosion and Sedimentation courses, attended numerous industry workshops as well.

If the Resident from BC-775 is a consultant, the local public agency employee in responsible charge must also approve this individual.

Approved \_\_\_\_\_ Date \_\_\_\_\_ Signature and Title of In Responsible Charge from BC-775 \_\_\_\_\_



600 Territorial Drive, Suite G, Bolingbrook, IL 60440 Ph.: (630) 754-8700 Fax: (630) 754-8705

**Second Street Structure Replacement in the City of Lockport, IL**

**Client: Baxter & Woodman**

**Attn: Mr. Craig D. Mitchell**

**FIELD TESTING FULL DAY RATE (Upto to 8 Hrs) - Weekdays**

No.	Item Description	Rates (Daily)	Trips	Total
1	Soils/Aggregate/Concrete/Asphalt Field Technician (IDOT Certified) at \$100/Hour *	\$ 800.00	8.00	\$ 6,400.00
2	Vehicle Cost	\$ 65.00	8.00	\$ 520.00
3	Reports (Per Trip)	\$ 95.00	8.00	\$ 760.00
	<b>TOTAL</b>	<b>\$ 960.00</b>		<b>\$ 7,680.00</b>

\* Soils = 0 trips, HMA = 2 Trips, PCC = 6 Trips

**Other Unit Costs**

No.	Item Description	Rates	No.	Total	
1	Project Management (Meetings, Issues)	Each Hour	\$125.00	5.0	\$625.00
2	Nuclear Gauge Rental	Each Day	\$45.00	4.0	\$180.00
3	Sample/Cylinder Pick-up	Each Trip	\$95.00	8.0	\$760.00
4	Cylinder Compressive Strength (6" x 12")	Each Cylinder	\$28.00	0.0	\$0.00
5	Cylinder Compressive Strength (4" x 8")	Each Cylinder	\$18.00	36.0	\$648.00
6	Atterberg Limits	Each Sample	\$125.00	0.0	\$0.00
7	Hydrometer	Each Sample	\$175.00	0.0	\$0.00
8	Washed Aggregate Gradation	Each Sample	\$150.00	0.0	\$0.00
9	Standard Proctor	Each Sample	\$175.00	0.0	\$0.00
10	Modified Proctor	Each Sample	\$200.00	0.0	\$0.00
11	Hot-Mix-Asphalt (HMA) Air Voids (2 Gmm & 2 Gmb) & AC Content by Extraction	Each Sample	\$700.00	2.0	\$1,400.00
12	Core Analysis (Density & Thickness) Single Core	Each Core	\$65.00	6.0	\$390.00
	<b>TOTAL</b>				<b>\$4,003.00</b>

<b>GRAND TOTAL</b>				<b>\$ 11,683.00</b>
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**Notes:**

- 1 Soils/Aggregate/HMA samples and Concrete Cylinders will be tested at Interra's Laboratory in Bolingbrook, IL.
- 2 All times are portal to portal.
- 3 Above mentioned unit rates are applicable till Dec 31, 2017.
- 4 Saturday's and OT (exceeding 8 hrs on Weekdays) will be charged at \$140.00 / hr for the Field Technician.
- 5 Minimum (Show -up) time will be charged at \$ 225/day, in case of same day cancellations.
- 6 Union field technician (Local 150) will be provided on the job.

**Terms & Conditions**

Client recognizes that prompt payment is a material element of the consideration that Interra requires to perform the services listed herein. Client shall pay Interra the full invoice amount of the invoice within 30 days from the date of invoice.

If this proposal and Terms & Conditions are acceptable to you please sign & return a copy for our files.

Accepted by: \_\_\_\_\_

Printed Name & Title

Company: \_\_\_\_\_

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



BE IT RESOLVED, by the Mayor & City Council of the  
City of Lockport Illinois  
City, Town or Village  
Council or President and Board of Trustees

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
2 <sup>nd</sup> Street Bridge	local	over I&M Canal	

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of the removal & replacement of the existing Bridge.

\_\_\_\_\_

\_\_\_\_\_ and shall be constructed \_\_\_\_\_ wide

and be designated as Section 13.-00080-00-BR

2. That there is hereby appropriated the (additional  Yes  No) sum of Three hundred and two thousand

\_\_\_\_\_ Dollars ( \$302,000.00 ) for the

improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by contract; and,

Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved \_\_\_\_\_

Date \_\_\_\_\_

Department of Transportation

\_\_\_\_\_

Regional Engineer

I, Alice Matteucci Clerk in and for the  
City of Lockport  
City, Town or Village  
 County of Will, hereby certify the  
 foregoing to be a true, perfect and complete copy of a resolution adopted  
 by the Mayor & City Council  
Council or President and Board of Trustees  
 at a meeting on \_\_\_\_\_  
Date  
 IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this  
 \_\_\_\_\_ day of \_\_\_\_\_  
 (SEAL)  
 \_\_\_\_\_  
City, Town, or Village Clerk

 <b>Illinois Department of Transportation</b> <b>Local Public Agency Agreement for Federal Participation</b>	Local Public Agency City of Lockport	State Contract X	Day Labor	Local Contract	RR Force Account
	Section 13-00080-00-BR	Fund Type STP-Br	ITEP, SRTS, or HSIP Number(s)		
Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-314-14	BROS-4003(334)				

This Agreement is made and entered into between the above local public agency, hereinafter referred to as the "LPA", and the State of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LPA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans prepared by, or on behalf of the LPA, approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration, hereinafter referred to as "FHWA".

**Location**

Local Name Second Street Route Off-System Length 0.05 Mi.  
Termini Over I&M Canal

Current Jurisdiction LPA TIP Number 12-14-0009 Existing Structure No 099-6507

**Project Description**

Phase III Construction and Construction Engineering for the removal and replacement of the bridge.

**Division of Cost**

Type of Work	STP-Br	%	%	LPA	%	Total
Participating Construction	1,184,000	( * )	( )	296,000	( BAL )	1,480,000
Non-Participating Construction		( )	( )		( )	
Preliminary Engineering		( )	( )		( )	
Construction Engineering	135,200	( * )	( )	33,800	( BAL )	169,000
Right of Way		( )	( )		( )	
Railroads		( )	( )		( )	
Utilities	24,000	( * )	( )	6,000	( BAL )	30,000
Materials						
<b>TOTAL</b>	<b>\$ 1,343,200</b>			<b>\$ 335,800</b>		<b>\$ 1,679,000</b>

\*Maximum FHWA (STP-Br) participation 80% not to exceed \$1,343,200.

**NOTE:** The costs shown in the Division of Cost table are approximate and subject to change. The final LPA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

**Local Public Agency Appropriation**

By execution of this Agreement, the LPA attests that sufficient moneys have been appropriated or reserved by resolution or ordinance to fund the LPA share of project costs. A copy of the authorizing resolution or ordinance is attached as an addendum (**required for State-let contracts only**)

**Method of Financing (State Contract Work Only)**

METHOD A---Lump Sum (80% of LPA Obligation) \_\_\_\_\_  
METHOD B--- \_\_\_\_\_ Monthly Payments of \_\_\_\_\_ due by the \_\_\_\_\_ of each successive month.  
METHOD C---LPA's Share Balance \_\_\_\_\_ divided by estimated total cost multiplied by actual progress payment.

(See page two for details of the above methods and the financing of Day Labor and Local Contracts)

## Agreement Provisions

### THE LPA AGREES:

- (1) To acquire in its name, or in the name of the **STATE** if on the **STATE** highway system, all right-of-way necessary for this project in accordance with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and established State policies and procedures. Prior to advertising for bids, the **LPA** shall certify to the **STATE** that all requirements of Titles II and III of said Uniform Act have been satisfied. The disposition of encroachments, if any, will be cooperatively determined by representatives of the **LPA**, and the **STATE** and the **FHWA**, if required.
- (2) To provide for all utility adjustments, and to regulate the use of the right-of-way of this improvement by utilities, public and private, in accordance with the current Utility Accommodation Policy for Local Agency Highway and Street Systems.
- (3) To provide for surveys and the preparation of plans for the proposed improvement and engineering supervision during construction of the proposed improvement.
- (4) To retain jurisdiction of the completed improvement unless specified otherwise by addendum (addendum should be accompanied by a location map). If the improvement location is currently under road district jurisdiction, an addendum is required.
- (5) To maintain or cause to be maintained, in a manner satisfactory to the **STATE** and the **FHWA**, the completed improvement, or that portion of the completed improvement within its jurisdiction as established by addendum referred to in item 4 above.
- (6) To comply with all applicable Executive Orders and Federal Highway Acts pursuant to the Equal Employment Opportunity and Nondiscrimination Regulations required by the U.S. Department of Transportation.
- (7) To maintain, for a minimum of 3 years after final project close-out by the **STATE**, adequate books, records and supporting documents to verify the amounts, recipients and uses of all disbursements of funds passing in conjunction with the contract; the contract and all books, records and supporting documents related to the contract shall be available for review and audit by the Auditor General and the department; and the **LPA** agrees to cooperate fully with any audit conducted by the Auditor General and the **STATE**; and to provide full access to all relevant materials. Failure to maintain the books, records and supporting documents required by this section shall establish a presumption in favor of the **STATE** for the recovery of any funds paid by the **STATE** under the contract for which adequate books, records and supporting documentation are not available to support their purported disbursement.
- (8) To provide if required, for the improvement of any railroad-highway grade crossing and rail crossing protection within the limits of the proposed improvement.
- (9) To comply with Federal requirements or possibly lose (partial or total) Federal participation as determined by the **FHWA**.
- (10) (State Contracts Only) That the method of payment designated on page one will be as follows:
  - Method A - Lump Sum Payment. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of billing, in lump sum, an amount equal to 80% of the **LPA**'s estimated obligation incurred under this Agreement. The **LPA** will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) within thirty (30) calendar days of billing in a lump sum, upon completion of the project based on final costs.
  - Method B - Monthly Payments. Upon award of the contract for this improvement, the **LPA** will pay to the **STATE**, a specified amount each month for an estimated period of months, or until 80% of the **LPA**'s estimated obligation under the provisions of the Agreement has been paid, and will pay to the **STATE** the remainder of the **LPA**'s obligation (including any nonparticipating costs) in a lump sum, upon completion of the project based upon final costs.
  - Method C - Progress Payments. Upon receipt of the contractor's first and subsequent progressive bills for this improvement, the **LPA** will pay to the **STATE** within thirty (30) calendar days of receipt, an amount equal to the **LPA**'s share of the construction cost divided by the estimated total cost, multiplied by the actual payment (appropriately adjusted for nonparticipating costs) made to the contractor until the entire obligation incurred under this Agreement has been paid.Failure to remit the payment(s) in a timely manner as required under Methods A, B, or C, shall allow the **STATE** to internally offset, reduce, or deduct the arrearage from any payment or reimbursement due or about to become due and payable from the **STATE** to **LPA** on this or any other contract. The **STATE**, at its sole option, upon notice to the **LPA**, may place the debt into the Illinois Comptroller's Offset System (15 ILCS 405/10.05) or take such other and further action as may be required to recover the debt.
- (11) (Local Contracts or Day Labor) To provide or cause to be provided all of the initial funding, equipment, labor, material and services necessary to construct the complete project.
- (12) (Preliminary Engineering) In the event that right-of-way acquisition for, or actual construction of, the project for which this preliminary engineering is undertaken with Federal participation is not started by the close of the tenth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal funds received under the terms of this Agreement.
- (13) (Right-of-Way Acquisition) In the event that the actual construction of the project on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the project is federally authorized, the **LPA** will repay the **STATE** any Federal Funds received under the terms of this Agreement.

- (14) (Railroad Related Work Only) The estimates and general layout plans for at-grade crossing improvements should be forwarded to the Rail Safety and Project Engineer, Room 204, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois, 62764. Approval of the estimates and general layout plans should be obtained prior to the commencement of railroad related work. All railroad related work is also subject to approval by the Illinois Commerce Commission (ICC). Final inspection for railroad related work should be coordinated through appropriate IDOT District Bureau of Local Roads and Streets office.
- Plans and preemption times for signal related work that will be interconnected with traffic signals shall be submitted to the ICC for review and approval prior to the commencement of work. Signal related work involving interconnects with state maintained traffic signals should also be coordinated with the IDOT's District Bureau of Operations.
- The **LPA** is responsible for the payment of the railroad related expenses in accordance with the **LPA**/railroad agreement prior to requesting reimbursement from IDOT. Requests for reimbursement should be sent to the appropriate IDOT District Bureau of Local Roads and Streets office.
- Engineer's Payment Estimates shall be in accordance with the Division of Cost on page one.
- (15) And certifies to the best of its knowledge and belief its officials:
- are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency;
  - have not within a three-year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements receiving stolen property;
  - are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, local) with commission of any of the offenses enumerated in item (b) of this certification; and
  - have not within a three-year period preceding the Agreement had one or more public transactions (Federal, State, local) terminated for cause or default.
- (16) To include the certifications, listed in item 15 above, and all other certifications required by State statutes, in every contract, including procurement of materials and leases of equipment.
- (17) (State Contracts) That execution of this agreement constitutes the **LPA's** concurrence in the award of the construction contract to the responsible low bidder as determined by the **STATE**.
- (18) That for agreements exceeding \$100,000 in federal funds, execution of this Agreement constitutes the **LPA's** certification that:
- No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or any employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement;
  - If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress, in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions;
  - The **LPA** shall require that the language of this certification be included in the award documents for all subawards at all ties (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
- (19) To regulate parking and traffic in accordance with the approved project report.
- (20) To regulate encroachments on public right-of-way in accordance with current Illinois Compiled Statutes.
- (21) To regulate the discharge of sanitary sewage into any storm water drainage system constructed with this improvement in accordance with current Illinois Compiled Statutes.
- (22) To complete this phase of the project within three (3) years from the date this agreement is approved by the **STATE** if this portion of the project described in the Project Description does not exceed \$1,000,000 (five years if the project costs exceed \$1,000,000).
- (23) To comply with the federal Financial Integrity Review and Evaluation (FIRE) program, which requires States and subrecipients to justify continued federal funding on inactive projects. 23 CFR 630.106(a)(5) defines an inactive project as a project which no expenditures have been charged against Federal funds for the past twelve (12) months.
- To keep projects active, invoicing must occur a minimum of one time within any given twelve (12) month period. However, to ensure adequate processing time, the first invoice shall be submitted to the **STATE** within six (6) months of the federal authorization date. Subsequent invoices will be submitted in intervals not to exceed six (6) months.
- (24) The **LPA** will submit supporting documentation with each request for reimbursement from the **STATE**. Supporting documentation is defined as verification of payment, certified time sheets or summaries, vendor invoices, vendor receipts, cost plus fix fee invoice, progress report, and personnel and direct cost summaries and other documentation supporting the requested reimbursement amount (Form BLRS 05621 should be used for consultant invoicing purposes). **LPA** invoice requests to the **STATE** will be submitted with sequential invoice numbers by project.

The **LPA** will submit to the **STATE** a complete and detailed final invoice with applicable supporting documentation of all incurred costs, less previous payments, no later than twelve (12) months from the date of completion of this phase of the improvement or from the date of the previous invoice, which ever occurs first. If a final invoice is not received within this time frame, the most recent invoice may be considered the final invoice and the obligation of the funds closed.

- (25) The **LPA** shall provide the final report to the appropriate **STATE** district within twelve months of the physical completion date of the project so that the report may be audited and approved for payment. If the deadline cannot be met, a written explanation must be provided to the district prior to the end of the twelve months documenting the reason and the new anticipated date of completion. If the extended deadline is not met, this process must be repeated until the project is closed. Failure to follow this process may result in the immediate close-out of the project and loss of further funding.
- (26) (Single Audit Requirements) That if the **LPA** expends \$750,000 or more a year in federal financial assistance they shall have an audit made in accordance with 2 CFR 200. **LPAs** expending less than \$750,000 a year shall be exempt from compliance. A copy of the audit report must be submitted to the **STATE** (Office of Finance and Administration, Audit Coordination Section, 2300 South Dirksen Parkway, Springfield, Illinois, 62764), within 30 days after the completion of the audit, but no later than one year after the end of the **LPA's** fiscal year. The CFDA number for all highway planning and construction activities is 20.205.

Federal funds utilized for construction activities on projects let and awarded by the **STATE** (denoted by an "X" in the State Contract field at the top of page 1) are not included in a **LPA's** calculation of federal funds expended by the **LPA** for Single Audit purposes.

- (27) That the **LPA** is required to register with the System for Award Management or SAM (formerly Central Contractor Registration (CCR)), which is a web-enabled government-wide application that collects, validates, stores, and disseminates business information about the federal government's trading partners in support of the contract award and the electronic payment processes. To register or renew, please use the following website: <https://www.sam.gov/portal/public/SAM/#1>.

The **LPA** is also required to obtain a Dun & Bradstreet (D&B) D-U-N-S Number. This is a unique nine digit number required to identify subrecipients of federal funding. A D-U-N-S number can be obtained at the following website: <http://fedgov.dnb.com/webform>.

#### THE STATE AGREES:

- (1) To provide such guidance, assistance and supervision and to monitor and perform audits to the extent necessary to assure validity of the **LPA's** certification of compliance with Titles II and III requirements.
- (2) (State Contracts) To receive bids for the construction of the proposed improvement when the plans have been approved by the **STATE** (and **FHWA**, if required) and to award a contract for construction of the proposed improvement, after receipt of a satisfactory bid.
- (3) (Day Labor) To authorize the **LPA** to proceed with the construction of the improvement when Agreed Unit Prices are approved, and to reimburse the **LPA** for that portion of the cost payable from Federal and/or State funds based on the Agreed Unit Prices and Engineer's Payment Estimates in accordance with the Division of Cost on page one.
- (4) (Local Contracts) For agreements with Federal and/or State funds in engineering, right-of-way, utility work and/or construction work:
- (a) To reimburse the **LPA** for the Federal and/or State share on the basis of periodic billings, provided said billings contain sufficient cost information and show evidence of payment by the **LPA**;
- (b) To provide independent assurance sampling, to furnish off-site material inspection and testing at sources normally visited by **STATE** inspectors of steel, cement, aggregate, structural steel and other materials customarily tested by the **STATE**.

#### IT IS MUTUALLY AGREED:

- (1) Construction of the project will utilize domestic steel as required by Section 106.01 of the current edition of the Standard Specifications for Road and Bridge Construction and federal Buy America provisions.
- (2) That this Agreement and the covenants contained herein shall become null and void in the event that the **FHWA** does not approve the proposed improvement for Federal-aid participation within one (1) year of the date of execution of this Agreement.
- (3) This Agreement shall be binding upon the parties, their successors and assigns.
- (4) For contracts awarded by the **LPA**, the **LPA** shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any USDOT – assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The **LPA** shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of USDOT – assisted contracts. The **LPA's** DBE program, as required by 49 CFR part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the **STATE** may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for

enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31U.S.C. 3801 et seq.). In the absence of a USDOT – approved **LPA** DBE Program or on State awarded contracts, this Agreement shall be administered under the provisions of the **STATE's** USDOT approved Disadvantaged Business Enterprise Program.

- (5) In cases where the **STATE** is reimbursing the **LPA**, obligations of the **STATE** shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or applicable Federal Funding source fails to appropriate or otherwise make available funds for the work contemplated herein.
- (6) All projects for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement and/or amendment shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application.

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**ADDENDA**

Additional information and/or stipulations are hereby attached and identified below as being a part of this Agreement.

Number 1- Location Map.      Number 2 - LPA Appropriation Resolution

(Insert Addendum numbers and titles as applicable)

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The **LPA** further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all Addenda indicated above.

**APPROVED**

Local Public Agency

Steven Streit

\_\_\_\_\_  
Name of Official (Print or Type Name)

Mayor

\_\_\_\_\_  
Title (County Board Chairperson/Mayor/Village President/etc.)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Date

The above signature certifies the agency's TIN number is  
36-6005974 conducting business as a Governmental  
Entity.

DUNS Number      070694617

**APPROVED**

State of Illinois  
Department of Transportation

\_\_\_\_\_  
Randall S. Blankenhorn, Secretary

\_\_\_\_\_  
Date

By:

\_\_\_\_\_  
Aaron A. Weatherholt, Deputy Director of Highways

\_\_\_\_\_  
Date

\_\_\_\_\_  
Omer Osman, Director of Highways/Chief Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
William M. Barnes, Chief Counsel

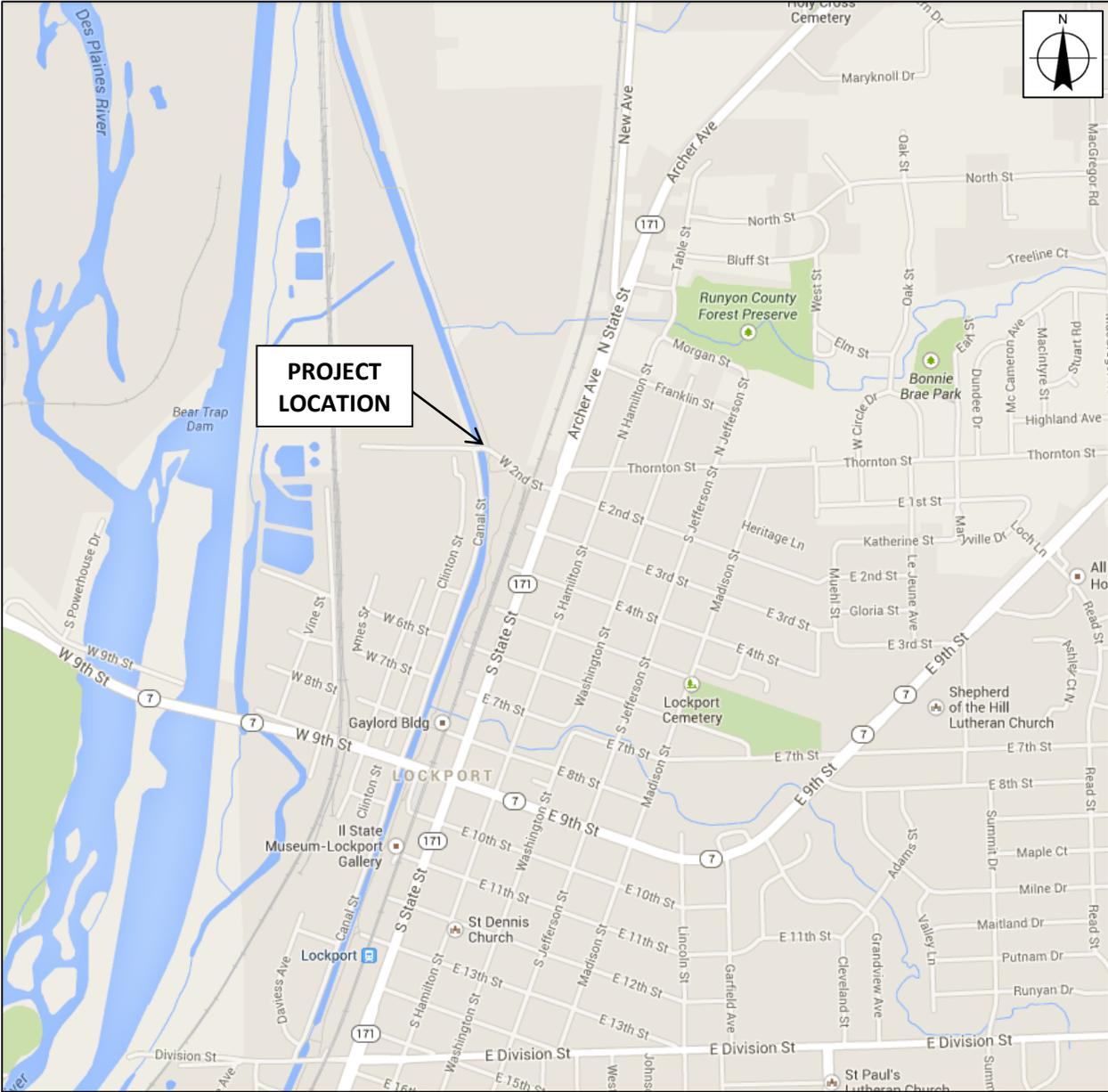
\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeff Heck, Chief Fiscal Officer (CFO)

\_\_\_\_\_  
Date

**NOTE:** If the LPA signature is by an **APPOINTED** official, a resolution authorizing said appointed official to execute this agreement is required.

# LOCATION MAP



**SECOND STREET BRIDGE OVER I & M CANAL  
JOB NO. P-91-314-14, PROJECT NO. BROS-4003(332)  
SECTION NUMBER 13-00080-00-BR  
CITY OF LOCKPORT**