

RESOLUTION NO. _____

**A RESOLUTION REJECTING THE BID OF J. RUSS & COMPANY AND AWARDING
THE CONTRACT FOR THE PHASE I OAKLAND AVENUE WATER MAIN
REPLACEMENT AND ROAD RECONSTRUCTION PROJECT TO SCANLON
EXCAVATING AND CONCRETE IN AN AMOUNT NOT TO EXCEED TWO MILLION
FOUR HUNDRED FORTY-NINE THOUSAND EIGHT HUNDRED THIRTY-SIX
DOLLARS AND TEN CENTS (\$2,449,836.10).**

WHEREAS, the Corporate Authorities of the City of Crest Hill, Will County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, on or around April 8, 2025, the City published in the Joliet Herald News an advertisement for bids for the Phase I Oakland Avenue Water Main Replacement and Road Reconstruction Improvement Project (the “Project”); and

WHEREAS, the City also solicited bids for the Project through the Illinois Department of Transportation’s construction bulletin; and

WHEREAS, the date for submission of bids and the bid opening for the Project was April 30, 2025, in the City of Crest Hill City Council Chambers; and

WHEREAS, a total of five (5) local prequalified contractors picked up bid packages and the City received a total of four (4) submitted bid packages; and

WHEREAS, the City opened the bids and read them aloud at 10:00 a.m. in the Crest Hill City Council Chambers; and

WHEREAS, the four bids received were as follows:

- J. Russ & Company-\$2,289,253.30.
- Scanlon Excavating & Concrete-\$2,449,836.10.
- MJ Underground-\$2,527,968.46.
- Sheridan Plumbing-\$3,160,907.60.

WHEREAS, the Project is expected to be funded in part by funds received from Will County Community Development Block Grant (CDBG) and as such bidders were required to be in good standing with or be currently registered with SAM.gov, a requirement that was clearly stated in the contract documents and bid packets; and

WHEREAS, the bid received from J. Russ and Company did not include proof that J. Russ & Company was currently a member or had currently registered with SAM.gov.; and

WHEREAS, City representatives reached out to Russ & Company regarding this issue and were advised that while Russ & Company had been in good standing with SAM.gov, its

registration had lapsed, and it had not registered or attempted to register prior to the submission of the bid documents; and

WHEREAS, the bid of J. Russ & Company was therefore deemed by the City to contain a fatal defect rendering the bid non-responsive by the City and the next lowest bidder, Scanlon Excavating and Concrete was considered as the next lowest bid; and

WHEREAS, Scanlon Excavating and Concrete also did not include proof of good standing with SAM.gov as part of its bid documents, but City Staff was able to verify that at the time of the bid, Scanlon Excavating and Concrete was indeed in good standing with SAM.gov. and received from Scanlon proof same; and

WHEREAS, the City's Staff consulted Staff from Will County, which deemed Scanlon's failure to include proof of good standing with SAM.gov to be a minor technical error; and

WHEREAS, the City, pursuant to Section 2.7 of the General Covenants, has the right to waive technical errors; and

WHEREAS, City Staff has recommended that the technical defect in the Scanlon Excavating & Concrete bid be waived as the contractor has submitted proof that it was in good standing with SAM.gov at the time of the bid submission and that there were no other defects;

WHEREAS, the Corporate Authorities of the City have reviewed the bids and the City Staff Bid Tabulation and have determined that, based on the foregoing, the J. Russ & Company bid should be rejected as non-responsive and the Scanlon Excavating & Concrete bid should be deemed the lowest responsive and responsible bid acceptable to the City; and

WHEREAS, the Corporate Authorities now desire to award the contract for the Project to Scanlon Excavating & Concrete and find that said award of the contract to be in the best interests of the City and its citizens.

NOW THEREFORE, BE IT RESOLVED BY THE CORPORATE AUTHORITIES OF THE CITY OF CREST HILL, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The Corporate Authorities hereby find that all the recitals contained in the preamble to this Resolution are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. The Corporate Authorities of the City hereby find and declare that the bid of J. Russ & Company has been deemed non-responsive by Will County because the bid did not provide proof of good standing with SAM.gov. and is hereby rejected.

SECTION 3. The Corporate Authorities of the City hereby find and declare that the bid of Scanlon Excavating & Concrete in the amount of Two Million Four Hundred Forty-Nine Thousand Eight Hundred Thirty-Six Dollars and Ten Cents (\$2,449,836.10) is the lowest responsive and responsible bid and have determined to award said contract for the Project to Scanlon Excavating & Concrete.

SECTION 4. The Corporate Authorities of the City hereby authorize and direct the Mayor to execute the contract documents and the City Staff, working in conjunction with the City's paid consultants and other agents, to take all steps necessary to effectuate the intent of this Resolution, which is to award the contract for the Project to Scanlon Excavating & Concrete in an amount not to exceed Two Million Four Hundred Forty-Nine Thousand Eight Hundred Thirty-Six Dollars And Ten Cents (\$2,449,836.10).

SECTION 5. In the event that any provision or provisions, portion or portions, or clause or clauses of this Resolution shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Resolution that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 6. All ordinances, resolutions, motions, or parts thereof conflicting with any of the provisions of this Resolution, are hereby repealed to the extent of the conflict.

SECTION 7. This Resolution shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

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PASSED THIS 19TH DAY OF MAY, 2025.

	Aye	Nay	Absent	Abstain
Alderman Scott Dyke	_____	_____	_____	_____
Alderman Angelo Deserio	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 19TH DAY OF MAY, 2025.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk