

# CITY OF BATAVIA

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**DATE:** April 17, 2013  
**TO:** Scott A. Haines, Street Superintendent  
**FROM:** Mayor and City Council  
**SUBJECT:** Resolution 13-64-R: Authorizing Execution of a Contract for the 2013 Crack Sealing Program with Denler, Inc. in the Amount of \$50,000

## Summary

The City of Batavia has an annual crack sealing program to prevent water and other materials from entering and weakening pavement bases, causing deterioration. This year's budget includes \$50,000 for the project.

## Background

Staff identifies pavement throughout the city that would benefit from the crack filling application. The contractor must route out and remove loose material from the cracked areas and properly insert a special material to seal the cracked area.

## Proposals

Only one bid was received as follows:

<b>Contractor</b>	<b>Cost Per Lineal Foot</b>	<b># of Lineal Feet to be Sealed</b>
Denler, Inc.	\$0.342	146,198

## Staff Recommendation

Staff recommends acceptance of the low bid of \$0.342 per lineal foot from Denler, Inc., of Mokena, Illinois. The company has worked on this project in past years and performed satisfactorily.

## Timeline

The contractor will have 45 days from execution of documents to complete the program. We anticipate that this will occur in May/June.

## Recommended Committee / Council Action

**Motion:** Approve Resolution 13-64-R, authorizing execution of a contract for the 2013 Crack Sealing Program with Denler, Inc., of Mokena, Illinois, for an amount not to exceed \$50,000

c: Bill McGrath, Gary Holm, Heidi Wetzel, and Kevin Drendel

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 13-64-R**

**AUTHORIZING THE EXECUTION A CONTRACT WITH DENLER, INC. FOR  
AN AMOUNT NOT TO EXCEED \$50,000**

**WHEREAS**, the City of Batavia wishes to extend the life of pavement in various locations through the application of crack sealing material;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATAVIA, KANE COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** That the Mayor and City Clerk are hereby authorized to execute the contract with Denler, Inc., attached hereto as EXHIBIT 1.

**PRESENTED** to the City Council of the City of Batavia, Illinois, on the 6<sup>th</sup> day of May, 2013.

**PASSED** by the City Council of the City of Batavia, Illinois, on the 6<sup>th</sup> day of May, 2013.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, on the 6<sup>th</sup> day of May, 2013.

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Mayor

Ward	Aldermen	Ayes	Nays	Absent	Abstain	Aldermen	Ayes	Nays	Absent	Abstain
1	O'Brien					Sparks				
2	Callahan					Wolff				
3	Hohmann					Chanzit				
4	Saam					Stark				
5	Vasilion					Theelin Atac				
6	Cerone					Clark				
7	McFadden					Brown				
Mayor Schielke										
VOTE:		Ayes	0 Nays	Absent	0 Abstention(s) counted as _____					
Total holding office: Mayor and 14 aldermen										

ATTEST:

\_\_\_\_\_  
Heidi Wetzel, City Clerk



**CONTRACT**

1. **THIS AGREEMENT**, made and concluded this 6<sup>th</sup> day of May, 2013, between the **City of Batavia** acting by and through **the City Council of the City of Batavia**, known as the party of the first part, and **“Denler, Inc.” of “Mokena, IL”** their executors, administrators, successors, or assigns, known as the party of the second part.
2. **WITNESSETH:** That for and in consideration of the payments and agreements mentioned in the Proposal, attached hereto, to be made and performed by the part of the first part and, according to the terms expressed in the Contract Bond referring to these presents, the party of the second part agrees with said party of the first part, at their own proper cost and expense, to do all the work, furnish all materials, and all labor necessary to construct the **2013 Crack Sealing Program** in accordance with the plans, specifications, and special provisions hereinafter described and in full compliance with all of the parts of this agreement and the requirements of the Engineer under it.
3. And it is also understood and agreed to that the Contract Documents for the **2013 Crack Sealing Program** attached hereto, constitute all essential documents of this contract and are a part thereof.
4. **IN WITNESS WHEREOF**, the said parties have executed these presents on the date above mentioned.

For the Owner,  
Party of the First Part      **City of Batavia**

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Attest: Heidi Wetzel, City Clerk      By: \_\_\_\_\_  
(Corporate Seal)      Jeffery D. Schielke, Mayor

For the Contractor,  
Party of the Second Part      **Denler, Inc., Mokena, IL**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_  
President, Party of Second Part

\_\_\_\_\_  
Attest:      Secretary