



Item M.
Approved

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Regular Village Board meetings are held at 7:30 p.m., the first and third Mondays of each month in Council Chambers of Village Hall, 123 Madison St. When a regular meeting falls on a holiday, the meeting typically is held the following night. The Village Board also meets in special sessions, usually on the second and fourth Monday. However, dates and times of special meetings can vary and may change.

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File #: RES 19-231

Name:

Type: Resolution

Status: Consent Agenda

In control: President and Board of Trustees

On agenda: 7/22/2019

Final action:

Title: A Resolution Approving an Amendment to the Independent Contractor Agreement with Oak Brook Mechanical Services, Inc. to Provide Emergency and Planned Heating, Ventilation and Air Conditioning Work and Repairs to Change the Not to Exceed Amount from \$20,000 to \$40,000 and Authorizing its Execution

Attachments: 1. OMS Resolution, 2. OMS Amendment, 3. Attachment-OMS Agreement, 4. Attachment-SOS-OMS

[History \(0\)](#) [Text](#)

Submitted By

John P. Wielebnicki, Public Works Director

Reviewed By

LKS

Agenda Item Title

A Resolution Approving an Amendment to the Independent Contractor Agreement with Oak Brook Mechanical Services, Inc. to Provide Emergency and Planned Heating, Ventilation and Air Conditioning Work and Repairs to Change the Not to Exceed Amount from \$20,000 to \$40,000 and Authorizing its Execution

Overview

Additional, unplanned Heating, Ventilation and Air Conditioning (HVAC) repairs are needed at the Village Hall and Public Works Center and for work necessary at the Holley Court Parking Garage. This item includes an Amendment to the Independent Contractor Agreement with Oak Brook Mechanical Services, Inc. (OMS) increasing the agreement from \$20,000.00 to \$40,000.00.

Staff Recommendation

Approve the Resolution.

Fiscal Impact

The FY2019 Public Works Department, Building Maintenance Division Operating Budget includes a total of \$171,639.58 in accounts 1001-43790-101, 711, 712, 713, 714 and 717-540674 for property repairs. To date, \$89,521.67 remains.

The FY2019 Parking Fund, Holley Court Property Repair account # 5060-43770-788-540674 includes a total of \$27,000 of which \$20,355.55 remains.

If approved, the total contract cost with OMS would not exceed \$40,000.00.

Background

On February 28, 2019, the Village Manager approved an Independent Contractor Agreement and Purchase Order (PO) with OMS for emergency HVAC repairs for \$20,000.00. As of June 26, 2019, \$680.00 remains on the Purchase Order.

Repairs to the HVAC system at Village Hall are needed (replacement of air valve regulator and bleeder valve and replacement of inoperable pneumatic actuators and thermostats). In addition, intermittent problems on the roof top Air Conditioning (AC) unit at the Public Works Center (variable frequency drive) are needed. Staff estimates the cost for these two repairs to be approximately \$8,000.00.

Also, Holley Court has an AC unit that needs to be repaired. The total cost for that repair is \$405.00.

The balance of \$12,275.00 would be for unforeseen repairs needed for the rest of 2019.

Alternatives

The Village Board could delay action to gain additional information.

Previous Board Action

The Village Board has approved similar amendments to repair agreements in the past.

Citizen Advisory Commission Action

N/A.

Anticipated Future Actions/Commitments

If additional HVAC system repairs are needed at various locations in 2019 the Agreement would need to be further amended.

Intergovernmental Cooperation Opportunities

N/A.

ORIGINAL

RES 19-231_M_072219

RESOLUTION

A RESOLUTION APPROVING AN AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT WITH OAK BROOK MECHANICAL SERVICES, INC. TO PROVIDE EMERGENCY AND PLANNED HEATING, VENTILATION AND AIR CONDITIONING WORK AND REPAIRS TO CHANGE THE NOT TO EXCEED AMOUNT FROM \$20,000 TO \$40,000 AND AUTHORIZING ITS EXECUTION

BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois ("Village"), In the exercise of their home rule powers, that an Amendment to the Independent Contractor Agreement ("Agreement") with Oak Brook Mechanical Services, Inc. to provide emergency and planned heating, ventilating and air conditioning work to change the not to exceed amount from \$20,000 to \$40,000 is approved and the Village Manager is authorized to execute the Amendment in substantially the form attached.

THIS RESOLUTION shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 22nd day of July 2019, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb	✓			
Trustee Andrews	✓			
Trustee Boutet	✓			
Trustee Buchanan	✓			
Trustee Moroney				✓
Trustee Taglia	✓			
Trustee Walker-Peddakotia	✓			

APPROVED this 22nd day of July, 2019.


Anan Abu-Taleb, Village President

ATTEST


Vicki Scaman, Village Clerk

**AN AMENDMENT TO AN INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE VILLAGE OF OAK PARK AND OAK BROOK MECHANICAL SERVICES, INC. TO PROVIDE EMERGENCY AND PLANNED HEATING, VENTILATION AND AIR CONDITIONING WORK AND REPAIRS
TO CHANGE THE NOT TO EXCEED AMOUNT FROM \$20,000 TO \$40,000**

THIS AMENDMENT TO THE INDEPENDENT CONTRACTOR AGREEMENT DATED February 4, 2019 between the Village of Oak Park, an Illinois home rule municipal corporation, and Oak Brook Mechanical Services, Inc., an Illinois corporation, is entered into this 29 day of July, 2019 (collectively referred to as the "Parties").

RECITALS

WHEREAS, the Parties entered into an Independent Contractor Agreement dated February 28, 2019 ("Contract"); and

WHEREAS, the Parties seek to amend the Independent Contractor Agreement pursuant to this Amendment.

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the Parties, the Parties hereto agree as follows:

1. RECITALS INCORPORATED. The above recitals are incorporated herein as though fully set forth.

2. AMENDMENT TO CONTRACT. Section 2 ("Scope of Work") of the Contract is amended by adding the underlined language and deleting the overstricken language as follows:

Contractor shall perform the Work in accordance with its Proposal for a price not to exceed ~~\$20,000.00~~ \$40,000.00 ("Contract Price").

3. OTHER PROVISIONS OF THE CONTRACT TO REMAIN IN EFFECT. All other terms and conditions of the Contract shall remain in full force and effect.

4. EFFECTIVE DATE. This Amendment to the Contract shall be deemed dated and become effective on the date of its execution by the Village Manager of the Village of Oak Park.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK –
SIGNATURE PAGE FOLLOWS]**


IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Contract to be signed by their duly authorized representatives on the dates set forth below.

VILLAGE OF OAK PARK



By: Cara Pavlicek
Its: Village Manager

OAK BROOK Mechanical Services, INC



By: Mark Sullivan
Its: President

Dated: 7/29, 2019

Dated: 8/12, 2019

ATTEST

ATTEST



By: Vicki Scaman
Its: Village Clerk



By: Joseph Sullivan
Its: Secretary

Dated: 7/29, 2019

Dated: August 12, 2019

REVENUE & FINANCE

AUGUST 12, 2019



LAURENCE