

WAUKEGAN PARK DISTRICT

MEMORANDUM

To: Board of Park Commissioners

From: Jay Lerner / Quincy Bejster

Date: May 14, 2024

Re: Sole Source Procurement Bevier Pond Sediment Removal Via Diver Dredging

Staff recommends entering into an agreement using Sole Source Procurement for Bevier Pond Sediment Removal Via Diver Dredging based on the following research.

1. Provide a description of the unique features that prohibit competition:
Diver Dredging is a very specific form of sediment removal that allows for thorough, efficient, and economical removal of ecologically and recreationally damaging sediment with very little impact to both the recreational use and aesthetics of Bevier Park during the required 2–3-month long maintenance operation. It is accomplished with specific, custom equipment, some of which is patented that only one provider, Organic Sediment Removal Systems (OSRS) can provide.
2. Document the research conducted to verify the vendor as the only known source. (Include a brief description of the marketplace, such as who are the dealers, distributors, etc.):
Staff first secured an estimate from our current Pond Management contractor, Integrated Lakes Management for Hydraulic Barge Dredging which was \$921,470. Our research shows that this is an inferior way of removing sediment since the suction head is not well directed as it is with diver dredging making it less thorough and effecient. In researching diver dredging, we discovered that OSRS is the only contractor that services our area and utilizes the custom equipment and techniques that can remove the sediment in the minimally impactful way we desire. In addition, the OSRS estimate of \$481,795 is almost 50% cheaper than Integrated Lakes Management’s estimate. Staff has concluded that OSRS is the best, most cost effective and well-qualified contractor on the market to do the specialized work we require.

Due to the fact the equipment, product, commodity or service:

1. can only be provided from one (1) known source; and
2. is unique or special in nature; and
3. is a proprietary system; and

4. is of specialized nature and
5. there is no other qualified service provider available.

In accordance with the Illinois Procurement Code, District staff is seeking approval of the sole source procurement of \$481,795 for the sediment removal at Bevier Pond.

WAUKEGAN PARK DISTRICT

Justification for Sole Source Purchases or Contracts

Staff: Tim Girmscheid	Date: 5-8-24	Department: Parks
Company/Supplier: <u>Organic Sediment Removal Systems</u> <u>N 9397 7th Ave. S. Necedah, WI 54646</u> Sole Source Procurement — In accordance with the Illinois Procurement Code, sole source procurement is permissible when the service or item being sought is available from only a single vendor.		

Proprietary Product — Is one that is manufactured and marketed by a person or persons having the exclusive right to manufacture and sell the product. Marketing is generally controlled by franchises that may include competitive sales at wholesale or retail levels. When it is found that bids may be obtained from different franchises, a competitive selection must be issued.

This purchase is economically only available from a single source because:

- Only one responsible source and no other supplies or services will satisfy District's requirements.
- There is an unusual and compelling urgency.
- It is for professional services.
- It is a Public Utility service.
- Authorized or required by statute.
- Item or service is copyrighted or patented and is not available except from the holder of the copyright or patent.
- National security.
- Public interest / other. (provide information below)

Rationale

1) The acquisition of these goods or services is needed because:

The Bevier Pond is 39% full of sediment which greatly hinders recreational use and limits ecological quality. The specific use of Diver Dredging with an onshore pump and a remote deposition site at Callahan Park is the only feasible and economical way to remove sediment with minimal impact to the park.

2) The requested goods/services are the only ones that can satisfy our requirements because (e.g. The Park District has an existing playground that requires matching equipment to retain the play value and aesthetic.):

Other forms old dredging including mechanical (typically draining the pond and removing sediment with a backhoe) and barge dredging result in huge impacts to recreational use and aesthetics of the park.

3) The supplier is the only practicably available source from which the product or service can be obtained because:

They are the only sediment removal company utilizing diver dredging in our area that uses a patented suction head which allows thorough and effecient removal and pumping of sediment long distances in a cost effective way.

4) Will this purchase obligate the District to this vendor for future purchases, for example maintenance, licensing or continuing need?

YES _____ NO

5) Is the price for this purchase considered to be fair and reasonable because (e.g., The cost for this equipment is commensurate with the cost of comparable equipment purchased by the District in recent years.):

6) Amount to be paid: \$ 481,795

Actual _____ Estimated

Term

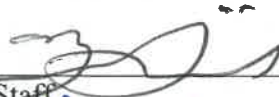
One Time Purchase

Ongoing Purchase

Approval:

Date: _____

ATTESTED

 Tim Gimscheid
Staff

 Chris Murphy
Staff

 Quincy Bejster
Staff



ORGANIC SEDIMENT REMOVAL SYSTEMS, LLC

"A Leader in Pond Restoration since 1990"

Richard Kohutko - Owner
 N9397 7th Avenue South
 Necedah, WI 54646
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 Cell: 608-547-7753
 Fax: 608-565-6434
<http://www.pondclean.com>

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 FL: 561-328-3757

March 15, 2024 **Revised May 8, 2024**

Tim Girmscheid
 C/O Bevier Park
 Waukegan Parks District
 Waukegan, IL
 847-561-1379 tgirmscheid@waukeganparks.org

Project Location

**Bevier Park
 Waukegan, IL**

Dear Tim,

We wish to thank you for considering OSR Systems for your pond-restoration project. We are the original founders of this type of system and have been removing sediments from ponds and other waterways for the past 34 years. Most of our equipment has been modified and patented exclusively for OSR Systems. I am confident we can be of valuable service in your efforts also. As you are aware, OSR Systems' charges are based on time and material to save our clients time and funds as well as work within their budgets. If elected, this process also allows projects to be completed in stages instead of all at once.

"SCOPE OF WORK"

- **Operations of OSR Systems**

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

- **Exclusions.**

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

PROPOSAL (Removal of Typical Pond Sediments, 75% Organic, 20% Loam Soils, 5% Clays)
Private Pond, 3.45 Acres

- **Sediment Removal of 3.0 Feet, Greater Bowl Area of 3.0 Acre or 14,400 Liquid Cubic Yards**
 450 Hours @ \$650hr.....\$ 292,500
 10 silt container 90' cir X 150' at \$8,975 equals.....(If Open Discharge N/C).....\$ 89,750
 Mobilization and Equipment.....\$ 71,455
 Silt Container Preparation @ 200 ft x 400 ft.....(Owner).....\$ Owner
High Range Total.....\$ 453,705

**** Total yards are calculated with an 8 foot Apron. (3.0 Acres)**

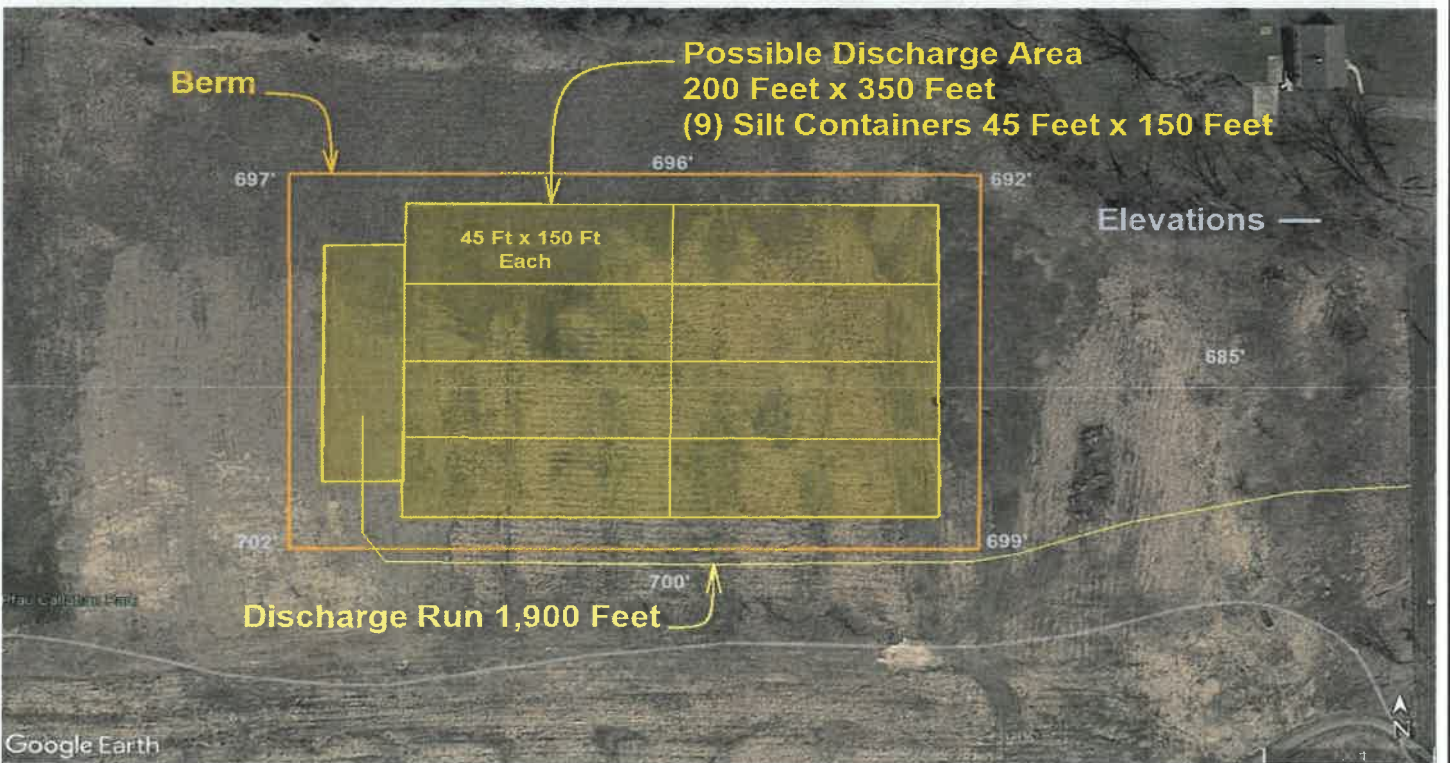
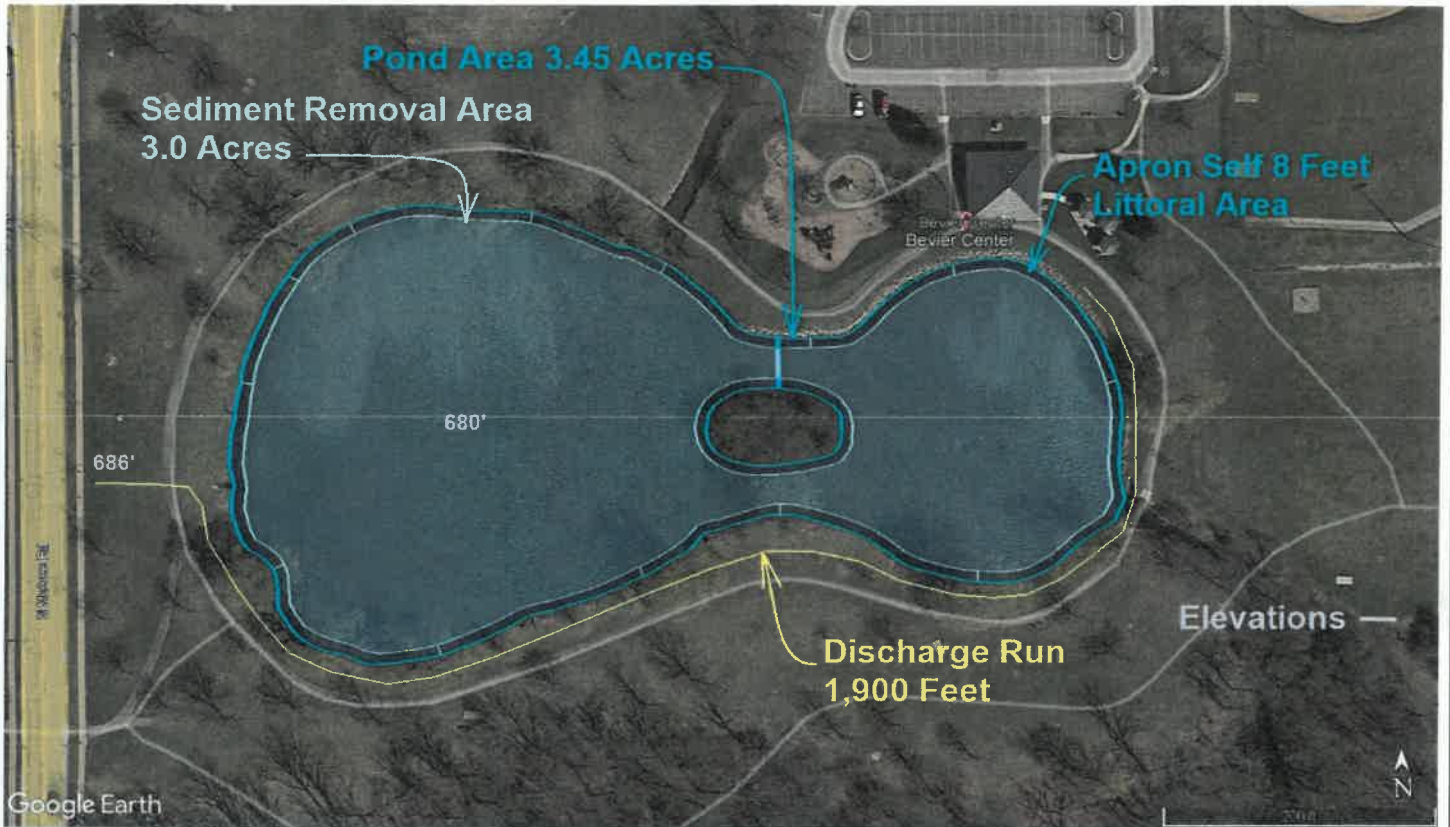
- ** Possible Extras.....(1) 6 inch booster pump.... 3 months.....\$14,600**
(1,900 Foot Run @ 20 Feet Elevation)
- ** Plastic 5 mil entire discharge area 26 rolls.....\$ 3,640**
- ** Return Discharge water back to pond.....\$ 9,850**
- ** A bid and performance bond is not included in this proposal, please add and allowance of \$30.00 per thousand to the High range total if requested.....\$ 14,460**

High Range Total with extras.....\$ 481,795

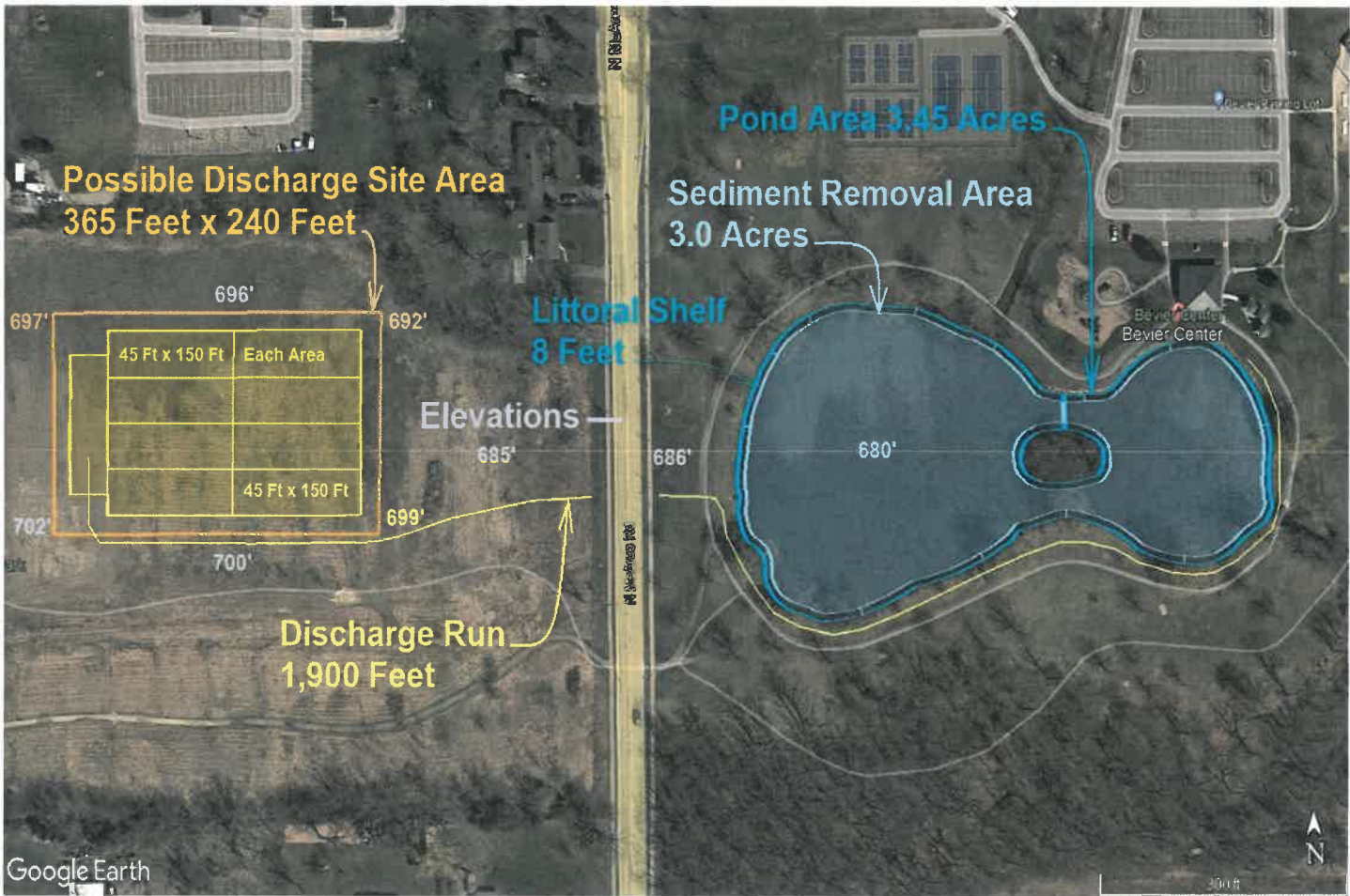
**** Prices are good for 4 months.**

- **Option 1**
 If you would like to remove sediments from specific areas of the pond:
 - Rate = \$650 per hour; sediment removal of 40-60 liquid cubic yards per hour
You may choose a minimum of eight (8) hours or higher.

Site Map



Site Map



Discharge Site Options and Conditions

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

As stated on page one of this proposal (unless open discharge), OSR Systems is **not responsible** for the preparation of the discharge site, which includes the mulched or graded area for the silt containers. Your local landscapers or excavators can prepare the discharge site more economically. As for the leftover sediments in the discharge area, they can be graded and seeded over on site or the material can be hauled off site after it has hard-dried. There may be as much as **230 cubic yards** in the discharge site to be hauled away per every 1 acre area of 1 foot deep of sediment removed; you will need to check with an excavation or trucking contractor in your area for the cost of this sediment removal after compression. OSR Systems is not responsible for any of these charges. The average cost in your area is **\$40.00 per cubic yard**.

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

For a more accurate proposal, you may have a sediment and viscosity (bathymetric) study performed to determine the actual sediment depth for around **\$2,375.00**. If you are hauling the material off site, you may need a chemical analysis report of the sediments which is around another **\$975.00 Per sample**. (Depending upon your area and size of the body of water). Otherwise, the cost stated in this proposal is an average of sediment accumulation determined by 34 years of experience. There are factors which could affect the average accumulation of sediments in waterways and ponds such as, streams, flooding, culverts, heavy foliage, poor maintenance, discharge distance and elevation. Therefore, not all of the sediments may be removed in the hours stated in this proposal.

OSR Systems Requires a 10% deposit 2 weeks before the start of all projects, 10% completion payments as the project progresses, and 10%, 30 days after completion, as well as this contract signed by the party responsible for payment.

If you have any questions or I can be of any further assistance, please call me at 608-565-7105.

Sincerely,

Rich Kohutko

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

Signature: _____

Date: _____

