# Request For Board Action

**REFERRED TO BOARD:** August 1, 2016 **AGENDA ITEM NO: 8**

**ORIGINATING DEPARTMENT:** Community Development

**SUBJECT:** Consideration of a Resolution accepting public improvements for IDI, Phase 1A, or a/k/a Antioch Corporate Park.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**
This matter comes before the Village Board on the applicant's request for the Village to accept the public improvements that were completed as the first phase of Unit 1A at the Antioch Corporate Park. These improvements include Gregory Drive and the municipal utility easements located within the first phase.

**FINANCIAL IMPACT:** None

**DOCUMENTS ATTACHED:**
1. Resolution
2. H.R. Green correspondence dated June 27, 2016.

**RECOMMENDED MOTION:**
Motion to approve a Resolution accepting the public improvements for IDI, Phase 1A and lower the existing Letter of Credit in accordance with the recommendation of H.R. Green.

**RESOLUTION NO. 16-**

***FINAL APPROVAL – SUBDIVISION IMPROVEMENTS***
***IDI, Phase 1A Improvements***

***WHEREAS***, the Village of Antioch approved a Preliminary P.U.D Plat. and Special Use Plan for the development known as **IDI, Phase 1A** by Ordinance Number 07-7-12 on July 2, 2007.

***WHEREAS***, the Public and Quasi-Public Improvements for this phase of IDI,1A have been satisfactorily completed and approved, such improvements include:

1) Gregory Drive and right of way, including street lights.
2) A 15 foot municipal utility easement along Gregory Drive
3) A municipal utility easement for municipal utilities.

***WHEREAS,*** the Village 's Consulting Engineer, H.R. Green has issued a memorandum dated June 27, 2016 which is attached hereto as EXHIBIT 1, indicating substantial compliance with the Plans and Specifications for the Final Plat and Final Engineering;

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION I:** that the Public and Quasi - Public Improvements, required by the Antioch Subdivision Code, Title 10 and Title 11, Chapter 9 of the Village Code of Antioch, Illinois, as amended, and the applicable provision of the **IDI** P.U.D. Ordinance Numbered **07-7-17** and said improvements, are hereby declared complete and approved.

**SECTION II:** Nothing contained in this Resolution will obviate the petitioner or property owner(s) from making any repairs or taking preventatives measures, such as Drainage and Erosion Control, as it relates to the construction of any buildings on current vacant lots within the **Unit 1A, of this Planned Unit Development** Subdivision, or from making the repairs of any damage to the public roads, pathways, drainage ditches, etc.

**SECTION IV:** The existing bond in the amount of $735,442.00 in accordance with the recommendation of the Village's consulting engineer should be reduced to 15% or $110,316.00. In addition, a bond in the amount of $19,909.00 for the access road that has not been constructed from the developer's insurance company will be required.

**Adopted this _____ August, 2016**

| | **Ayes:** | **Nays:** | **Absent/Abstain:** |
|---|---|---|---|
| Mary C. Dominiak | ____ | ____ | ____ |

| | | | |
|---|---|---|---|
| Jerry T. Johnson | ____ | ____ | ____ |
| Jay Jozwiak | ____ | ____ | ____ |
| Ed Macek | ____ | ____ | ____ |
| Scott A. Pierce | ____ | ____ | ____ |
| Ted P. Poulos | ____ | ____ | ____ |

**APPROVED:**

By:_____ Aug , 2016
**Lawrence M. Hanson, Mayor**

**ATTEST:**

By:_____
Lori K. Romine, Village Clerk

Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on August _____, 2016.

HRGreen

June 27, 2016

Mr. Michael Garrigan
Community Development Director
Village of Antioch
874 Main Street
Antioch, IL 60002

Re: Close Out of IDI Phase 1A (Basins) and Gregory Drive (Public)
HR Green Project No. 86140232.01

Dear Michael:

On October 16, 2015, HR Green, Inc. (HR Green) received a copy of John Benson's letter, of that same date, to the Village of Antioch requesting the Village to accept ownership and maintenance of the Phase 1 Public Improvements and to release the $735,442 associated Performance Bond. It is our understanding that the remaining work covered by the $735,442 bond (25% of the original bond amount) was actually covering only $35,000 of topsoil respreads and seeding, restoration, and maintenance; $47,715 for construction of some remaining water main including 780 LF of 12" water main, a 12" valve and vault, and three fire hydrants; and $106,650 of remaining work on Public Gregory Drive for a total of $189,635 of work to be done as of May 4, 2010.

On October 28, 2015, in response, the Village sent Mr. Benson, IDI Gazeley, a letter with a list of items that are required prior to acceptance and release.

On December 21, 2015, we received the following:

- Unsigned "ALTA/ACSM Land Title Survey for Lot 1 of Antioch Corporate Center – Phase 1" prepared by Jacob & Hefner and last revised October 22, 2015.
- Exhibit of Building A dated 11-20-08 indicating utilities not installed.
- Recorded Copy of Covenants, Codes, and Restrictions dated 04/15/09.
- Signed and Sealed Detention Basin Exhibit for Antioch Corporate Center- Phase 1 prepared by Manhard Consulting, Ltd. on December 23, 2009 with fieldwork dated November 26, 2008.
- Unsigned and Unsealed "As-Built Record Drawings for Antioch Corporate Center Building A", Sheets C1.0, C4.0, C4.1, C4.2, C5.1, C5.2, C5.3, C6.1, C6.2 and C6.3, prepared October 2015 by Jacob & Hefner Associates
- Unsigned and Unsealed "As-Built Record Drawings for Private Drive Antioch Corporate Center", Sheets C1.0, C3.1, C4.0 and C5.0, prepared by Jacob & Hefner Associates dated October 2015
- "Record Drawings for Antioch Corporate Center - Phase 1", 23 sheets, prepared by Manhard. Consulting, Ltd. and last revised on March 10, 2011.
- Transmittal dated March 20, 2009, to Dennis Heimbrodt, Village of Antioch, of Phase 1 Storm Video Report and CD.
- Recorded Copy of Phase 1 Plat of Subdivision (Document 6541493 dated November 12, 2009).

We received a resubmittal of the following and a recommendation for approval was made on May 3, 2016:

- "Record Drawings for Antioch Corporate Center - Phase 1", 23 sheets, prepared by Manhard Consulting, Ltd. and last revised on March 30, 2016.

HRGreen.com

Phone 815.385.1778 Fax 815.385.1781 Toll Free 800.728.7805
420 North Front Street, Suite 100, McHenry, Illinois 60050

We received a copy of the NOT information and a CD of the approved Record Drawings and Recorded Plat of Subdivision from Manhard Consulting, Ltd. on May 20, 2016. We are also satisfied as to the survey statement provided by Manhard.

In regard to the list of items required for closeout of all of Phase 1A, the following is a listing of those items still required for close out and acceptance of public Gregory Drive and the detention basins associated with Phase 1A:

1. We are still awaiting revised record drawing plans from Jacob and Hefner covering the Building A site improvements and private Gregory Drive along with an NOT, signed survey statement, CD's of the record drawings and a digital copy for GIS.
2. Release of Title Insurance Policy.
3. Overall Final Waiver of Lien.
4. Letter from Property Owners' Association or applicable entity stating that they accept the open spaces and stormwater detention areas.
5. Bill of Sale to transfer ownership of public improvements to the Village for a nominal $10 fee.
6. Maintenance Guarantee – Total Public Improvements for Phase 1 were estimated at $2,815,538.75 by Manhard Consulting on July 18, 2008 of which a portion of those public improvements were part of the building site. Typically, a 15% two year maintenance bond is required based on the Engineer's Opinion of Cost plus a 20% contingency. This would result in a maintenance bond amount of $506,797 per above. However, since the road and basins have been constructed (with the exception of the surface course and striping) for a number of years and a $735,442 Performance Bond was all that remained from 2010, consideration should be given to a lower bond amount of $110,316 (15% of $735,442) or perhaps no maintenance bond at all.

Village Access Road OPC was $16,591. It is our understanding that this road has not been built to date and we therefore recommend a letter of credit for this amount plus 20% or $19,909 be retained until that time that the access road is built.

We look forward to the conclusion of this phase of IDI Antioch Corporate Center's construction and to the beginning of the new phase. Please call with questions. My direct line is 815-759-8369.

Sincerely,
HR GREEN, INC.

Christie Mack Caldarella, P.E.
Project Engineer

cc: Mr. Jim Keim, Village of Antioch
Mr. Dennis Heimbrodt, Village of Antioch
Mr. Jeff Smith, IDI Gazeley
Mr. Todd Destree, HR Green Inc.
Mr. Tim Hartnett, HR Green Inc.

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