



AGENDA ITEM #13B

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
9/13/2022**

Item Title: 2022 Annual Tree Removal Contract Extension

Staff Contact: Karen Young, Director of Public Works

OLD BUSINESS

VILLAGE BOARD ACTION:

Adopt a Resolution approving and authorizing the extension of an agreement by and between the Village of Roselle and Ciosek Tree Service, Inc.

Executive Summary:

On August 24, 2020, the Village Board approved a contract with Ciosek Tree Service for the Annual Tree Removal Program services, which ended on May 15, 2022. The contract with Ciosek Tree Services includes the removal of trees on Village owned property and stumps that exceed 14” diameter at breast height (DBH). Each year, Village staff identifies trees located on Village owned property that require removal, with consultation from the Village’s tree consultant, Graf Tree Care. Public Works crews remove trees that are 14” DBH or less. Stumps associated with trees removed by Public Works crews are removed contractually.

Given the current price of fuel and other economic factors, staff is recommending extending the current contract with Ciosek through December 31, 2022. Staff discussed the option of renewing the current contract with Ciosek, who have agreed to continue Tree Removal Services through the end of 2022, with a 5% increase in price from their 2020-2022 contract pricing. The Tree Removal Services will be rebid for the 2023 season.

Graf Tree Care has recently completed the annual Ash Tree inspections, which has indicated that there are a significant number of mature ash trees that will need to be removed due to their declining condition. Ash tree removals coupled with the increased stump removal due to the tornado earlier this year will require additional funding to complete the work.

Implications:

Is this item budgeted? Yes, there is \$23,000 budgeted and approximately \$21,000 currently available in the general fund for this work. Staff is requesting an increase in funding of \$7,000 for a total FY 2022 budget of \$30,000.

Estimated cost: The cost of this work is estimated at \$28,000.00.

Any other implications to be considered? No

Strategic Priority:

Operational Sustainability

Attachments:

Resolution

Contract Extension

Ciosek Contract Summary of Costs

THE VILLAGE OF ROSELLE
DUPAGE AND COOK COUNTIES, ILLINOIS

RESOLUTION
NUMBER _____

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXTENSION OF AN AGREEMENT
BY AND BETWEEN
THE VILLAGE OF ROSELLE AND
CIOSEK TREE SERVICE, INC.

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

BRUCE BERKSHIRE
WAYNE D. DOMKE
CHERYL LENISA
TOM DELLA PENNA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 13th day of September, 2022

RESOLUTION NO. _____

**A RESOLUTION
APPROVING AND AUTHORIZING
THE EXTENSION OF AN AGREEMENT
BY AND BETWEEN
THE VILLAGE OF ROSELLE AND
CIOSEK TREE SERVICE, INC.**

WHEREAS, the Village of Roselle is a municipal corporation organized pursuant to the laws of the State of Illinois possessing certain powers and perform certain functions pertaining to its local government and affairs as provided for by and through the Illinois Municipal Code and Illinois Statute;

WHEREAS, the Village of Roselle (hereinafter referred to as "Village") upon approval of the corporate authorities may enter into an Agreement with another party pursuant to Illinois Statute;

WHEREAS, the Village previously entered into an agreement with Ciosek Tree Service, Inc. (hereinafter referred to as the "Company") for the Village's Tree Removal Program and the Village has been pleased with the services provided by the Company;

WHEREAS, due to the economic volatility of the current market the Village now desires to extend the agreement with Company through the end of current calendar year and further assess the costs of the program for the following fiscal year; and

WHEREAS, the Corporate Authorities of the Village of Roselle have determined that it is in the best interests of the health, welfare and safety of the residents of the Village to approve the extension of the agreement with Ciosek Tree Service, Inc. as referenced herein.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

Section Two – Approval of Extension of Agreement

The Village hereby approves the extension of the agreement (hereinafter referred to as the "Agreement") substantially in the form attached hereto and made a part hereof as Exhibit A further approves the additional expenditure in an amount not to exceed \$28,000.00 (Twenty eight thousand dollars and no cents).

Section Three – Authorization and Direction

The Mayor is hereby authorized to execute the Agreement, substantially in the form of such agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such agreement.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this resolution and otherwise to consummate the transactions contemplated herein and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Six - Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the agreement, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the agreement and of this resolution.

Section Seven - Waiver of Bidding Process

To the extent that any requirement of bidding would be applicable to the transactions contemplated hereunder, the same is hereby waived.

Section Eight – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law; provided, however, this resolution shall not take effect until the Consent (a copy of which is attached hereto and made a part hereof as Exhibit B) is executed by the successful bidder, thereby memorializing its understanding of the requirements of Prevailing Wage Act and indemnifying the Village with respect to any violation of said Act. If the Consent is not executed within sixty (60) days after passage and approval of this resolution, this resolution shall be void and of no force or effect, and any such approvals contained herein shall hereby be terminated.

Section Nine - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Ten – Conflict Clause

All resolutions, parts of resolutions or board actions in conflict herewith are hereby repealed to the extent of such conflict.

Section Eleven – Saving Clause

If any section, paragraph, clause or provision of this resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this resolution which are hereby declared to be separable.

Section Twelve – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Roselle.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote to follow:

DECIDED pursuant to a Roll Call Vote:

	YES	NO	ABSENT	PRESENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski				
TOTAL				

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 13th day of September, 2022:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

Exhibit A

Agreement

DRAFT

Exhibit B

Consent

The undersigned, _____, as the authorized representative for _____, (hereinafter referred to as the "Successful Bidder"), having read a copy of this resolution in full, do hereby understand the terms and conditions of the contract and the related requirements of the Prevailing Wage Act and hereby accept, concur, and agree to comply with all of the requirements thereunder including but not limited to the Prevailing Wage Act to the extent that it may apply.

In addition, the Successful Bidder further agrees to fully indemnify and hold harmless the Village of Roselle for any and all liabilities and/or penalties that may be assessed for any violation that may be assessed or charged pursuant to the Prevailing Wage Act. The Successful Bidder further agrees to pay any and all of the Village of Roselle's attorney's fees associated with any defense associated with an alleged violation of the Prevailing Wage Act that may arise as result of the award of this contract/project and the work performed by the Successful Bidder thereunder. This consent shall be binding upon all parties in interest and all successors and assigns.

DATED this _____ day of _____, 20_____.

By: _____

Its: _____

SUBSCRIBED AND SWORN to before me
this _____ day of _____, 20_____.

Notary Public

(SEAL)

**EXTENSION TO THE AGREEMENT
ENTERED INTO BY AND BETWEEN
THE VILLAGE OF ROSELLE AND CIOSEK TREE SERVICE, INC.**

THIS EXTENSION TO THE ORIGINAL AGREEMENT made on this 13th day of September, 2022 (hereinafter referred to as the "Extension") to the Agreement entered into on or about August 24, 2020 by and between the Village of Roselle (hereinafter referred to as the "Village") whose principal place of business is located at 31 S. Prospect Street, Roselle, Illinois 60172 and Ciosek Tree Service (hereinafter referred to as the "Company") whose principal place of business is located at 21W430 Park Avenue, Lombard, Illinois 60148 (collectively referred to herein as the "Parties") hereby amends the agreement and extends the services of Ciosek Tree Service, Inc. through December 31, 2022.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained, the Parties hereto extend the agreement as follows:

1. The Parties agree to extend the term of the original Agreement for an additional period of time to terminate on December 31, 2022 unless mutually agreed to by the Parties to extend the Agreement for an additional period of time.
2. Either Party may terminate this Agreement without cause or further liability upon fourteen days written notice to the other party.
3. The Parties agree that the Ciosek Tree Service, Inc.'s revised fee schedule is attached hereto and made a part hereof as Exhibit A.
4. Unless expressly modified in this Extension, the provisions of the Agreement remain in full force and effect. If any provision of this Extension conflicts with the Agreement, the terms and conditions of the Extension shall control.
5. This Extension shall become effective as of the date of the last signature below, this Extension may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, and any signatures to counterparts may be delivered by facsimile or other electronic transmission and shall have the same force and effect as original signatures.

IN WITNESS WHEREOF, the parties have executed this Extension to the Agreement as of the day and year first above written.

Village of Roselle:

Ciosek Tree Service:, Inc.

Mayor

ATTEST:

Village Clerk

EXHIBIT A
SUMMARY OF COSTS -DETAILED
CIOSEK TREE REMOVAL
2022 CONTRACT EXTENSION APPROVAL
May 16, 2022 - December 31, 2022

ITEM NO.	ITEM/LOCATION	1/1/22 - 5/15/2022 UNIT COST PER DBH INCH	5/16/2022 - 12/31/2022 UNIT COST PER DBH INCH
A	TREE REMOVALS	\$14.45	\$15.17
B	STUM REMOVALS	\$3.25	\$3.41
C	TREE TRIMMING	\$3.40	\$3.57
D	STORM DAMAGE CLEANUP	\$2,320.00	\$2,436.00
E	EMERGENCY CALL OUT RATE	\$2,800.00	\$2,940.00