

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
For Inclusion on Board Agenda  
Bids and Proposals

TO : President and Village Board of Trustees

FROM : Scott Niehaus, Village Manager

DATE : July 26, 2024 Agenda Date August 15, 2024

TITLE : Waiver of Bids - Duke's Root Control, Inc.  
Sewer Root Control

SUBMITTED BY: Brian Jack, Utilities Superintendent 

**RESULTS:**

Date Bids Were Published \_\_\_\_\_ Bidding Closed \_\_\_\_\_

Total Number of Bids Received \_\_\_\_\_

Total Number of Bidders Meeting Specifications \_\_\_\_\_

Bid Security Required \_\_\_\_\_ Yes \_\_\_\_\_ No

Performance Bond Required \_\_\_\_\_ Yes \_\_\_\_\_ No

Were Any Bids Withdrawn \_\_\_\_\_ Yes \_\_\_\_\_ No

Explanation:

Waiver of Bids Requested? \_\_\_\_\_ X Yes \_\_\_\_\_ No

If yes, explain:

Award Recommended to Lowest \_\_\_\_\_ Yes \_\_\_\_\_ No

Responsible Bidder?

If no, explain:

**FISCAL IMPACT:**

Engineer's estimate/budget estimate \$50,000.00

Amount of Award \$34,728.99 Water/Sewer Capital Res Fund (520.790.715.75350 RM PROG 10)

**BACKGROUND/RECOMMENDATION:**

Requesting a waiver of bids as Dukes Root Control uses their patented and proprietary chemical is the only diquat-based herbicide registered by the USEPA for controlling tree roots in sanitary sewers. This exclusive chemical has less of an environmental impact and is safer to use than that of other root chemical control companies. Waive bids and award a contract for sewer root control chemical treatment for amount not to exceed \$34,728.99 in FY 2024.

Has Recommended Bidder Worked for Village Previously X Yes \_\_\_\_\_ No

If yes, was quality of work acceptable X Yes \_\_\_\_\_ No

**REVIEW** (as needed):

Village Attorney XX \_\_\_\_\_ Date \_\_\_\_\_


Finance Director XX \_\_\_\_\_ Date \_\_\_\_\_

Village Manager XX \_\_\_\_\_ Date \_\_\_\_\_

**NOTE: All materials must be submitted to and approved by the Village Manager's Office by 4:30 pm, Wednesday, prior to the Board Agenda distribution.**



## MEMORANDUM

**To:** Scott Niehaus, Village Manager  
**From:** Brian Jack, Utilities Superintendent   
**Through:** Carl Goldsmith, Director of Public Works  
**Date:** July 26, 2024  
**Subject:** **Waiver of Bids – Sewer Root Control Program FY 24**

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### **Background**

Approximately 35% of the sanitary sewer overflows (SSO) that have occurred in Lombard during the past 15-20 years have been due tree roots clogging the sewer mains. The Underground Utilities Division of the Department of Public Works cleans approximately 25% of the sanitary sewer mains less than 15 inches in diameter each year. Many of the mains require root cutting to clean the line because the mains were installed in the parkways or backyards where roots are more prevalent. The Village continues to line these sewers to eliminate the root intrusion permanently. The remaining sewers continue to be chemically treated to reduce root growth at a fraction of the cost of lining or replacement until these can be lined. Underground Utilities has limited in-house capabilities to chemically treat the sewer mains with its existing equipment and has determined the process to be better suited for contracting out.

Duke's Root Control, Inc. of Syracuse, NY began chemically treating select sanitary sewer mains in the fall of 2007. Their patented and proprietary chemical is the only diquat-based herbicide registered by the USEPA for controlling tree roots in sanitary sewers. This exclusive chemical has less of an environmental impact and is safer to use than that of other root chemical control companies, supporting the Village's emphasis on sustainability. There are no adverse effects on wastewater treatment plants and will not disrupt the wastewater treatment process. The active ingredient is USEPA approved for aquatic use and is commonly used in ponds to control algae growth. Other chemical root control companies use chemicals that contain metam sodium as restricted use chemical that is high acute toxicity. The USEPA classified this chemical as restricted to protect people from exposure, and wastewater treatment plants of potential harmful effects to the treatment plant process. The USEPA also classifies metam sodium as likely to be carcinogenic in humans. Duke's Root Control is currently the only company to use a chemical that does not contain metam sodium. The company is professional, has performed satisfactorily, and provides a guarantee for two years from the date of initial application and three years from the date of the second application.

An added benefit of Duke's exclusive dense foam chemical treatment is that it packs more active chemicals in the spaces between the air bubbles and has a longer retention time than other products on the market. The foam also adheres to roots better and travels up sewer lateral lines treating more than just the sewer main but building sewer laterals as well giving an added benefit to residents and businesses.

Since the beginning of the program, approximately 60 miles (55%) of the sewer system has been treated. During this time, none of the sewers have experienced subsequent backups. Prior to the escalated flushing program and chemical treatment program, the Village averaged more than two SSOs per year due to roots; since 2008, the Village has averaged less than one SSO per year. After three years of treatment, the main sewer is lined, and other sewers are identified to begin the treatment process. Duke's Root Control provides a three-year warranty on treated lines if there is a blockage due to roots in which they will re-treat the affected sewer segment at no cost.

The Village also completed a system wide sanitary sewer acoustical inspection survey (SL-RAT) and has used this data to identify additional locations for lining. This expansion of treatment area will continue to reduce system blockages due to roots.

The Village annually allocates \$30,000 to \$50,000 for Sewer Root Control in the Water & Sewer Capital Reserve Fund RM PROG 10 Sewer Maintenance and Improvements. The amount spent each year varies due to the three-year cycle of root treatment locations. Attached is a proposal from Duke's Root Control for root treatment for the 2024 segments.

**Recommendation**

Please request the Board of Trustees to waive bids and award a contract in an amount not to exceed the budgeted amount of \$34,728.99 for FY 2023 for sewer root control to Duke's Root Control, Inc. of Syracuse, NY.



400 Airport Rd., Suite E Elgin, IL 60123

## SALES QUOTATION

Document Number: **3527**      Document Date: **07/24/2024**      Page: **1/2**

Customer No.: **C-000362**      Contact / Phone / Email: **Christina**

**apar@villageoflombard.org**

Your Contact: **Pat Cahill**      Payment Terms: **Net 30**

**PCahill@dukes.com**

Shipping Type:      FOB Point

**LOMBARD, VILLAGE**  
apar@villageoflombard.org

LOMBARD IL 60148  
USA

Delivery Address  
**LOMBARD, VILLAGE**  
255 EAST WILSON AVENUE

LOMBARD IL 60148  
USA

Description	Quantity	UoM	Price	Total
<b>MANHOLE ROOT CONTROL</b>		Per EA	\$ 180.00	
Item Code: V-F-APL-MANHO-001				
<b>HOUSE LATERAL ROOT CONTROL</b>		Per EA	\$ 180.00	
Item Code: V-F-APL-RESID-001				
<b>6" PIPE SEWER ROOT CONTROL</b>		Per FT	\$ 2.02	
Item Code: V-F-APL-SEWRC-01X06FT				
<b>8" PIPE SEWER ROOT CONTROL</b>	16,329.87	FT	\$ 2.02	\$ 32,986.34
Item Code: V-F-APL-SEWRC-01X08FT				
<b>10" PIPE SEWER ROOT CONTROL</b>	784.98	FT	\$ 2.22	\$ 1,742.66
Item Code: V-F-APL-SEWRC-01X10FT				
<b>12" PIPE SEWER ROOT CONTROL</b>		Per FT	\$ 2.43	
Item Code: V-F-APL-SEWRC-01X12FT				
<b>15" PIPE SEWER ROOT CONTROL</b>		Per FT	\$ 4.61	
Item Code: V-F-APL-SEWRC-01X15FT				
<b>18" PIPE SEWER ROOT CONTROL</b>		Per FT	\$ 6.62	
Item Code: V-F-APL-SEWRC-01X18FT				

Quotation Subtotal: **\$ 34,729.00**

Discount Subtotal: **0.000029**      \$ 0.01

**Total Amount: \$ 34,728.99**

Plus applicable Sales Tax

Website: [www.dukes.com](http://www.dukes.com)

Tax ID No.: 75-3026801



400 Airport Rd., Suite E Elgin, IL 60123

Quotation Valid Until: 08/31/2024

## SALES QUOTATION

Document Number

**3527**

Document Date

**07/24/2024**

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Website: [www.dukes.com](http://www.dukes.com)

Tax ID No.: 75-3026801

# VILLAGE OF LOMBARD

## Sewer Root Control Program FY 2024

This agreement is made this 15<sup>th</sup> day of August 2024, by and between, and shall be binding upon, the Village of Lombard, an Illinois Municipal Corporation hereinafter referred to as (the "Village") and (Duke's Root Control of Syracuse, NY) hereinafter referred to as (the "Contractor").

Witnesseth That in consideration of the mutual promises of the parties delineated in the Contract Documents, the Contractor agrees to sell and the Village agrees to pay for the following described items as set forth in the Contract Documents:

Provide labor, equipment, and materials for Sewer Root Control in an amount not to exceed  
\$34,728.99

1. This Contract shall embrace and include all of the applicable Contract Documents listed below as if attached hereto or repeated herein:
  - a. The Contractor's Proposal dated July 24, 2024
  - b. Required Certificate of Insurance, Indemnification, Venue, Other Contractor Responsibilities
2. The Village agrees to pay, and the Contractor agrees to accept as full payment for the items which are the subject matter of this Contract amount not to exceed \$34,728.99 paid in accordance with the provisions of the Local Government Prompt Payment Act and the provisions of the Contract Documents.
3. Risk of loss, destruction or damage of or to goods under this Contract shall be on contractor until delivery of the goods to the Village and acceptance of the goods by the Village.
4. The Contractor agrees to perform the terms of this Contract according to the following schedule set forth in their quotation after the Notice to Proceed has been delivered. Time is of the essence of this Contract.
5. The Contractor represents and warrants that it will comply with all applicable Federal, State and local laws concerning prevailing wage rates regarding installation services provided under this Contract and all Federal, state and local laws concerning equal employment opportunities.
6. The Contractor shall deliver the goods under this Contract by December 31, 2024.
7. In executing this Contract, Contractor agrees that it has examined the site of the work and the conditions existing therein, has examined the Contract Documents and taken and compared field measurements and conditions with those Documents.

8. This Contract represents the entire agreement between the parties and may not be modified without the written approval of both parties.

9. Where the terms of this Contract conflict with the provisions of the Contract Documents, the Contract Documents shall be binding.

IN WITNESS WHEREOF, the Village of Lombard, Illinois by Village Manager, and the Contractor have hereunto set their hands this 15<sup>th</sup> day of August, 2024.

If an individual or partnership, all individual names of each partner shall be signed or if a corporation, an officer duly authorized shall sign here:

Accepted this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Individual or Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

\_\_\_\_\_  
By \_\_\_\_\_ Position/Title

\_\_\_\_\_  
By \_\_\_\_\_ Position/Title

\_\_\_\_\_  
Print Company Name

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 15<sup>th</sup> day of August, 2024.

\_\_\_\_\_  
Keith Giagnorio  
Village President

Attest:

\_\_\_\_\_  
Elizabeth Brezinski  
Village Clerk

