



Oak Park Elementary School District 97

970 Madison ▪ Oak Park ▪ Illinois ▪ 60302 ▪ ph: 708.524.3000 ▪ fax: 708.524.3019 ▪ www.op97.org

TO: Dr. Albert G. Roberts, Superintendent

FROM: Therese M. O'Neill, Assistant Superintendent for Finance & Operations

RE: Landscaping Upgrades – Brooks & Julian Middle Schools

DATE: June 10, 2014

Sheryl shared the attached letter addressed to Board President Spatz on June 3, 2014. Immediately upon receipt, I reached out to Phil Hutchinson at Altamanu who then contacted vendors listed as references by Kenneth Company. I noted that in the attached letter, with accompanying citations, the time period was from 2005 through 2010.

When I reviewed the reference list and saw Michael Grandy listed from the Park District of Oak Park, I reached out and spoke directly with him on Thursday, June 5. Mike indicated that The Kenneth Company is one of his preferred vendors with work being done from 2009 through 2012, that this company has always complied with the prevailing wage laws and many times is high on their bid submissions.

Phil Hutchinson contacted Kaneland School District 302 who indicated that “The Kenneth Company installed a playground for them last year (2013), had no issues with them, would recommend hiring them again and had no issues with the prevailing wage payment.” He further spoke with Ryan Veldman from Tinley Park Park District who also indicated “that they had no issues with Kenneth on recent projects (2013) and that they provided all required payroll documentation and certifications for prevailing wages.” Phil received a return telephone call from Frank Stec at the Village of Orland Park who indicated that they “also had a good experience with Kenneth, no issues to report.”

I am attaching the notice received, along with the reference list provided to us at the time the bids were received. I am continuing to recommend award of a contract to Kenneth Company, in the total amount of \$242,911, as supported by the landscape architect, Altamanu, Inc., and further supported by substantiation that projects conducted since 2010 have been in compliance with prevailing wage laws. This item will return to the Board for formal approval at its June 24, 2014 meeting.

tmo

attachments (2)



Laborers' District Council
Labor-Management Cooperation Committee
 (Chicago and Vicinity - LDCLMCC)



Cook, Lake, DuPage, Will, Grundy, Kendall, Kane, McHenry and Boone Counties, Illinois.

999 McClintock Drive, Suite 301 • Burr Ridge, IL 60527
 Phone: 630-655-9525 • Fax: 630-655-9263 • www.ldclmcc.org

Bob Spatz
 Board President
 Oak Park Elementary School District 97

May 23, 2014


RE: 2014 Brooks & Julian Middle Schools Site Improvements

Dear Bob:

The Laborers' District Council Labor – Management Cooperation Committee is a Taft-Hartley Trust formed by not only the Construction & General Laborers' District Council of Chicago & Vicinity, but also numerous construction contractor associations serving Northeastern Illinois. We realize that the Oak Park Elementary School District 97 must comply with various purchasing statutes requiring that the Park District award contract to the lowest responsive and responsible bidder.

Our information is that The Kenneth Co. may be the apparent low bidder on the above referenced project. Enclosed are copies (attached) of 5 determinations by the Illinois Department of Labor, dated February 2005 to December 2010 as well as a First Violation Notice, indicating that this company may not have complied with the requirements of the Illinois Prevailing Wage Act, as amended. We believe that these failures may go to the determination as to whether this firm is "responsive"

We would request that you either find that this firm is not responsible and award the contract to the second low bidder or re-bid the entire project so that the Oak Park Elementary School District 97 is confident that it is receiving the best product for its citizens and residents.

Sincerely,

 Jim McConachie
 Laborers District Council-LMCC
 999 McClintock Drive
 Burr Ridge, IL. 60527
 630-655-9525

MICHAEL D. KLEINIK
 Executive Director

JAMES P. CONNOLLY
 LMCC Chairman, Laborers' District Council

CHARLES V. LoVERDE III
 Laborers' District Council

JOSEPH COCONATO
 Laborers' District Council

DAN BREJC
 Laborers' Local 149

ANTONIO CASTRO
 Laborers' Local 1

SCOTT PAVLIS
 Laborers' Local 75



ILLINOIS DEPARTMENT OF LABOR
Prevailing Wage Department

Rod R. Blagojevich
Governor

February 1, 2005

Art Ludwig
Director

Re: **THE KENNETH COMPANY**
PROJECT: INSTALLATION OF PLAYGROUND EQUIPMENT AT
KNIGHTS OF COLUMBUS PARK - BOILINGBROOK
IDOL Case No.: 2005-PW-TD11-0500

Dear Sir or Madam:

The Illinois Prevailing Wage Act investigation of the above-mentioned project has been completed.

Based upon our investigation, the determination of this case is:

31A-185 1210

31A-185 1210

The Company was in compliance with paying the proper Prevailing Wages.

The Company was not paying prevailing wage. An audit was conducted and the workers have received the calculated back wage amounts. Back wage(s) collected \$368.79, penalty collected \$73.76.

Other:

At this time our investigation is complete and the department has closed this case.

Sincerely,

Michael D. Kleinik
Division Manager
Prevailing Wage Department
Illinois Department of Labor
#1 West Old State Capitol Plaza 3rd FL
Springfield, Illinois 62701
217-782-1710

217-782-1710

217-782-1710

MICHAEL A. BILANDIC BUILDING
180 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601-3150
(312) 793-2800
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Fax: (618) 993-7258





ILLINOIS DEPARTMENT OF LABOR
Prevailing Wage Department

Rod R. Blagojevich
Governor

March 21, 2005

Art Ludwig
Director

Re: **THE KENNETH COMPANY**
PROJECT: 0503-1248 CONSTRUCTION AND LANDSCAPE FOR
PALMER VALLEY PARK - NEW LENOX, IL
IDOL Case No.: 2005-PW-JD12-0617

Dear Sir or Madam:

The Illinois Prevailing Wage Act investigation of the above-mentioned project has been completed.

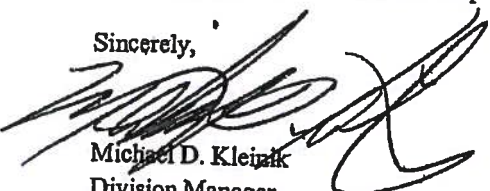
Based upon our investigation, the determination of this case is:

- The Company was in compliance with paying the proper Prevailing Wages.
- The Company was not paying prevailing wage. An audit was conducted and the workers have received the calculated back wage amounts. Back wage(s) collected \$658.24, penalty collected \$131.64.

Other:

At this time our investigation is complete and the department has closed this case.

Sincerely,


Michael D. Kleizik
Division Manager

Prevailing Wage Department
Illinois Department of Labor
#1 West Old State Capitol Plaza 3rd FL
Springfield, Illinois 62701
217-782-1710

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ILLINOIS DEPARTMENT OF LABOR
Prevailing Wage Department

Rod R. Blagojevich
Governor

March 25, 2005

Art Ludwig
Director

Re: **THE KENNETH COMPANY**
PROJECT: INSTALL OF PLAYGROUN EQUIPMENT AND
LANDSCAPING -RED OAK DRIVE & CRAB TREE BARTLETT,
IDOL Case No.: 2005-PW-WJ12-0531

Dear Sir or Madam:

The Illinois Prevailing Wage Act investigation of the above-mentioned project has been completed.

Based upon our investigation, the determination of this case is:

- The Company was in compliance with paying the proper Prevailing Wages.
- The Company was not paying prevailing wage. An audit was conducted and the workers have received the calculated back wage amounts. Back wage(s) collected \$2707.25, penalty collected \$541.45.

Other:

At this time our investigation is complete and the department has closed this case.

Sincerely,

Michael D. Kleinik
Division Manager
Prevailing Wage Department
Illinois Department of Labor
#1 West Old State Capitol Plaza 3rd FL
Springfield, Illinois 62701
217-782-1710

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ILLINOIS DEPARTMENT OF LABOR

Rod R. Blagojevich
Governor

Art Ludwig
Director

April 8, 2005

The Kenneth Company
Michael Maloney
751 North Bollingbrook Drive #12
Bolingbrook, Illinois 60440

RE: **NOTICE OF FIRST VIOLATION**

Certified Mail Receipt No.: 7000 1670 0007 8475 5409
Public Body: New Lenox Community Park
Project: Landscape Work at Palmer Valley Park
IDOL Case No.: 2005-PW-JD12-0617
Public Body: Bartlett Park District
Project: Playground Equipment & Landscaping
IDOL Case No.: 2005-PW-WJ12-0531

Dear Sir or Madam:

This letter is formal notice of the determination by the Illinois Department of Labor (IDOL) that the above named addressees have violated the Illinois Prevailing Wage Act (820 ILCS 130/1 et. seq.) (Act). This letter constitutes a Notice of First Violation and is issued by IDOL pursuant to Section 11a of the Act, and the Prevailing Wage Hearing Procedures, 56 Ill. Adm. Code 100.

The Department has determined that the above named addressees have violated the Act in regard to the above referenced project by the following conduct:

The above named addressee's have violated Section 3 of the Act by failing to pay the prevailing rate of wages of Will & Cook Counties to its workers. The Department has determined that the total amount of wages by which workers were underpaid was \$3,365.49. This amount represents the difference between actual wages paid and the amount required under the Act. The assessed 20% statutory penalty amounted to \$673.09. The total amount assessed against the contractor on this project was \$4,038.58.

If the Department determines that the above named addressees have committed a second violation of the Act within two (2) years of the date of a Notice of First Violation, they will be subject to a summary debarment for a period of two (2) years, during which time it will be unable to perform work on any public work project. Upon issuance of Notice of Second Violation, they have the right to request a hearing to contest the violations underlying the Notices of First and Second Violations, pursuant to Section 11a of the Act and the Prevailing Wage Hearing Procedures. A hearing is NOT available solely upon Notice of First Violation.

Sincerely,


Art Ludwig
Director

MICHAEL A. BILANDIC BUILDING
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ILLINOIS DEPARTMENT OF LABOR
Prevailing Wage Department

Rod R. Blagojevich
Governor

August 23, 2005

Art Ludwig
Director

Re: **THE KENNETH COMPANY**
PROJECT: COMMUNITY CENTER ADDITION AT 2600 CENTER
DRIVE WOODRIDGE, IL (EXCAVATING & CONCRETE)
IDOL Case No.: 2005-PW-WJ05-1028

Dear Sir or Madam:

The Illinois Prevailing Wage Act investigation of the above-mentioned project has been completed.

Based upon our investigation, the determination of this case is:

- The Company was in compliance with paying the proper Prevailing Wages.
- The Company was not paying prevailing wage. An audit was conducted and the workers have received the calculated back wage amounts. Back wage(s) collected \$38.82, penalty collected \$7.76.

Other:

At this time our investigation is complete and the department has closed this case.

Sincerely,

Michael D. Kleinik
Division Manager
Prevailing Wage Department
Illinois Department of Labor
#1 West Old State Capitol Plaza 3rd FL
Springfield, Illinois 62701
217-782-1710

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ILLINOIS DEPARTMENT OF LABOR

Pat Quinn
Governor

December 21, 2010

Catherine M. Shannon
Director

Re: **THE KENNETH COMPANY**
PROJECT: GLENDALE HEIGHTS-INSTALLATION OF METAL
ROOF AT NEW PARK 2804 RESKIN PARK.
IDOL Case No.: 2010-PW-WJ05-1031

Dear Sir or Madam:

The Illinois Prevailing Wage Act investigation of the above-mentioned project has been completed.

Based upon our investigation, the determination of this case is:

- The Company was in compliance with paying the proper Prevailing Wages.
- The Company was not paying prevailing wage. An audit was conducted and the workers have received the calculated back wage amounts. Back wage(s) collected \$723.82, penalty collected \$144.76.

Other:

At this time our investigation is complete and the department has closed this case.

Sincerely,

Thomas D. Whalen
Manager
Conciliation and Mediation Division
Illinois Department of Labor
#1 West Old State Capitol Plaza 3rd FL
Springfield, Illinois 62701
217-782-1710

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THE KENNETH COMPANY

16W064 JEANS RD

LEMONT IL 60439

Phone: 630-679-2750

Fax: 630-325-2780

REFERENCE LIST

<u>Contact</u>	<u>Job</u>	<u>Year</u>
Burr Ridge Park District	Harvester Park	multiple yrs
Jim Pacanowski	Palisades Park	2012
(630) 920-1969	Garywood Park	2013
Westmont Park District	Ty Warner Park	multiple yrs
Bob Fleck		
(630) 969-8080		
Bolingbrook Park Dist	Central Park	2011
Jim Patula		
(630) 739-0272		
Naperville Park District	Queensbury Greens	2012
Jessica Burgdorf	Nike Park	2013
(630) 848-5015	Frontier Park	2011
	Winding Creek Park	2009
✓ Park Dist of Oak Park	Wenonah Tot Lot	2009
Mike Grandy	Rehm Park	2009
(708) 725-2250	Taylor Park	2012
	Conservatory Garden	2010
✓ Village of Orland Park	Centennial Park Dog Park	2013
Frank Stec		
(708) 403-6173		
Woodridge Park District	Janes Ave Skate/Talcott Rd Parks	2010
Ryan Bordewick	Seven Bridges Park	2011
(630) 353-3300		
Community School Dist #201	South School	2012
Mike Mayoros	Manning School	2010
(630) 333-8458	Miller School	2010
(Westmont)		
✓ Tinley Park Park District	Bannes Park	2013
Ryan Veldman	Pottawattomie Park	2013
(708) 342-4261		

Village of Willowbrook Kristin Violante (630) 920-2261	Waterford Park	2013
✓Kaneland School Dist 302 Mark Payton (630) 201-3721	Blackberry Creek School	2013
Homewood-Flossmoor Park Dist Doug Boehm (708) 957-0280	Hollydale Park	2013
Bensenville Park District Steve Cherveney (630) 766-9280	DiOrio Park Miniature Golf Removal	2011 2011
Des Plaines SD 62 Nelson Gray (847) 824-1145	Forest School Playground	2011
LaGrange SD 105 Cathy Johnson (708) 482-2700	Seventh Ave Park Ideal Park	2010 2010