



COUNTY OF KENDALL, ILLINOIS
ADMIN HR COMMITTEE
County Office Building
County Board Room 210
Wednesday, October 16, 2019 at 5:30p.m.

MEETING AGENDA

- 1. Call to Order**
- 2. Roll Call: Elizabeth Flowers (Chair), Scott Gengler, Judy Gilmour, Matthew Prochaska, Robyn Vickers**
- 3. Approval of Agenda**
- 4. Approval of Minutes from October 7, 2019**
- 5. Department Head and Elected Official Reports**
- 6. Public Comment**
- 7. Committee Business**
 - **Kendall County Drug and Alcohol Testing Policy**
 - **Approval of County Employee Wellness Program effective January 1, 2021, with mandatory physical/health screening to be completed by November 30, 2020**
 - **Discussion of 2020 Aerial Imagery Invitation to Bid**
- 8. Executive Session for the purpose of the review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06, 5ILCS 120-2**
- 9. Items for Committee of the Whole**
- 10. Action Items for County Board**
- 11. Adjournment**

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time

COUNTY OF KENDALL, ILLINOIS
ADMIN HR MEETING
County Office Building
111 W. Fox Street, Room 210; Yorkville
Monday, October 7, 2019

CALL TO ORDER - Committee Chair Elizabeth Flowers called the meeting to order at 5:31p.m.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Elizabeth Flowers	Present		
Scott Gengler	ABSENT		
Judy Gilmour	Here		
Matthew Prochaska	Here		
Robyn Vickers	Here		

Others in Attendance: Bob Jones, Scott Koeppel

APPROVAL OF AGENDA – Motion made by Member Prochaska second by Member Vickers to approve the agenda. With four members voting aye, the agenda was approved by a 4-0 vote.

APPROVAL OF MINUTES – Motion made by Member Gilmour, second by Member Vickers to approve the September 18, 2019 minutes. With four members voting aye, the minutes were approved by a 4-0 vote.

DEPARTMENT HEAD AND ELECTED OFFICIAL REPORTS

- *Administration Department* – Mr. Koeppel indicated that he has been to several Cannabis training sessions and will be ready at the next meeting to discuss the Drug and Alcohol Policy further with the Committee. The main take away is that Cannabis is being treated like alcohol. For CDLs it's zero tolerance, Police its .02. The State statue has a 5 nano gram limit.

PUBLIC COMMENT - None

COMMITTEE BUSINESS

- *2018 MLR Premium Rebate Check* – Moved to after the Insurance presentations.
- *Presentation Horton Insurance Group Annual Health Insurance Renewal Presentation* – Beth Ishmael from the Horton Group presented Insurance renewal data. Renewal numbers came in at a -3.6% decrease with the current carrier BCBS. If voluntary life, accident and critical illness insurance is added the decrease goes to

-5.3%. There was also a \$10,000 discount for including these ancillary programs. Member Flowers asked about critical illness insurance and if the issue amount was per incident. Ms. Ishmael explained it was per incident, however there may be a time and incident limit per claim. Member Prochaska asked about raising the life insurance amount from \$10,000 to \$25,000 as \$10,000 seemed very low. Member Vickers concurred as typically in the private sector life insurance is twice someone's salary.

- *Discussion of Voluntary Employee Insurance Coverages* – Ms. Ishmael presented voluntary life, accident and critical illness insurance options but noted that the best option was to add these coverages to existing health insurance plan to receive additional discounts. Mr. Koeppel asked if there was a sign up requirement. Ms. Ismael indicated yes there was of 10 employees for the critical illness insurance, however if the County only deducted these benefits as a payroll deduction employees most likely would switch from existing programs. Ms. Ishmael also noted that switching from a 2 tier to a 4 tier system may also provide additional savings.

EXECUTIVE SESSION - Member Prochaska moved to go into executive session for the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. Member Gilmour seconded the motion. Chair Flowers asked for a roll call vote on the motion. All members present voting aye. Motion carried. 6.09pm

Reconvened – 6:20 pm

COMMITTEE BUSINESS CONTINUED –

- *Presentation Horton Insurance Group Annual Health Insurance Renewal Presentation & Discussion of Voluntary Employee Insurance Coverages* – Mr. Koeppel asked if the voluntary programs through the Insurance carrier were all the County would offer as there have been several companies before the committee. Member Flowers indicated that with the saving offered that is the direction the County should likely go in. Member Gilmour asked if the premium savings would be passed onto employees. Mr. Koppel indicated yes that is what had been done previously, a proportional split of the savings 75/20 County/ Employee shares. **Motion made by Member Prochaska second by Member Vickers to forward the renewal of BCBS 2020 Plan and approval of BCBS/Dearborn Voluntary Benefits Plan to the October 15, 2019 Board Meeting. With all members present voting yes the motion carried.**
- *2018 MLR Premium Rebate Check* – Mr. Jones presented a rebate check from last year's insurance with United Healthcare in the amount of \$26,942.78. This is a mandated rebate per the Affordable Care Act if certain premium thresholds are not met. Mr. Jones explained that in the past the rebate was split 75/25 and if that was

the direction the Committee would like to go again. Motion made by Member Vickers, second by Member Flowers to forward the rebate refund in a 75/25 County/ Employee split in December 2019 to the County Board for approval at the October 15, 2019 Board Meeting. With all members voting aye the motion carried.

ITEMS FOR COMMITTEE OF THE WHOLE - None

ACTION ITEMS FOR COUNTY BOARD

- *Approval of Blue Cross Blue Shield 2020 Health Insurance Plan*
- *Approval of Blue Cross Blue Shield/Dearborn 2020 Basic and Voluntary Life Insurance Plan*
- *Approval of EyeMed 2020 Vision Plan*
- *Approval of MetLife 2020 Dental Insurance Plan*
- *Approval of 2018 MLR Premium Rebate Check Refund 75/25 County/Employee split*

ADJOURNMENT – Member Prochaska made a motion to adjourn the meeting, second by Member Gilmour. With four members voting aye, the meeting adjourned at 6:31 p.m.

Respectfully Submitted,

Mera Johnson
Risk Management and Compliance Coordinator

MONTHLY MEDICAL INSURANCE REPORT

September FY 19

	Non-Union Union		<u>Total Enrolled</u>				Annual Plan Cost
			<u>Sep-18</u>	<u>Oct-18</u>	<u>Sep-19</u>	<u>Oct-19</u>	
HMO EE	19	13	34	36	34	32	\$6,510.56
HMO FAM	9	13	23	23	22	22	\$12,297.48
H.S.A. \$1500 EE	60	42	114	114	104	102	\$9,794.18 *
H.S.A. \$1500 FAM	51	62	107	106	112	113	\$18,666.61 *
H.S.A. \$2800 EE	1	2	6	6	3	3	\$8,991.53 *
H.S.A. \$2800 FAM	5	3	0	0	8	8	\$17,150.72 *
Total Enrolled	145	135	284	285	283	280	

Dental EE	166
Dental Family	184

Total Enrolled 350

NOTES:

- 1) Premiums and headcount paid as of monthly report date
- * 2) Includes Employer HSA contribution *
- 3) 2018 H.S.A. \$2800 are old PPO plan numbers

FY 19 MONTHLY MEDICAL INSURANCE INVOICES

(BUDGETED: \$5,270,000) *72.44% of Budget

	December	January	February	March	April	May	June	July	August	September	October	November	Totals
BCBS Medical Premium	355334	164572	390864	353709	361141	369873	358802	370615	366397	368846	368846	368846	\$4,229,241
UHC Final Bill	0	0	1813	0	0	0	0	0	0	0	0	0	\$1,813
Met Life Dental Premium	0	48213	23952	24138	24240	24733	23914	24374	24400	24311	24311	24311	\$242,183
Met Life Life Premium	0	0	1383	832	471	482	465	404	479	479	479	479	\$5,175
Health Savings Account	510000	1250	6875	1250	1125	3500	0	3000	0	0	0	0	\$533,000
Insurance Refunds	0	0	0	0	0	0	0	0	0	0	0	0	\$0
HRA Admin Fee	0	0	0	105	0	85	0	0	0	189	189	189	\$672
FSA Admin Fee	84	84	84	105	0	123	0	0	0	0	0	0	\$480
TOTALS	\$871,408	\$214,118	\$392,771	\$390,239	\$306,986	\$398,905	\$362,900	\$398,787	\$391,465	\$397,824	\$0	\$0	\$4,209,203

FY 18 MONTHLY MEDICAL INSURANCE INVOICES

(BUDGETED: \$5,502,000) *94.72 % of Budget

	12/31/2017	1/31/2018	2/28/2018	3/31/2018	4/30/2018	5/31/2018	6/30/2018	7/31/2018	8/31/2018	9/30/2018	10/31/2018	11/30/2018	Totals
UHC Medical Premium	0	742810	366253	358882	347181	359285	366102	362882	372882	363407	358938	358725	\$4,358,885
UHC Dental Premium	0	54544	26985	27387	27145	27734	27607	27412	27881	1133	28878	27485	\$328,755
UHC Life Premium	0	1678	1678	559	564	581	568	625	1133	580	580	583	\$6,748
Health Savings Account	485000	10500	3625	0	0	0	4125	825	1250	750	375	750	\$517,000
Insurance Refunds	0	0	0	0	0	0	0	0	0	0	0	0	\$0
HRA Admin Fee	83	0	83	165	83	0	165	0	0	0	0	0	\$578
FSA Admin Fee	170	0	168	378	188	0	383	0	0	0	0	168	\$1,596
TOTALS	\$485,252	\$807,854	\$398,782	\$387,108	\$375,160	\$387,589	\$399,040	\$390,598	\$402,936	\$382,575	\$387,817	\$387,517	\$6,211,509

FY 17 MONTHLY MEDICAL INSURANCE INVOICES

(BUDGETED: \$5,106,257)*88.84% of Budget

	12/31/2016	1/31/2017	2/28/2017	3/31/2017	4/30/2017	5/31/2017	6/30/2017	7/31/2017	8/31/2017	9/30/2017	10/31/2017	11/30/2017	Totals
UHC Medical Premium	360000	368346	346172	347688	346985	355552	357894	358354	355837	353212	365533	366453	\$4,250,420
BCBS Final Invoices	0	0	5200	0	0	0	0	0	0	0	0	0	\$5,200
Lincoln Life Dental Premium	25384	28884	27025	24382	26187	25788	28870	25842	28578	26825	25894	25804	\$308,783
Lincoln Life Premium	782	840	616	725	672	734	723	727	718	716	732	726	\$8,721
Health Savings Account	443800	1750	4575	0	0	1750	0	3825	2000	875	0	250	\$458,425
Insurance Refunds	271	0	0	0	142	984	0	1439	0	0	0	0	\$2,446
HRA Admin Fee	0	83	83	83	83	83	83	83	83	83	83	83	\$808
FSA Admin Fee	311	0	323	162	0	339	170	170	170	170	170	170	\$2,153
TOTALS	\$820,558	\$395,405	\$383,793	\$373,028	\$374,090	\$384,940	\$384,639	\$388,600	\$395,825	\$380,591	\$382,412	\$383,285	\$5,047,057

FY 16 MONTHLY MEDICAL INSURANCE INVOICES

(BUDGETED: \$5,063,819)* 93.8% of Budget

	12/31/2015	1/31/2016	2/28/2016	3/31/2016	4/30/2016	5/31/2016	6/30/2016	7/31/2016	8/31/2016	9/30/2016	10/31/2016	11/30/2016	Totals
BlueCross Medical Premium	347884	339151	344322	347889	342957	344748	342333	342917	333821	335258	338151	341085	\$4,088,888
Lincoln Life Dental Premium	23478	24920	24192	23782	23980	23980	23980	23721	23048	23330	23186	23365	\$283,618
Lincoln Life Premium	728	732	725	727	721	725	716	723	708	714	708	713	\$8,637
Health Savings Account	343800	0	0	0	0	10000	0	0	0	0	0	0	\$383,800
FSA Admin Fee	148	148	148	148	148	156	156	156	156	156	156	156	\$1,834
TOTALS	\$715,805	\$384,251	\$389,287	\$372,258	\$387,247	\$378,433	\$388,785	\$387,516	\$357,833	\$388,438	\$382,211	\$385,318	\$4,747,594

MONTHLY BENEFITS SUMMARY REPORT
September FY 19

Retirees/COBRA (12/1/18 - 11/30/19) (42 Retirees / 1 COBRA)			
Vision	Family	7	\$854.02
Vision	Single	10	\$525.84
Medical	Family	2	\$15,070.30
Medical	Single	12	\$67,904.43
Dental	Family	36	\$12,084.00
Dental	Single	14	\$11,203.61
TOTAL		81	\$97,622.20

UNEMPLOYMENT CHARGES 2019	
1st Quarter	\$620
2nd Quarter	\$1,239
3rd Quarter	\$443
4th Quarter	
TOTAL	\$2,301

DEPARTMENT	New Hires/Terminations (12/1/18 - 11/30/19)		Resignations/Terms	
	YTD	Current Month	YTD	Current Month
Administration				
Animal Contr	1			
Assessment	1			
Circuit Clerk	3		4	1
Coroner				
County Clerk	3	3	1	
Facilities	1		2	
Forest Pres	1		2	
Health Dept.	4		4	1
HWY				
KanCom	1		1	
PBZ				
Probation	1		2	1
Public Defender				
Sheriff	6		4	
State's Att	2		1	
Technology/GIS	2		2	
VAC	1		1	
Totals	27	3	24	3

BENEFITWALLET HSA FUNDING	
Month	Deposit
December	616,000
January	1,250
February	6,875
March	1,250
April	1,125
May	3,500
June	0
July	3,000
August	0
September	0
October	
November	
Total	\$ 533,000

MONTHLY ADMINISTRATION / HR SUMMARY REPORT

September 30, 2019

W.C. Claims Expense (12/1/18 - 11/30/19)					
	2015-16 Policy	2016-17 Policy	2017-18 Policy	2018-19 Policy	Total Claims
December	\$ 228	\$ 1,987	\$ 2,164		\$ 4,378
January	448	5,609	220	1,351	7,626
February	770	4,657	742	64	6,234
March	6,636	1,641	2,542	610	11,430
April	1,215	15,811	159	10,072	27,258
May	283	6,330	3,342	4,487	14,442
June	352	2,004	2,144	6,782	13,282
July	185	1,647	952	1,894	4,678
August	204	1,968	2,382	11,417	15,971
September	205	2,120	1,479	13,209	17,013
October					0
November					0
Total Claims Expense	\$ 10,523	\$ 43,774	\$ 16,127	\$ 51,888	\$ 122,312

PEDA Payments (Included in Total Claims Expense)

PEDA Reimbursements YTD \$ 44,048

W.C. Annual Premium

W.C. Premium \$ 131,080 \$ 139,096 \$ 171,411 \$ 175,442

Self Insured Retention (SIR)

Self Insured Amount \$ 250,000 \$ 250,000 \$ 250,000 \$ 250,000

No. of claims >\$250k	1	0	0	0
No. of claims >\$100k & <\$250k	0	2	0	0
No. of claims <\$100k	39	44	20	21
Total claims paid	40	46	20	24

W.C. Claims	2015-16 Policy	2016-17 Policy	2017-18 Policy	2018-19 Policy
W.C. Claims paid prior year	\$ 308,024	\$ 560,320	\$ 14,430	\$ -
W.C. Claims paid current year	10,523	43,774	16,127	51,888
Total claims paid	\$ 318,547	\$ 604,094	\$ 30,557	\$ 51,888

Workers' Comp. Claims	Policy Year				
	2015-16 Policy	2016-17 Policy	2017-18 Policy	2018-19 Policy	
	Prior Year Total	Prior Year Total	Prior Year Total	DEC-AUG	SEPT
Administration	1				
Animal Control	6	1	4	1	
Circuit Clerk	1	1	1	1	
Coroner					
County Clerk	1	2			
Facilities				1	
Forest Preserve	3	2		3	
Health Dept.	3	2	2	1	
Highway	1	2	1	2	
Judiciary					
PBZ					
Probation	1				
Public Defender					
Sheriff - Corrections	5	18	2	4	
Sheriff - Patrol/Admin	16	16	10	7	2
State's Attorney	2	2		1	
Technology					
VAC				1	
Totals	40	46	20	22	2

**Illinois Counties Risk Management Trust
Claims Analysis
9/1/2019**

Worker's Compensation

FY19 - Current Year's Total Claims

	Incident Date	Department/Office	Status	Paid	Missed > 3 Days Work	Returned to Work
1	12/9/2018	Corrections	closed	1,416	N	Y
2	1/5/2019	Forest Preserve	closed	1,000	N	Y
3	1/23/2019	Sheriff	closed	-	N	Y
4	1/25/2019	Sheriff	open	1,091	N	Y
5	1/28/2019	Health	open	477	N	Y
6	2/12/2019	Highway	open	430	N	Y
7	2/17/2019	Sheriff	open	36,287	Y	Y
8	2/21/2019	Circuit Clerk	closed	-	N	Y
9	3/8/2019	Facilities	open	842	N	Y
10	4/26/2019	Sheriff	open	1,485	N	Y
11	4/25/2019	State's Attorney	open	-	N	Y
12	5/17/2019	Sheriff	open	981	N	Y
13	5/19/2019	Forest Preserve	open	499	N	Y
14	6/7/2019	Forest Preserve	open	299	N	Y
15	6/21/2019	Sheriff	open	2,123	N	Y
16	6/28/2019	Animal Control	open	129	N	Y
17	6/29/2019	Corrections	open	1,978	Y	Y
18	6/29/2019	Corrections	open	1,842	N	Y
19	7/15/2019	Highway	open	-	N	Y
20	7/22/2019	Sheriff	open	-	N	Y
21	7/25/2019	Corrections	open	-	N	Y

Total FY19 Claims Paid To Date \$ 50,877

Worker's Compensation

Prior Years' Active Claims

	Incident Date	Department/Office	Status	Paid	Missed > 3 Days Work	Returned to Work
2011-12 Policy						
1	6/30/2012	Forest Preserve	re-opened	190,461	Y	Terminated
				190,461		
2015-16 Policy						
2	4/12/2016	Sheriff	open	93,265	Y	Y
3	9/13/2016	Sheriff	closed	252,246	Y	Retired
				345,511		
2016-17 Policy						
4	2/28/2017	Corrections	open	30,324	Y	Retired
5	10/26/2017	Corrections	open	161,496	Y	Retired
6	4/19/2017	Sheriff	open	87,753	Y	Retired
7	11/21/2017	Sheriff	open	152,559	Y	Y
				432,133		
2017-18 Policy						
8	12/12/2017	Corrections	open	22,502	Y	Y
9	5/2/2018	Sheriff	closed	3,468	N	Y
10	8/3/2018	Sheriff	re-opened	4,148	N	Y
11	11/1/2018	Corrections	open	771	N	Y
12	11/18/2018	Sheriff	open	1,782	N	Y
				32,672		

Total Prior Year's Active Claims \$ 1,000,776

**Illinois Counties Risk Management Trust
Claims Analysis
9/1/2019**

Property & Casualty

FY19 - Auto PC

	Incident Date	Department/Office	Status	Paid	Coverage Type
1	4/28/2019	Sheriff	Open		Auto PD - Collision

Total FY19 Auto Claims \$ -

FY19 - General Liability

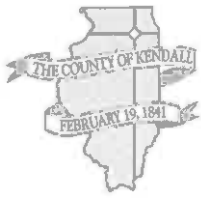
	Incident Date	Department/Office	Status	Paid	Coverage Type
1	1/25/2019	Courthouse	closed		
2	12/5/2018	Circuit Clerk	closed		
3	8/10/2019	Animal Control	open		
4	8/16/2019	Sheriff	open		

Total FY19 General Liability Claims \$ -

Prior Years'- General Liability

	Incident Date	Department/Office	Status	Paid	Coverage Type
2015-16 Policy					
1	8/9/2016	Sheriff	open	22,960	Law Enforcement Liability
2	11/4/2016	Sheriff	open	11,781	Law Enforcement Liability
				34,741	
2016-17 Policy					
3	9/23/2014	Various	open	14,347	General Liability
				14,347	
2017-18 Policy					
4	7/1/2018	Sheriff	open	3,702	General Liability

Total Prior Year's General Liability Claims \$ 50,939



KENDALL COUNTY

ADMINISTRATIVE SERVICES DEPARTMENT

To: Admin HR Committee Members – Elizabeth Flowers (Chair), Scott Gengler, Judy Gilmour, Matt Prochaska, Robyn Vickers

From: Mera Johnson, HR Risk Management & Compliance Coordinator

Re: Kendall County Drug and Alcohol Policy Re: Cannabis

In anticipation of the new Cannabis Law effective January 1, 2020 staff has been attending seminars and working with the State's Attorney Office to provide a revised County Drug and Alcohol Policy for the employees under the County Administrator. At the September 18th, 2019 Admin HR Committee Meeting a draft Drug and Alcohol Policy was presented. The draft Policy is the draft Policy that will be adopted by the State's Attorney Office. Committee members had several follow up questions. Below are the answers to the questions asked at the September 18th, meeting, staff recommendations are also included. The draft policy is attached for reference.

September 18th Admin HR Meeting Follow Up

- The draft policy states that employs are to refrain from using cannabis products 4-hours or fewer before job functions. Committee members worried where that time frame come from and if that was enough time to come to work and not be under the influence or below the legal limit – **Staff used the 4-hour amount as that is an industry standard and similar to the alcohol testing standards.**
- Committee members asked about Federal Grants and CDL drivers – **There are no County Departments under the County Administrator that are required to have CDLs or apply for Federal Grants. KAT (Kendall Area Transit) is a separate entity and has their own policies per DOT (Department of Transportation) standards. A memo about their preparations for the January Law change is attached. Highway is a separate Department and they follow CDL testing and policy standards.**

Staff Recommendations

- Staff is recommending no pre-employment testing for cannabis and alcohol. This recommendation is coming from several seminars where attorneys have said potential employee's privacy is protected and also that a charge of discrimination can be brought against the employer if an offer of employment has been made and rescinded. Especially if the potential employee identifies with a protected class. The County can test employees once they are employed and have signed the Handbook Acknowledgement Form.
- Staff is recommending that positive or negative test result based on the 5 nanogram limit listed in the statute. This is to protect the County from any claims of discrimination.

DRUG AND ALCOHOL USE/ABUSE POLICY

A. Scope

This policy applies to all employees, interns and volunteers of the County (shall herein be referred to collectively as "employees" for purposes of this policy only) while on the job and to situations where an employee's off-the-job or off-premises conduct impairs work performance or undermines the public confidence in, or harms the reputation of the County. This policy shall also apply to all candidates for employment with the County who have been given conditional offers of employment. Such persons are responsible to be familiar with and comply with this policy.

The provisions of this policy are subject to any federal, state, or local laws that may prohibit or restrict their applicability, and testing for drugs and alcohol shall be conducted in accordance with and limited by such laws, notwithstanding any terms of this policy to the contrary. No part of this policy, nor any of the procedures hereunder, guarantees employment, continued employment, or terms or conditions of employment or limits in any way Kendall County's right to manage the workplace and/or discipline employees of the County.

B. Definitions

For purposes of this policy only, the following definitions shall apply:

1. **Drug**: includes any and all of the following:
 - a. Any controlled substance as defined in the Illinois Controlled Substances Act (720 ILCS 570/100 *et seq.*);
 - b. Cannabis as defined in Section 1-10 of the Illinois Cannabis Regulation and Tax Act (if Illinois House Bill 1438 is adopted into law) and Section 3(a) of the Illinois Cannabis Control Act;
 - c. A prescription drug prescribed to the employee but is not taken in accordance with the prescription given to the employee;
 - d. A prescription drug for which the employee has no valid prescription; and
 - e. Over-the-counter medications not used in accordance with product and/or physician instructions.

2. **Alcohol**: includes all alcohol, spirits, wine, beer and alcoholic liquor as defined in Sections 1-3.01 through Section 1-3.05 of the Illinois Liquor Control Act (235 ILCS 5/1-3.01 *et seq.*)

3. **County property:** includes all land, buildings, structures, real property, parking lots, and means of transportation owned by, rented or leased by or to Kendall County.
4. **Safety sensitive function:** includes a job in which the employee is directly responsible for the employee's own safety or the safety of other people. It can also refer to a job where an impairment, such as drug or alcohol use, can put a worker or others at risk of harm.

C. Policies

It is the responsibility of both Kendall County and the employee to maintain a healthy and efficient workforce free from the effects of drug and alcohol abuse. Consistent with this goal and in response to the requirements of the Illinois Drug Free Workplace Act (30 ILCS 580/1-11), Kendall County has developed the following Drug and Alcohol Policy:

1. Kendall County prohibits the following:
 - a. The possession, use, sale, transportation, distribution, manufacturing, and dispensing of drugs (including, but not limited to controlled substances and cannabis), drug paraphernalia, and/or alcohol, by anyone while on County property or while on business for the County, except in accordance with job duty requirements.
 - b. Being impaired or under the influence of drugs or alcohol away from County property, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or others, or puts at risk the County's reputation.
 - c. Possession, use, solicitation for, or sale of drugs or alcohol away from County property, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or others, or puts at risk the County's reputation.
2. It is the responsibility of all County employees to report to their immediate supervisor when reasonable suspicion exists that another employee is impaired or under the influence of drugs or alcohol while on County property and/or while on business for the County.
3. Any employee convicted of any criminal drug statute violation shall notify the Kendall County and the employee's immediate supervisor of such conviction in writing no later than five (5) calendar days after such conviction, unless the conviction has been sealed, expunged or impounded under Section 5.2 of the Criminal Identification Act.

4. The County will not penalize an employee or applicant solely for (a) his/her status as a registered qualifying patient or registered designated caregiver under the Compassionate Use of Medical Cannabis Pilot Program Act or (b) the employee's use of a prescription drug for which the employee has a valid prescription and for which the employee is taking the prescription drug in accordance with their doctor's instructions, unless failing to do so would put the County in violation of federal law or unless failing to do so would cause the County to lose a monetary or licensing-related benefit under federal law or rules. The County prohibits an employee's use and storage of medical cannabis on County property and/or while performing their assigned job duties for the County. The employee shall promptly notify Kendall County and the employee's immediate supervisor (in writing, if possible) if (a) the employee is a registered qualifying patient/registered designated caregiver and the lawful use of the medical cannabis would affect the employee's ability to safely and effectively perform the duties of their job or (b) the employee is lawfully using a prescription drug for which the employee has a valid prescription and the lawful use of the prescription drug would affect the employee's ability to safely and effectively perform the duties of their job.

5. Effective January 1, 2020, the Illinois Cannabis Regulation and Tax Act will allow the recreational/non-medical use of cannabis in the State of Illinois. Section 10-50 of the Illinois Cannabis Regulation and Tax Act allows employers like Kendall County to adopt a "zero tolerance" policy. As such, the County hereby adopts a "zero tolerance" policy and states that employees are prohibited from:

 - Being under the influence of recreational/non-medical use cannabis while on County property; while performing the employee's job duties; during compensated time; and/or while the employee is on call for the County;
 - Using, selling, distributing, and/or possessing recreational/non-medical use cannabis while on County property; during compensated time; while performing the employee's job duties for the County; and/or while the employee is on call for the County, except in accordance with job duty requirements;
 - Using recreational/non-medical use cannabis four (4) or fewer hours before performing job functions that may involve safety-sensitive duties;
 - Reporting for duty or remaining on duty while under the influence of recreational/non-medical use cannabis;
 - Using recreational/non-medical use cannabis during eight (8) hours following a work-related accident, or until undergoing a post-accident test; or
 - Refusing to take a drug and alcohol test in accordance with the testing procedures set forth below.

6. With respect to alcohol, the County hereby adopts a “zero tolerance” policy and states that employees are prohibited from:
 - Being under the influence of alcohol while on County property; while performing the employee’s job duties for the County; during compensated time; and/or while the employee is on call for the County;
 - Using, selling, distributing and/or possessing alcohol while on County property; while performing the employee’s job duties; during compensated time; and/or while the employee is on call for the County, except in accordance with job duty requirements;
 - Using alcohol four (4) or fewer hours before performing job functions that may involve safety-sensitive duties;
 - Reporting for duty or remaining on duty while under the influence of alcohol;
 - Using alcohol during eight (8) hours following a work-related accident, or until undergoing a post-accident test; or
 - Refusing to take a drug and alcohol test in accordance with the testing procedures set forth below.

7. Any alcohol and/or drug that could affect performance of job duties is prohibited. This includes the use of any drug, except by doctors’ prescription and only then if the doctor has advised the employee that the drug will not adversely affect the employee’s ability to safely perform their job duties. It is the employee’s responsibility to promptly inform (in writing, if possible) Kendall County and the employee’s immediate supervisor if the employee is taking an over-the-counter medication and/or lawfully prescribed medication that may affect the employee’s ability to safely and effectively perform the duties of their job.

8. If an off-duty employee responds to a work-related call during non-working hours, the off-duty employee shall not provide any legal advice while their physical and/or mental capacities are impaired due to the consumption of alcohol, medical cannabis, a prescription medication/controlled substance for which the employee has a valid prescription, recreational/non-medical use cannabis (effective January 1, 2020) and/or any other drugs (as defined above in Section B(1) of this Policy) during non-working hours.

9. An off-duty employee shall not drive a vehicle for work-related purposes within two (2) hours after the employee has consumed any one or more of the following: alcohol, medical cannabis, recreational/non-medical use cannabis (effective January 1, 2020), a prescription medication/controlled substance for which the employee has a valid prescription and the employee’s prescribed medication/controlled substance impairs the off-duty

employee's physical and/or mental capacities, and/or any other drugs (as defined above in Section B(1) of this Policy).

10. Any employee who violates this policy may be subject to disciplinary action up to and including termination of employment.
11. If the employee's employment is not terminated as a result of the employee's violation of this policy, the employee may be required to enroll in a drug or alcohol counseling rehabilitation or assistance program (EAP) at the employee's expense. If any employee who is in need of the EAP refuses to cooperate and/or attend the EAP, such conduct may constitute grounds for immediate termination of employment. Also, any employee who violates this policy and/or any employee who participates in an EAP and then violates this policy for a second time may be subject to immediate termination of employment. Any employee who is required by this policy to satisfactorily participate in an EAP shall furnish to his or her supervisor written proof of the satisfactory completion of the EAP.

C. Procedures

To provide a safe drug and alcohol free working environment, the County shall:

1. Provide increased awareness through training, education and communication of the subject of alcohol and other drug abuse.
2. Recognize that there may be employees who have an alcohol, drug or stress problem and stand willing to assist in the resolution of that problem by encouraging employees to seek help through the Employee Assistance Program.
3. Cooperate with outside law enforcement agencies.
4. Conduct alcohol and drug testing in accordance with the Employee Testing Policy as set forth below.
5. Take any other actions deemed necessary and appropriate including, but not limited to, disciplinary action up to and including termination of employment.

D. Employee Testing

Because the public has the absolute right to expect the County to work toward reducing the probability of accidents or incidents related to the misuse of alcohol or drugs and because employees of the County are involved in the investigation and prosecution of drug and alcohol-related offenses in the course of their employment, the County requires

the testing of employees and mandates an anti-drug and alcohol misuse prevention program.

1. **When Testing May Occur:** Employees working for the County may be required to submit to drug and alcohol testing, by breathalyzer test, urinalysis test and/or other appropriate drug and/or alcohol testing, in any one or more of the following situations:

- Pre-employment;
- Post-accident;
- Reasonable suspicion; and
- Return to duty, when an employee has violated the prohibited drug and alcohol standards.

For purposes of this policy, "reasonable suspicion" means that the County's representatives have observed and can describe specific symptoms of an employee while working that decrease or lessen his or her performance of the duties or tasks of the employee's job position, including, but not limited to symptoms related to the employee's speech, breath, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, negligence or carelessness in operating equipment or machinery, disregard for the safety of the employee or others, or involvement in an accident that results in serious damage to equipment or property, or carelessness that results in any injury to the employee or others, or detection of alcohol, drug and/or drug paraphernalia in the area where an employee has/had been working.

The following employees must first be given a reasonable opportunity to contest the basis of the suspected impairment before being subject to discipline based on a reasonable suspicion of impairment:

- A registered qualifying user of medical cannabis under the Compassionate Use of Medical Cannabis Pilot Program Act;
- An employee taking a prescription drug for which the employee has a valid prescription; and
- An employee that is under the influence or impaired by cannabis, but only if Illinois House Bill 1438 (also known as the "Illinois Cannabis Regulation and Tax Act") is adopted into law in the State of Illinois after the effective date of this Employee Handbook.

2. **What Will Be Tested:**

a. **Controlled Substances:** Drug testing shall include, but is not limited to, testing of the following panel of drugs:

- Marijuana THC (metabolite)
- Cocaine, any form or derivative thereof

- Amphetamines (including methamphetamines)
- Opiates (including heroin, opium, etc.)
- Phencyclidine (PCP)

When the Illinois Cannabis Regulation and Tax Act becomes effective on January 1, 2020, "under the influence" or "impaired" by cannabis shall be defined for purposes of this Drug and Alcohol Policy as having a tetrahydrocannabinol concentration of 5 nanograms or more in the employee's whole blood or 10 nanograms or more in another bodily substance of the employee. Also, an employee found to have a tetrahydrocannabinol concentration of 2.5 nanograms or more in the employee's whole blood or 5 nanograms or more in another bodily substance of the employee shall not perform nor be permitted to perform any job functions for at least 24 hours following the test result and may be subject to the same procedures as a positive test result, which may include disciplinary action, not to exclude termination of employment.

- b. **Alcohol:** For purposes of this Employee Testing Policy, "under the influence of alcohol" shall be defined as breath alcohol test results with an alcohol concentration of 0.08% or above and shall be considered to be a positive test result. Also, an employee found to have an alcohol concentration of greater than 0.04% and less than 0.08% shall not perform, nor be permitted to perform any job functions for at least 24 hours following the test result and may be subject to the same procedures as a positive test result which may include disciplinary action, not to exclude termination of employment.
3. **Refusal To Test:** Refusal to submit to a required alcohol or drug test is prohibited. Refusal to submit to a test may result in the same procedures as a positive test result which may include disciplinary action, up to and including termination of employment. Refusal to submit to a test shall be defined as:
- Failing to provide adequate samples for testing without medical reason;
 - Failing to show up at the testing site when instructed;
 - Engaging in conduct that obstructs the testing process; and/or
 - Failing to comply with any of the procedures set forth in this policy.
4. **Confidentiality:** The employee's right to privacy will be respected, and the County shall keep the results of any testing strictly confidential to the extent required or permitted by applicable state and federal law. However, the County may use the results to decide upon an action to be taken towards an employee, or to the extent necessary, to defend its actions in any subsequent grievance, administrative proceeding or legal or other proceeding.
5. **Treatment:** An employee who voluntarily informs Kendall County that he/she has a drug or alcohol abuse problem and desires rehabilitation assistance may be

granted a leave of absence, in accordance with the County's Family and Medical Leave Act Policy, provided the employee is otherwise eligible for such leave pursuant to the Family and Medical Leave Act Policy. The sole purpose of such leave is to obtain the necessary rehabilitation assistance. The employee may be required to periodically provide proof that he/she is participating in an appropriate rehabilitation or after-care program. Any employee who returns to work after completion of a rehabilitation program and who subsequently violates this policy may be immediately discharged without regard to a request for further rehabilitation.

6. **EAP:** Employees who have questions about this policy should contact Kendall County. The County shall continue to provide employees with access to an EAP similar to that which exists on the effective date of this Employee Testing Policy.

7. **Procedures for Testing:**

- a. An applicant shall not be required to submit to alcohol and/or drug testing until after an offer of employment has been made to the applicant. The applicant's offer of employment shall be contingent upon the applicant testing negative for drugs and/or alcohol.
- b. An applicant or employee shall be required to submit to alcohol and/or drug testing at a time and place designated by the County Board or their designee, or whenever in the sole opinion of the County Board or their designee, there is reasonable suspicion for such testing.
- c. In the event of testing for reasonable suspicion, County Board or their designee shall provide the employee with notice of the basis for reasonable suspicion. In addition, the County Board or their designee may require an employee to submit to alcohol and drug testing when an employee is involved in an on duty incident involving significant damage to property or personal injury to anyone. The County shall use only licensed clinical laboratories for such testing.
- d. All drug and alcohol tests will be conducted, reviewed and interpreted by professionally trained and certified technicians and/or medical review officers (MRO) who will follow a chain of custody, and other procedures prescribed by applicable state and federal laws, in order to ensure and confirm the accuracy of the test results. Test procedures shall conform to the NIDA Standards of the Federal Guidelines issued by the Department of Health and Human Services, Alcohol, Drug Abuse and Mental Health Administration. In the event there is a conflict between the procedures set forth in this policy and the NIDA standards, the NIDA standards shall control.

- e. In cases where an applicant or employee receives a negative-dilute test result, the applicant or employee may be required to re-take the test. If there is a second negative-dilute test result, it will be accepted as a negative test result.
- f. At the time of any urinalysis test, the employee may request that a blood sample be taken at the same time so that a blood test can be performed if the employee tests positive in the urinalysis test. If an employee tests positive in any such test, the test results shall be submitted to the County for appropriate action. A portion of the tested sample shall be retained by the laboratory so that the employee may arrange for a confirmatory test to be conducted by a licensed clinical laboratory of the employee's choosing and at the employee's expense.
- g. In cases where an employee is notified of a positive drug or alcohol test, the employee shall be removed from duty for up to 72 hours. The employee may request that the second sample of the split sample be tested, at their own expense. If the results of the second sample come back as negative, The County will reimburse the employee for the cost of the negative test.
- h. The employee shall have the right to dispute the administration of the test and/or the significance and accuracy of the test. Any such dispute shall be submitted in writing to the County.

8. Positive Test Results:

- a. If an applicant tests positive for drug(s) and/or alcohol in a test administered under this Policy, the Kendall County Board, in their sole discretion, may rescind any offer of employment made to the applicant.
- b. If an employee tests positive for drug(s) and/or alcohol in a test administered under this Policy, the Kendall County Board, in their sole discretion, shall have the right to discipline the employee, up to and including termination.
- c. If an employee tests positive and is not terminated, the Kendall County Board, in their sole discretion, reserves the right to offer participation in an approved alcohol rehabilitation or drug abuse assistance program, at the employee's cost, as an alternative to, or in conjunction with discipline. However, the employee must satisfactorily complete the program as a condition of continued employment. Upon the employee's return to work, the Kendall County Board, in their sole discretion, may require such employee to submit to a random urinalysis or other appropriate alcohol and/or drug tests during the twelve (12) month period following the date any employee tests positive in any test and returns to work. Any such random tests shall occur at times and places designated by the County. In the event

such an employee tests positive again, the employee shall be immediately terminated.

SAMPLE REASONABLE SUSPICION CHECKLIST

Supervisor/Manager: Record observation of employee's appearance and behavior that you believe may be the result of use of controlled substances or alcohol misuse.

NAME OF EMPLOYEE OBSERVED	DATE OF OBSERVATION	TIME OF OBSERVATION <div style="text-align: right; margin-right: 20px;">____ A.M.</div> <div style="text-align: right; margin-right: 20px;">____ P.M.</div> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <div style="display: flex; justify-content: space-between; width: 100%;"> HOUR MINUTES </div>
PRIMARY OBSERVER (Print)	SECOND OBSERVER, if available (Print)	
LOCATION OF OBSERVATION		

OBSERVATIONS *(Check all appropriate items)*

Determination of reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee.

SPEECH

- Normal
- Slowed
- Rapid
- Silent
- Loud
- Confused
- Slurred
- Talkative
- Hostile

ALERTNESS

- Normal
- Drowsy
- Energized

OVERT MOOD

- Normal
- Elated, "Up"
- Fearful
- Anxious
- Irritable
- Angry
- Sad, depressed

BALANCE

- Normal
- Swaying
- Staggering
- Falling

NOSE

- Sniffing
- Runny
- Reddened

EYES

- Reddened
- Pupils constricted
- Pupils dilated

BREATH

- Alcohol-like
- Chemical odor
- "Burnt Rope" odor

MOVEMENTS

- Normal
- Slowed
- Quickened
- Uncoordinated
- Shaking
- Aggressive

WALKING

- Normal
- Stumbling
- Falling
- Holding, Reaching

Describe any other specific observations, or explain any of those checked above, that require further clarification as a basis of reasonable suspicion (continue on back if necessary).

By signing below, I certify that, to the best of my judgment, reasonable suspicion exists to require the above employee to undergo testing for alcohol and controlled substances.

PRIMARY OBSERVER

Signature

Title

Date

SECONDARY OBSERVER (if available)

Signature

Title

Date



Mission Statement:

VAC is committed to providing high quality services that address the basic transportation and nutrition needs of its community.

MEMORANDUM

To: All VAC Transit Staff
From: Paul LaLonde
Cc: Ellen Rogers, Mike Neuenkirchen
Subject: Marijuana Legalization & CBD Oil and DOT Drug Testing Program
Date: July 12, 2019

This memo focuses on a few quick updates to VAC's DOT/FTA Drug & Alcohol Testing Programs.

1. **Illinois' Recent Legalization of Marijuana.** Governor Pritzker signed a bill legalizing marijuana for recreational use effective January 1, 2020. Regardless of the drug's status in Illinois, marijuana is **STILL** illegal under federal law, and as a recipient of federal money, VAC is required to maintain a Drug Free Workplace and manage our DOT Drug & Alcohol Testing programs. Therefore, use of marijuana as a VAC employee is strictly prohibited. If you have an MRO verified positive test result for marijuana, your at-will employment will be terminated effective VAC's zero tolerance policy in our Drug & Alcohol Testing program.
2. **The Use of CBD Oils.** Attached to this memo is an article by Dr. Donna Smith, one of the principal authors and architects of the regulations for the U.S. Department of Transportation (DOT) drug and alcohol testing programs. She has over 30 years' experience and expertise in drug testing regulatory compliance. Please read over the article carefully. Essentially, ***the use of CBD oils CAN LEAD TO A POSITIVE TEST RESULT.*** Manufactures' claims that the oils contain zero THC cannot be verified, and there have been cases where CBD oil users have tested positive for marijuana with verification from the MRO. VAC does not have a policy directly related to the use of CBD oils. However, if you test positive while using CBD oil, your positive test is **THE SAME** as testing positive for marijuana according to DOT regulations, and your at-will employment will be terminated effective VAC's zero tolerance policy in our Drug & Alcohol Testing program. It is our strong recommendation to cease using these oils immediately if you are currently doing so. Your job is in jeopardy if you continue to.

If you have any questions concerning this memo or VAC's DOT Drug & Alcohol Testing Program, please do not hesitate to reach out to me, or in my stead, Mike Neuenkirchen.

Administrative Office:
1606 Bethany Road
Sycamore, IL 60178

Phone: (815) 758-3932
Fax: (815) 758-0202

HEMP, CANNABIDIOL (CBD), AND MARIJUANA

By Dr. Donna Smith

February 2019

Hemp products, including the "new health rage" CBD oil (cannabidiol) are supposed to have the THC processed out of them, however, that is not always the case.

Hemp is a variety of the Cannabis sativa plant species that is grown specifically for the industrial uses of its derived products. It can be refined into a variety of commercial items including paper, textiles, clothing, biodegradable plastics, paint, insulation, biofuel, food, oils, and animal feed.

Although cannabis as a drug and industrial hemp both derive from the species "Cannabis sativa" and contain the psychoactive component tetrahydrocannabinol (THC), there are distinct strains with unique phytochemical compositions and uses. Hemp has lower concentrations of THC and higher concentrations of cannabidiol (CBD), which decreases or eliminates its psychoactive effects. Hemp is typically grown for its fiber and seeds and is low in cannabinoid content (e.g. THC). In the U.S. products made from hemp for human consumption (foods, oils, hygiene products, etc.) cannot have any detectable THC content. However, because the products are not standardized in their production or extraction, it is **not guaranteed that the seeds and fiber used are THC free**. Hemp seeds are supposed to be sterilized (thus removing any THC) when used in food or other products in order to be legally imported or sold in the U.S.

Cannabidiol (CBD) is a chemical in the cannabis sativa plant, also known as marijuana. Over 80 chemicals, known as cannabinoids have been identified in the Cannabis sativa plant. While delta-9-tetrahydrocannabinol (THC) is the major active ingredient, cannabidiol makes up about 40% of cannabis extracts and has been studied for many different uses. The CBD is extracted from cannabis plants and used in oils, infused into foods and beverages, and in topical applications. It is sold as a dietary supplement and also as a "natural" treatment for anxiety, bipolar disorder, muscle spasms, epilepsy, multiple sclerosis, Parkinson's and schizophrenia. It is not an FDA approved medication in the U.S. Seventeen states have passed CBD legislation and those laws limit the THC content allowed in the extracted product to (0.3-5%) of total weight.

So what does this mean in terms of drug testing for marijuana?

The drug test for marijuana, whether a urine, saliva or hair test, is specific to detecting THC (tetrahydrocannabinol), a psychoactive substance found in marijuana. If a person has a verified positive for THC on a DOT test, it is a rule violation. The MRO is not allowed to accept a person's claim of use of CBD oils or other cannabidiol products, the use of hemp foods or oils, the use of marijuana for medical or recreational purposes (even in those states with medical and recreational marijuana laws), as a legitimate explanation for a THC positive drug test.

Since hemp and CBD products are supposed to have very little THC content, is it true that using them cannot cause a positive THC marijuana test? No one knows. It depends on how much THC was in the product, how it was consumed, when it was used, etc. There is no test that can determine if the THC found in a person's urine, hair, or saliva came from marijuana, hemp or CBD oil. Thus, individuals who are subject to workplace testing for marijuana should avoid any consumption of hemp or CBD oils, food beverages, or dietary supplements.

NOTE: PLEASE MAKE SURE YOUR DOT-COVERED EMPLOYEES ARE MADE AWARE THEY COULD TEST POSITIVE FOR MARIJUANA IF THEY USE HEMP AND CBD PRODUCTS.

Physician Verification of Annual Physical - 2021 Benefit Year

Employee – Spouse (please circle one)

1. County of Kendall is committed to the health and well-being of our employees. As part of our employee wellness initiatives, all employees and spouses are encouraged to complete an annual physical with their physician. To qualify for the 2021 wellness program employee premium obligation please have this form filled out and returned by 11-30-2020.

Steps for Completion

1. If you have already submitted a wellness exam form in 2020 the wellness program Incentive will continue to the annual anniversary date of your exam. If you have not had an exam so far this year, please contact your physician to schedule your annual physical.
2. Schedule an annual physical with your Physician.
Note: Under Health Care Reform guidelines, preventive care is covered in full by your health plan on an annual basis. If you discuss additional health concerns that go beyond the scope of preventive care, please be aware this visit will be billed and paid as diagnostic. As the patient, you will be responsible for these fees and any follow up deemed appropriate by your physician.
3. Take this form to your appointment. Prior to leaving your appointment, have your physician sign this form.
4. Sign the form and return to Kendall County Treasurer's Office email: benefits@co.kendall.il.us Fax 630-553-4117; Address: 111 W Fox St, Yorkville.

Employee Acknowledgement:

I understand in order to be eligible for the wellness program Incentive 2021; this form must be signed by myself and my physician and submitted to the Kendall County Treasurer's Office. I also understand that no protected health information, including these results, needs to be shared with County of Kendall for this Incentive.

Employee Name (printed)

Spouse Name (optional)

Employee or Spouse Signature

Date

Physician Verification:

I confirm that the above patient completed a preventive exam on _____ (mm/dd/yyyy). If applicable, the patient was also made aware that additional costs may be associated with their visit (if services rendered are outside of preventive scope). PLEASE DO NOT SHARE ACTUAL RESULTS ON THIS FORM AS IT WILL BE RETURNED DIRECTLY TO PATIENT'S EMPLOYER.

Physician Name (printed)

Physician's Office Name (printed)

Physician Signature

Date

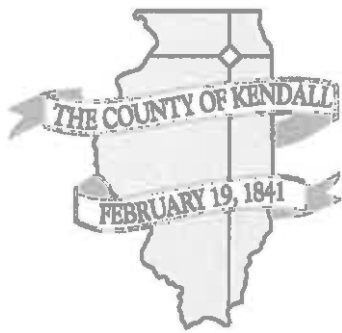
Physician Address

Employees are not required to provide any detailed protected health information.

2021 Annual Wellness Plan Dates & Requirements

- ✚ The Kendall County Wellness Program takes effect January 1, 2021.**

- ✚ To be eligible for health care premium savings, an employee will need to:**
 - Submit evidence of a current annual wellness screening/physical by December 1, 2020 to the Kendall County Treasurer's Office.**
 - The current annual wellness screening/physical must be dated between December 2019 and November 2020.**
 - If the employee's spouse is on the County's family health insurance plan then the employee's spouse must also submit an annual wellness screening.**
 - Employees' children do not need to submit annual wellness screenings.**
 - Please contact the Kendall County Treasurer's Office with any questions.**



2020 AERIAL IMAGERY ITB

Kendall County GIS Department

SUMMARY

Kendall County GIS Department is seeking a qualified consultant to capture aerial imagery for Spring 2020 and, from this source data, compile four-band (R, G, B, IR) six-inch (6") ground sample distance digitally orthorectified imagery.

Meagan Briganti
GIS Coordinator

Invitation for Bid 2020 Aerial Flight

On behalf of Kendall County, I invite you to furnish a bid in accordance with the Scope of Work and Instruction to Bidders stated herein. Carefully read the instructions and follow procedures as outlined in order to be considered for award of contract for this project.

All questions should be directed to:
Kendall County GIS Department
Attention: GIS Coordinator
MBriganti@co.kendall.il.us
111 W Fox St, Rm 308
Yorkville, Illinois 60560

Any questions received shall be answered at the discretion of the County. All questions must include a valid email address for response. Replies will be issued to all Bidders of record via email and will become part of the ITB Documents. Questions will not be responded to by oral clarification. Any perceived oral clarifications or interpretations shall be without legal effect.

All questions must be submitted prior to the submittal deadline.

Prevailing Wage Notice

If this contract calls for the construction of a “public work” within the meaning of the Illinois Prevailing Wage Act, 820 ILCS 130/.01 et seq. (“the Act”). The Act requires contractors and subcontractors to pay laborers, workers and mechanics performing services on public works projects no less than the current “prevailing rate of wages” (hourly cash wages plus fringe benefits) in the county where the work is performed. The Illinois Department of Labor (“Department”) publishes the prevailing wage rates on its website at <http://labor.illinois.gov/>. The Department revises the prevailing wage rates and the contractor/subcontract has an obligation to check the Department’s website for revisions to prevailing wage rates. For information regarding current prevailing wage rates, please refer to the Illinois Department of Labor’s website. All contractors and subcontractors rendering services under this contract must comply with all requirements of the Act, including but not limited to, all wage requirements and notice and record keeping duties.

SCOPE OF WORK

Requirements: All bids must comply with the Scope of Work and the Instructions to Bidders, including all attached and incorporated documents.

Scope of Work: Bidder shall detail the project schedule, procedures, specifications, justification, and costs in order to accomplish the major tasks. The major tasks include the following:

1. Survey control
2. Analytical triangulation
3. Digital elevation model
4. Digitally orthorectified four-band and panchromatic imagery
5. Geodatabase design
6. Metadata

Product Description: The total area for Kendall County, Illinois, is approximately 324 square miles. Captured aerial imagery of Kendall County, Illinois, shall:

1. Be taken in Spring 2020, specifically during leaf-off conditions, when the sky is sufficiently clear, and when the ground is not obscured by snow, haze, smoke dust, cloud shadows, or other ground cover
2. Have less than 5% cloud cover and/or shadows in the imagery
3. Not have snow cover unless nearing the end of the data capture window and snow is still present – bidder must contact Kendall County GIS Coordinator immediately to determine a new course of action, which may include proceeding with snow on the ground or extending the time frame
4. Be four-band (R, G, B, IR) six-inch (6”) ground sample distance (GSD) digitally orthorectified imagery
5. Be projected in Illinois State Plane East coordinate system
6. Be delivered in georeferenced tagged image file format (GeoTIFF) and in MrSID format
7. Cover the entirety of Kendall County plus a 300’ buffer
8. Minimize radial displacement of vertical features
9. Have an appropriate solar altitude that meets industry standards and minimizes shadows
10. Meet or exceed a verified horizontal accuracy at the 95% confidence level

Delivery: Delivery of the final aerial imagery, and related products, shall take no more than 3 months. The Bidder shall deliver the product(s) electronically and ensure all digital information is installed and operating as a fully integrated entity in the enterprise GIS.

- Failure to comply with this deadline will result in reduction of payment as delineated in the following Penalty Clause

1-30 Days Past Due	5% of Contract Amount
31-60 Days Past Due	10% of Contract Amount
61-90 Days Past Due	25% of Contract Amount
91-120 Days Past Due	50% of Contract Amount
121+ Days Past Due	100% of Contract Amount

Experience: Bidder must provide at least one reference of past work, similar in scope and size, including the reference's contact information for verification purposes.

Pricing: The bid must include a complete breakdown of all costs and cost options.

INSTRUCTION TO BIDDERS

General Description: Bids are being accepted for the purchase of: 2020 Aerial Flight (see Scope of Work for details)

Requirements: The following will apply to all bids received:

1. All bids must be comprehensive and complete for the services requested. The accepted bid shall be contracted by Kendall County for the total of the submitted bid. Kendall County will not be responsible for any additional charges above the accepted bid unless additional services are negotiated and accepted by Kendall County by addendum to the original contract. The terms that will be included in the contract for the services are attached to this ITB as the "Agreement." By submitting a bid, bidders are agreeing to those terms found in the Agreement.
2. Kendall County will not be responsible for any expenses incurred by the bidder in preparing and submitting bids. All bids shall provide a straightforward, concise delineation of your capabilities to satisfy the requirements of this request. Emphasis should be on completeness and clarity of content.
3. The bidder must sign in the firm or corporate name and must bear the original longhand signature of a principal legally authorized to sign contracts. The name of each person signing should be typed or printed below the signature.
4. The individual signing the document for the bidding organization shall initial all erasures or corrections.
5. All variations to the stated specifications must be described in detail (free from ambiguity).
6. All bidders must be appropriately licensed and authorized to conduct business within the State of Illinois.
7. The failure of a bidder to promptly supply information requested in this ITB or other information subsequently requested may result in the bidder being eliminated from consideration.
8. The contents of the bid submitted by the successful bidder and this ITB (including the Scope of Service, Instructions to Bidders, and any and all attached, referenced, or incorporated documents) will become a part of the contract awarded as a result of these specifications.
9. Kendall County reserves the right to request clarifications or corrections to bids.
10. All bids submitted shall be considered firm offers and will be binding for ninety (90) calendar days following the Due Date, unless, upon Kendall County's request, the bidder agrees to an extension.

11. The bidder acknowledges that all bid materials become the property of Kendall County and, as such, may be available to the public. By submitting a bid, bidder acknowledges that Kendall County's decision is final, binding, and conclusive upon the bidder for all purposes.

12. The bidder is expected to comply with the true intent of this ITB taken as a whole and shall not avail itself of any errors or omission to the detriment of the services or Kendall County. Should the bidder suspect any error, omission, or discrepancy in the specifications or instructions, the bidder shall immediately notify Kendall County in writing, and Kendall County will issue written corrections or clarifications. The bidder is responsible for the contents of its bid and for satisfying the requirements set forth in the ITB. Bidder will not be allowed to benefit from errors in the document that could have been reasonably discovered by the bidder in the process of putting the bid together.

County's Rights: Kendall County reserves the following rights: (1) to waive or deviate from the procedures or timetable identified in the ITB; (2) to supplement, amend, or otherwise modify the ITB, without notice; (3) to request additional information from bidders; (4) to reject any or all bids; and (5) to waive minor defects and technicalities.

Questions and Interpretations: Submit questions about the documents to the GIS Coordinator via email MBriganti@co.kendall.il.us. Replies will be issued to all bidders of record as Addenda to the appropriate attachment and will become part of the Agreement. Questions will not be responded to by oral clarification.

Failure to request clarification will not waive responsibility of comprehension of the documents and performance of the work in accordance with the intent of the documents. Signing the Agreement will be considered as implicitly denoting thorough comprehension of intent of the documents.

Submittal: The title of the ITB must be written on the envelope or subject line of the email. No responsibility shall be attached to Kendall County for the premature opening of any bid not properly addressed and identified. No bid will be considered unless all stipulations of this document and the Agreement have been completed.

Completed bids can be sent via email to MBriganti@co.kendall.il.us or mailed to Kendall County GIS Department, 111 W Fox St, Room 308, Yorkville, Illinois 60560. Bids must be received before September 3, 2019 at 8:00 am, in order to be considered.

Submission of a bid confers no rights on the bidder to selection or to a subsequent contract. This ITB process is for the Kendall County's benefit only and is intended to provide Kendall County with competitive information to assist in selection of services. All decisions on compliance, evaluation, terms and conditions shall be made solely at Kendall County's discretion.

Opening: The bids shall be opened and publicly read on September 3, 2019 at 8:00 am in the County Office Building at 111 W Fox Street by the GIS Coordinator. Each bid shall be analyzed to ensure that all stipulations have been satisfied. The results shall be recorded and forwarded with all bidding documents to the Kendall County Board. Attendance is NOT required.

Award: It is the intent of Kendall County to award the bid to the lowest responsible bidder who has met all specifications, terms, and conditions of this ITB.

Rejection of Bids: The Kendall County Board, Kendall County Administrative/HR Committee, and Kendall County Technology Services Director reserve the right to reject any or all bids and to waive any or all irregularities. Kendall County may seek clarification from a bidder at any time and failure to respond promptly is cause for rejection.

Disqualification: Kendall County reserves the right to disqualify bids, before or after opening, upon evidence of collusion with intent to defraud or other illegal practices upon the part of the bidder. The bidder's failure to agree to the terms and conditions of the attached Agreement or otherwise meet the mandatory requirements will result in the disqualification of the bidder's bid from further consideration as an unresponsive bid.

Execution of Contract: Notwithstanding any delay in the preparation and execution of the contract, each bidder shall be prepared, upon written notice of bid acceptance, to commence work within 10 days following receipt of official written order of Kendall County to proceed, or on date stipulated in such order.