

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

    X     Resolution or Ordinance (Blue)      \_\_\_\_\_ Waiver of First Requested  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

**TO:** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** David Hulseberg, Village Manager

**DATE:** July 19, 2012      (COW) (B of T)      **Date:** September 6, 2012

**TITLE:** Illinois Route 53 Storm Water Pump Station  
Preliminary Design Engineering  
Contract Amendment #2

**SUBMITTED BY:** David A. Dratnol, P.E., Village Engineer *DAO*

**BACKGROUND/POLICY IMPLICATIONS:**

The contract amendment is for modeling the existing and proposed conditions for the Illinois Route 53 Storm Water Pump Station.

**FISCAL IMPACT/FUNDING SOURCE:**

Contract Amendment: \$6,995.00  
Revised Total Contract Amount: Not-To-Exceed \$105,597.00  
WSCapRsveFd: \$6,995.00  
Account#: 7901.809500  
HTE Project Number: 1026  
PW Project Number: SS-10-01

Review (as necessary):  
Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

**R E S O L U T I O N**

**R \_\_\_\_\_**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT INVOLVING AN INCREASE/DECREASE IN THE DOLLAR AMOUNT OF THE CONTRACT OF \$10,000 OR MORE AND/OR EXTENDING/SHORTENING THE TIME IN WHICH THE CONTRACT IS TO BE COMPLETED BY THIRTY (30) DAYS OR MORE**

**WHEREAS**, pursuant to Illinois Compiled Statutes, Chapter 720, Section 5/33E-9, units of local government are required to make specific findings prior to authorizing any amendment relative to a contract which would increase or decrease the dollar amount of the contract by \$10,000 or more, or would extend or shorten the time in which the contract is to be completed by thirty (30) days or more; and

**WHEREAS**, staff has presented and recommended the proposed amendment to the contract between the Village of Lombard and Baxter & Woodman regarding the Route 53 Stormwater Pumping Station project, as attached hereto as Exhibit "A" and made part hereof, (the "Amendment") to the Corporate Authorities of the Village of Lombard; and

**WHEREAS**, said Amendment attached hereto as Exhibit "A" would increase the dollar amount of the contract by \$6,995.00, when combined with a previous amendment (approved September 16, 2010 in the amount of \$19,807.00) would increase the total dollar amount of the contract to \$105,597.00

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That after reviewing the explanation of staff as to the necessity of and reasons for the Amendment attached hereto as Exhibit "A", the President and Board of Trustees find as follows:

- A That the circumstances which necessitated said Amendment were not reasonably foreseeable at the time the contract was entered into.
- B. That the basis of the Amendment was not within the contemplation of the contract when the contract was signed.
- C. That it is in the best interests of the Village of Lombard to approve the Amendment in its proposed form.
- D. That to the extent that it may have been necessary to go to bid relative to the work contemplated by said Amendment, bidding is hereby specifically waived as to the Amendment work.

**SECTION 2:** That having made the findings set forth in Section 1 above, the President and Board of Trustees hereby approve the Amendment attached hereto as Exhibit "A", and direct and authorize the Village President and Village Clerk to execute said Amendment on behalf of the Village.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2012,  
pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**Village President**

ATTEST:

\_\_\_\_\_  
**Brigitte O'Brien**  
**Village Clerk**