

**RESOLUTION
R 25-10**

**A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT**

WHEREAS, the Board of Trustees of the Village of Lombard on April 06, 2006 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and BOLLINGER, LACH & ASSOCIATES, INC. and

WHEREAS, an amendment to said contract is required to legally bind the parties; and

WHEREAS, Illinois law exempts professional engineering contracts from the requirements of Illinois Compiled Statutes, Chapter 720, Section 5/33E-9 regarding preparation of change orders.

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 the President and Village Clerk are hereby directed and authorized to execute an amendment to the contract with BOLLINGER, LACH & ASSOCIATES, INC. substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.


Adopted this 20th day of August, 2009.

Ayes: Trustees Gron, Tross, Wilson, Fitzpatrick and Ware

Nays: None

Absent: Trustee Moreau

Approved this 20th day of August, 2009.


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 20th day of August, 2009, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **BOLLINGER, LACH & ASSOCIATES, INC.** (the "CONSULTANT").

WHEREAS, on April 06, 2006 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Great Western Trail Pedestrian Bridges Design Contract; and

WHEREAS, the VILLAGE and CONSULTANT have agreed to increase the amount of work to be performed by the CONSULTANT together with a resultant increase in the limit which the contract sum may not exceed;

NOW, THEREFORE, for and in consideration of the foregoing and various covenants in said agreement and the mutual covenants herein contained, it is agreed by and between the parties as follows:

SECTION 1: The aforementioned contract shall be amended to expand the scope of work as provided for in the CONSULTANT'S proposal dated July 15, 2009.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$681,641.04.

SECTION 3: All other terms, covenants and conditions of said contract heretofore executed which are not amended or deleted herein shall remain in full force and effect.

IN WITNESS WHEREOF, the VILLAGE and CONSULTANT have caused this document to be signed by duly authorized officers who have set their hands and seals the day and year set forth above.

VILLAGE OF LOMBARD

By: _____

William J. Miller
Village President

ATTEST:

By: _____

Dezette O'Brien
Village Clerk

and **BOLLINGER, LACH & ASSOCIATES, INC.**

By: _____

Craig A. Guly

ATTEST:

By: _____

John A. Hilde



To: David A. Hulseberg, Village Manager
 Through: Carl Goldsmith, Director of Public Works *CG*
 From: David A. Dratnol, P.E., Village Engineer *DAD*
 Date: August 04, 2009
 Subject: Great Western Trail Pedestrian Bridges
 over Grace St, UPRR, & St. Charles Road
 Contract Amendment for Design Engineering

Attached please find a request for an amendment to the contract with Bollinger, Lach & Associates, Inc. (BLA) for design engineering services for the Great Western Trail Bridges in the amount of an increase to the contract of \$359,541.36. This includes both Phase I and Phase II (construction plans and documents) engineering. The increase to Phase I would be \$66,960.06 and the increase to Phase II would be \$292,581.30. Phase I engineering should be completed by May 2010. Phase II would start upon approval of the Type, Size, and Location (TS&L) report by Illinois Department of Transportation. The major items are discussed below, but also refer to the BLA request for additional background and explanation.

The original contract was signed in January 2006. At that time, the proposed bridges were to be prefabricated steel bridges with intermediate pier supports. The design of the bridges would have been by the manufacturer. Since that time DuPage County changed the loading requirement for all trail bridges to be able to support maintenance vehicles. This requirement means that a prefabricated design could not be used and that the bridge design would be done by BLA. In addition, Union Pacific Railroad has required that the supports for the bridge crossing the railroad be outside the railroad right-of-way and increased the vertical separation between the bridge and top of rail. This will require a longer span for the bridge and Mechanically Stabilized Earth (MSE) retaining walls to support the additional embankment. The change in parameters requires additional engineering and coordination efforts to get approval from the controlling parties and complete the design. The project must be approved by Illinois Department of Transportation, DuPage County Highway Department, and the Union Pacific Railroad. In addition, the work must be coordinated with Commonwealth Edison and DuPage Water Commission. This project is proposed for construction in 2011.

The original contract for design engineering services is \$322,099.68. The proposed contract amount will be \$681,641.04.

Please present this Contract Amendment to the President and Board of Trustees at their regular meeting of August 20, 2009. If approved, please return one signed original to Public Works-Engineering for further processing.

DAD/pk

c: File: H:PW/PW-ENG/PROJECTS/FY2006 GWT Bridges/M-06-03/design/Amendment
 1/Contract Amendment BoT Memo M-06-03