

RESOLUTION
R 64-13

A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT INVOLVING AN INCREASE THE DOLLAR AMOUNT OF THE CONTRACT OF \$10,000 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 Christopher B. Burke Engineering, Ltd., regarding the Madison and Rt. 53 Intersection 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 \$15,793.00.

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 15th day of November, 2012, pursuant to a roll call vote as follows:

Ayes: Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

Nays: None

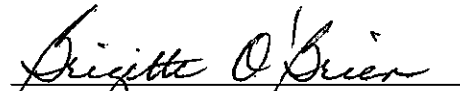
Absent: None

Approved by me this 15th day of November, 2012.




Peter Breen
Acting Village President

ATTEST:



Brigitte O'Brien
Village Clerk

Municipality Village of Lombard	L O C A L A G E N C Y  Illinois Department of Transportation Preliminary Engineering Services Agreement For Motor Fuel Tax Funds 1st Supplemental Agreement	C O N S U L T A N T	Name Christopher B. Burke Engineering
Township York			Address 9575 West Higgins Road
County DuPage			City Rosemont
Section IL Route 53 at Madison Street			State Illinois

THIS AGREEMENT is made and entered into this 15th day of November, 2012 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

Section Description

Name Illinois Route 53 at Madison Street intersection

Route _____ Length 0.45 Mi. 2,400 FT (Structure No. n/a)

Termini _____

Description:

This 1st Supplemental Agreement addresses additional level of effort required to complete Phase I Engineering for the improvement of IL 53 at Madison Street, and reconstruction of Madison Street from IL 53 to Finley Road.

Agreement Provisions

The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA, in connection with the proposed improvements herein before described, and checked below:
 - a. Make such detailed surveys as are necessary for the preparation of detailed roadway plans
 - b. Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
 - c. Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
 - d. Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
 - e. Prepare Army Corps of Engineers Permit, Department of Natural Resources-Office of Water Resources Permit, Bridge waterway sketch, and/or Channel Change sketch, Utility plan and locations, and Railroad Crossing work agreements.
 - f. Prepare Preliminary Bridge design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
 - g. Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
 - h. Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easement and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

Note: Four copies to be submitted to the Regional Engineer

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

Village of Lombard of the
(Municipality/Township/County)

ATTEST:

State of Illinois, acting by and through its

By *Bryette O'Brien*
Village Clerk
(Seal)

By *[Signature]*
Title Acting Village President

Executed by the ENGINEER:

Christopher B. Burke Engineering, Ltd.

9575 West Higgins Road

ATTEST:

Rosemont, Illinois 60188

By _____

By _____

Title _____

Title _____

Approved

Date
Department of Transportation

Regional Engineer

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

Village of Lombard of the
(Municipality/Township/County)

ATTEST:

State of Illinois, acting by and through its

By *Christina O'Brien*
Village Clerk

By *[Signature]*

(Seal)

Title Acting Village President

Executed by the ENGINEER:

Christopher B. Burke Engineering, Ltd.

9575 West Higgins Road

ATTEST:

Rosemont, Illinois 60188

By _____

By _____

Title _____

Title _____

Approved

Date
Department of Transportation

Regional Engineer



OCT 24 2012

CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX(847) 823-0520

October 23, 2012

Mr. Frank Kalisik
Civil Engineer II
Village of Lombard
Public Works Department
1051 S. Hammerschmidt Avenue
Lombard, Illinois 60148

Subject: Illinois Route 53 at Madison; Phase I Engineering Supplement

Dear Mr. Kalisik:

As a result of additional work that has been required to complete Phase I Engineering for the subject project, we are requesting an increase in the Phase I Engineering. The pre-final Project Development Report (PDR), Intersection Design Study (IDS), and Location Drainage Study (LDS) have been submitted to IDOT for approval, and we anticipate receiving Phase I Design Approval by the end of November.

During the course of Phase I Engineering, additional analysis and coordination was required to secure IDOT approval of the projected traffic volumes to be used for intersection design, and to evaluate pedestrian/bicycle accommodation alternatives to comply with IDOT's Complete Streets policy. Neither of these tasks was anticipated as part of the initial Phase I scope of work.

IDOT provided approval of year 2030 traffic projections as part of the previous feasibility study, which was anticipated to be used for Phase I Engineering or potentially updated 2040 projections from CMAP. However, IDOT required an evaluation as part of Phase I Engineering for year of construction traffic projections since 3R design criteria was being used. This was a somewhat complex task given the current restricted movements at this intersection under current conditions, which required a comparative analysis of historical traffic data when the IL 53 at Madison Street intersection accommodated all movements, with current traffic counts and projects for area roadways including IL 53. Considerable coordination with IDOT and several cycles of review/comment were required to ultimately get IDOT's concurrence with the year 2015 projected traffic volumes for design purposes. The cost associated with the traffic projections analysis was tracked under the IDS task and totaled \$7,483.

An analysis of various pedestrian/bicycle accommodation alternatives, and the cost thereof, was required to achieve IDOT's approval that the project was compliant with Complete Streets requirements. Several alternative scenarios were developed and cost

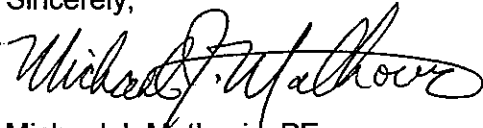
estimates prepared. A Technical Memorandum summarizing the development and comparison of these alternatives was developed and submitted to IDOT for review. Several cycles of review/comment as well as participation in additional FHWA coordination meetings and conference calls was required to gain IDOT's approval. The cost associated with the Complete Streets analysis was tracked under the PDR task and totaled \$10,836.

The requirement for this additional work was documented on the progress reports submitted over the course of Phase I Engineering. Although we were hopeful to absorb the cost of this additional work within the initial Phase I budget, that was not realized. As of October 1st, we have expended \$160,562 on Phase I Engineering which exceeds the initial estimated cost of Phase I Engineering (\$144,769) by \$15,793.

On the above basis, we are requesting an increase of \$15,793 for Phase I Engineering.

If you have any questions regarding this supplement request or require additional information, please contact me at 847/823-0500.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Matkovic". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Michael J. Matkovic, PE
Vice President
Head, Phase I Engineering Department

