

DISTRICT 4

**VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION**

For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ Waiver of First Requested

Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: July 1, 2004 (COW) (B of T) **Date:** July 22, 2004

TITLE: Special Assessment 217 (Lombard Lagoons)
Contract Amendment No. 4

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

BACKGROUND/POLICY IMPLICATIONS:

Please see the attached memo.

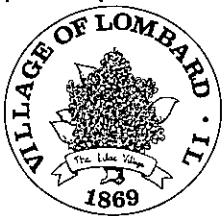
FISCAL IMPACT/FUNDING SOURCE:

THIS ITEM: \$54,780.00 INCREASE / Water & Sewer
TOTAL CONTRACT: \$437,372.00
Public Works Project No.: ST01-10
HTE Project No.: 0130
P.O. No.: 037393
8732.755660

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X *Donald Flood* _____ Date *7/13/04*
Village Manager X *W. T. Lichter* _____ Date *7/13/04*

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.



InterOffice Memo

To: William T. Lichter, Village Manager
 From: David A. Dratnol, P.E., Village Engineer *DM*
 Date: July 1, 2004
 Subject: SA 217 (Lombard Lagoons)
 Amendment #4 to an Engineering Services Agreement

Attached please find a "Resolution Authorizing Amendment of a Professional Services Contract", and an "Agreement to Amend a Contract". This amendment addresses six (6) issues associated with preparation of the contract documents for the sanitary sewer system replacement for the Lombard Lagoons project area. The project area borders are North Avenue, Grace Street, Sunset Avenue and Kramer Avenue.

Categories of amended hours for scope of work items:

- ✓ *Meetings & Coordination*
- ✓ *Update Field Survey and Base Plans*
- ✓ *Pre-Final Plans, Specifications and Estimate*
- ✓ *Final Plans, Specifications and Estimate*
- ✓ *Permits*
- ✓ *Bidding Assistance*

Please refer to the attached memo from Engineering Resources Associates (ERA), which explains in detail the work effort and calculation of man-hours related to the additional engineering services to prepare plans, specifications and estimates for the construction of sanitary sewer.

Please note this amendment is not a Special Assessment related charge because this work is associated with the maintenance and replacement of existing Village facilities. The project will replace existing sanitary sewer within the right of-way and replace rear yard sanitary sewers with new sanitary sewers in the right-of-way.

The original contract was based on having ERA prepare a complete set of construction documents covering all of the contemplated improvements. Because of issues with Illinois American Water, the Village has changed the project to a staged construction project, with the storm water (Veterans Pond and Lombard Lagoon) and sanitary sewer work being the first two stages, with the roadway improvement Special Assessment to follow.

This item will be presented to the Board of Local Improvements on July 8, 2004. Please place this item on the Board of Trustees agenda for the meeting scheduled on July 22, 2004, and request approval of the contract amendment in the amount of \$54,078.00, which increases the contract to a not-to-exceed amount of \$437,372.00. If approved, please return all paperwork to Engineering for further processing.

RESOLUTION
R _____ 05

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT

WHEREAS, the Board of Trustees of the Village of Lombard on June 1, 2000 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Engineering Resources Associates, Inc.; {which was amended on May 17, 2001, November 15, 2001, and February 20, 2003} 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 Engineering Resources Associates, Inc., substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this the 22nd day of July 2004.

Ayes; _____

Nays: _____

Absent: _____

Approved this the 22nd day of July 2004.

ATTEST:

William J. Mueller
Village President

Barbara A. Johnson
Deputy Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this the 22nd day of July 2004, by and between the **Village of Lombard** (the "VILLAGE") and Engineering Resources Associates, Inc. (the "CONSULTANT").

WHEREAS, on June 1, 2000 the VILLAGE and CONSULTANT executed a contract {which was amended on May 17, 2001, November 15, 2001, and February 20, 2003} regarding certain engineering services relative to the Special Assessment 217 (Lombard Lagoons); 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 as provided for in the CONSULTANT'S June 24, 2004 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$437,372.00

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: _____
Village President

ATTEST:

By: _____
Deputy Village Clerk

and Engineering Resources Associates, Inc.

By: _____

ATTEST:

By: _____
Mon. O. Kelly



ENGINEERING RESOURCE ASSOCIATES, INC.
Consulting Engineers & Surveyors

214 West Willow Avenue
Wheaton, Illinois 60187
Phone: (630) 668-5995
Fax: (630) 668-0693

June 24, 2004

Mr. Ray Schwab
Civil Engineer
Village of Lombard
1051 South Hammerschmidt Avenue
Lombard, IL 60148

SUBJECT: SA 217(Lombard Lagoons)
Contract Amendment No. 4

Dear Ray:

In accordance with your request, Engineering Resource Associates, Inc. (ERA) is pleased to submit this proposed Contract Amendment No. 4 to our agreement for design engineering services for SA217 (Lombard Lagoons). The amendment reflects additional engineering services to prepare Phase 2 final contract documents.

In June, 2000 ERA was retained by the Village of Lombard to provide design engineering services for Special Assessment 217. The original project was anticipated to be constructed in 2002 as a single phase project with an estimated construction cost of \$3,600,000. The project consisted of reconstructing the existing rural cross section to the village standard cross section along with sanitary and storm sewer improvements. ERA completed and submitted pre-final plans, specifications and estimates (PS&E) for the overall project in September, 2002.

Due to unforeseen issues over water mains and sanitary sewers, it was determined that the project would be constructed in several phases as separate construction contracts. Final PS&E for the first phase, which consisted of detention pond and minor storm sewer improvements, were completed in April, 2003. The first phase was constructed in 2003.

The Village of Lombard now desires to amend ERA's contract to include preparation of final PS&E for Phase 2 Improvements which will include construction of new sanitary sewer mains and services along with new ditches and storm sewers to maintain existing drainage patterns. It is our understanding that this phase of the project will not be funded by the Special Assessment and is scheduled to begin construction in the spring of 2005. The following is a listing of additional engineering services included in the scope of this Contact Amendment No. 4.

1. Meetings & Coordination – We will continue to meet and correspond with Village of Lombard staff and others throughout the project duration to review progress and discuss relevant issues.

Geneva Office:
426 South Third Street, Geneva, Illinois 60134
Phone: (630) 262-8689 Fax: (630) 262-8698
email: era@eraconsultants.com

2. Update Field Survey and Base Plans – This task includes field visits and additional surveys to verify existing conditions compared to the original survey. This task also includes incorporation of Phase I record drawing conditions. Updated information will be added to existing conditions base plan and profile sheets. Revised base plan and profile sheets will be produced and distributed to Village staff and private utility companies for review and verification.
3. Pre-Final PS&E – We will prepare pre-final contract plans, specifications and estimates to facilitate construction of Phase 2 improvements. Phase 2 improvements will include construction of new sanitary sewer mains within the rights of way as shown on the previously submitted overall pre-final plans. Other improvements shown on the overall pre-final plans including storm sewers, pavement, lighting and driveway work will not be constructed. Phase 2 pre-final plans will be designed to include reconstruction of existing ditches, design and replacement of driveway culverts, patching of driveway aprons and pavement patching at road crossings and for service extensions. New cross sections with the proposed ditches must be generated to determine the earthwork quantities. Sanitary services will be extended to the right of way limits from the new mains and new cleanouts will be installed. Phase 2 does not include connection of individual private services to the new main. The connection of the services to the homes will be Phase 3 which will be constructed in 2006. Pre-Final Phase 2 plans will include the following sheets.

• <i>Cover Sheet and Location Map</i>	<i>1 sheet</i>
• <i>Pre-Final Plan & Profile Sheets</i>	<i>23 sheets</i>
• <i>Cross Section Sheets</i>	<i>26 sheets</i>

Specifications will be prepared in Village of Lombard standard format. The specifications will reference IDOT specifications and standard specifications for water and sewer main construction in Illinois. This task also includes the preparation of a pre-final engineer's opinion of probable construction cost for the proposed improvements. Pre-final PS&E will be submitted to Village staff and IEPA for review and comments.

4. Final PS&E – Upon receipt of comments on the pre-final submittal, we will revise the contract documents accordingly and prepare and submit Final PS&E contract documents. Final Phase 2 plans will include the following sheets.

• <i>Cover Sheet and Location Map</i>	<i>1 sheet</i>
• <i>General Notes and Typical Sections</i>	<i>1 sheet</i>
• <i>Final Plan & Profile Sheets</i>	<i>23 sheets</i>
• <i>Cross Section Sheets</i>	<i>26 sheets</i>
• <i>Construction Details</i>	<i><u>3 sheets</u></i>
<i>Total Sheets</i>	<i>54 sheets</i>

This task also includes final revisions to specifications and estimates.



5. Permits – ERA will prepare permit applications for the following permit authorities
- Illinois Environmental Protection Agency – Sanitary Permit
6. Bidding Assistance – This task includes assistance to the Village in acquiring competitive bids for construction by providing reproducible plans and specifications, responding to bidder questions, attending a pre-bid meeting, preparing addenda as required, attending the bid opening and providing award recommendations.

To accommodate completion of Phase 2 PS&E the project schedule is hereby modified as follows:

- | | |
|--|-----------------|
| • Phase 2 Initiation | July, 2004 |
| • Complete Field Survey and Base Plans | August, 2004 |
| • Submit Phase 2 Pre-Final PS&E | September, 2004 |
| • Submit Phase 2 Final PS&E | December, 2004 |
| • Issue for Bids – Phase 2 | January, 2005 |
| • Open Bids – Phase 2 | February, 2005 |
| • Begin Construction - Phase 2 | April, 2005 |

The project schedule may be further amended when the scope, timing and limits of future phases is established.

Fees for additional engineering services described in this Amendment No. 4 are proposed on a cost plus not to exceed basis in accordance with the same multiplier rate (2.58) applied to our original agreement. This amendment includes services for preparation of Phase 2 PS&E only. Preparation of subsequent PS&E for future phases may be negotiated as part of future amendments. The following is a summary of expenses to date and proposed additional fees for this Amendment No. 4.

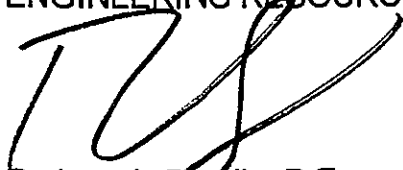
Original Agreement (June, 2000)	\$249,914
Amendment No. 1 (April, 2001)	
<i>Additional Engineering & Surveys</i>	\$ 28,067
Amendment No. 2 (November, 2001)	
<i>Flow Monitoring & Downstream Analysis</i>	\$ 31,750
Amendment No. 3 (February, 2003)	
Phase 1 PS&E	<u>\$ 73,563</u>
Previous Revised Contract Amount	\$383,294
This Amendment No. 4	<u>\$ 54,078</u>
Revised Contract Amount	\$437,372



An hour and cost budget for additional services described in this amendment is included on the last page of this amendment.

We appreciate the opportunity to provide this amendment and were trust that it meets with your approval. Please advise if you have any questions or comments.

Very truly yours,
ENGINEERING RESOURCE ASSOCIATES, INC.



Rodney A. Beadle, P.E.
President

RAB/sdh

Hour and Cost Budget
 Village of Lombard
Special Assessment 217
Contract Amendment No. 4
 Prepared By
 Engineering Resource Associates, Inc.
June 24, 2004

PD: Project Director
 PM: Project Manager
 SPE: Senior Project Engineer
 PE: Project Engineer
 CC: Survey Crew Chief
 FT: Field Technician
 CT: CADD Technician
 CL: Clerical

TASKS	Rate:	PD	PM	SPE	PE	CC	FT	CT	CL	TOTAL HOURS	TOTAL COST	FEE (2.58 MULT)
	\$70.00	\$52.50	\$45.00	\$28.50	\$23.00	\$19.00	\$26.50	\$19.50				
Original Agreement												
Amendment No. 1 (San Survey & Design)		84	214	450	672	150	262	1050	85	2,967	\$249,914	
Amendment No. 2 (Flow Monitoring)		5	18	44	116	40	40	124	22	409	\$28,067	
Amendment No. 3 (Phase 1 PS&E)		24	58	116	204	48	48	384	30	912	\$31,750	
Previous Totals		113	290	610	992	238	350	1,558	137	4,288	383,294	
Amendment No. 4 - Phase 2 PS&E												
1. Meetings & Coordination		4	8	12	16	0	0	0	4	44	\$1,774	\$4,577
2. Update Field Survey & Base Plans		2	4	8	16	32	44	44	2	140	\$3,715	\$9,585
3. Pre-final PS&E		6	12	24	60	0	160	160	16	278	\$8,392	\$21,651
4. Final PS&E		4	8	16	36	0	60	60	12	136	\$4,270	\$11,017
5. Permits		2	4	6	8	0	4	4	2	26	\$993	\$2,562
6. Bidding Assistance		2	4	8	16	0	0	0	8	38	\$1,322	\$3,411
Subtotals		20	40	74	152	32	32	268	44	662	\$20,466	\$52,802
Direct Costs												
Printing												
Prelinal - 10 sets x \$48/set												\$480
Final - 10 sets x \$56/set												\$560
Shipping												\$150
Mileage 10 trips x 24 miles/trip x \$0.36/mile												\$86
Subtotal - Amendment No. 4												\$54,078
Revised Project Totals		133	330	684	1,144	270	382	1,826	181	4,950	\$437,372	