

**RESOLUTION  
R 72-23**

**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 Thomas Engineering Group regarding the Downtown Sidewalk 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 \$199,777.84.

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 21<sup>st</sup> day of December, 2023.

Ayes: Trustee LaVaque, Puccio, Dudek, Honig, Militello and Bachner

Nays: None

Absent: None

Approved by me this 21<sup>st</sup> day of December, 2023.



**Keith T. Giagnorio**  
**Village President**

ATTEST:



**Elizabeth Brezinski**  
**Village Clerk**

Exhibit A  
Legistar: 230429



November 30, 2023

762 Shoreline Drive  
Suite 200  
Aurora, IL 60504

Mr. Mike Barbier, Civil Engineer  
Village of Lombard  
Public Works Department  
Engineering Division  
255 East Wilson Avenue  
Lombard, IL 60148

**Re: Contract Amendment #1  
CONTRACT DOCUMENT NUMBER (20-05)  
Phase III Resident Engineering Services Downtown Sidewalk Rehabilitation Project**

Dear Mr. Barbier:

Thomas Engineering Group, LLC (TEG) is providing Phase III Resident Engineering Services for the ongoing Downtown Sidewalk Rehabilitation Project. Based on developments in the work and expansion of scope, TEG respectfully requests the Village's consideration to amend the professional engineering services Agreement for additional construction engineering services requested by the Village of Lombard.

The original engineering budget was based on providing full-time Phase III Resident Engineering Services over a period of 31 weeks, between April 1, 2023, and October 31, 2023, for streetscaping improvements along St. Charles Road between Craig Place and Elizabeth Street. The Village extended a construction change order to R.W. Dunteman Company for additional improvements to convert South Park Avenue, between St. Charles Road and Michael McGuire Drive, into a pedestrian-oriented space by removing parking from the west side of South Park to expand the sidewalk and streetscaping area.

TEG respectfully submits the enclosed fee proposal to the Village of Lombard to provide additional Resident Engineering Services for the Downtown Sidewalk Rehabilitation Project and South Park Avenue Streetscaping Improvements matching the construction schedule issued by R.W. Dunteman. The attachments enclosed, and referenced below, summarize the total work effort to complete additional services requested by the Village.

- Staff Scheduling Plan
- BDE 3606 Cost Estimate of Consultant Services (CECS)

We have utilized an IDOT standard Cost Estimate of Consultant Services (CECS) and Direct Labor Multiplier (DLM) method of compensation using a multiple of 2.65. The anticipated duration of construction services is seven (7) months, November 2023 through May 2024, with post construction punch list and closeout activities planned for the months of May and June 2024.

TEG respectfully requests the Village of Lombard's consideration of Contract Amendment #1. It has been a pleasure working on this important project with Village staff. Please let us know if you would like additional information.

<b>ORIGINAL CONTRACT:</b>	<b>\$314,838.66</b>
<b>AMENDMENT #1:</b>	<b><u>\$199,777.84</u></b>
<b>AMENDED CONTRACT:</b>	<b>\$514,616.50</b>

While we believe that this estimate accurately reflects our best effort at understanding the scope of work, we understand that the Village may interpret the scope differently or may seek to add, subtract, or modify the scope or level of effort contained herein.

If you have any questions or require additional information, please call me at (847) 815-9500 or by e-mail at [kevinv@thomas-engineering.com](mailto:kevinv@thomas-engineering.com).

Sincerely,  
thomas engineering group, llc



Kevin C. VanDeWoestyne, P.E., ENV SP  
*Municipal Department Head*

**Attachments**

Cc: Ed Herlihy, P.E., Senior Project Manager, Thomas Engineering Group, LLC  
Carl Goldsmith, Director of Public Works, Village of Lombard