

**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: April 3, 2012 (COW) (B of T) **Date:** April 12, 2012

TITLE: Finley Road Rehabilitation – Phase 1
Resident Engineering Services

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

BACKGROUND/POLICY IMPLICATIONS:

The provision of full time construction observation/inspection services for the construction of the Finley Road Pavement Rehabilitation - Phase 1 project.

FISCAL IMPACT/FUNDING SOURCE:

Total Contract Amount: \$306,532 (\$59,188.83 from W/SCapRsv) (\$247,343.17 from CapProjFd)
HTE Project Number: 1206
Account: 7901.809425 & 7110.809425
PW Project Number: ST-12-05

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *David A. Hulseberg* _____ Date *4/4/12*

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.



To: David Hulseberg, Village Manager

Through: Carl Goldsmith, Director of Public Works *CG*

From: David A. Dratnol, P.E., Village Engineer *Dratnol*

Date: April 3, 2012

Subject: Finley Road Pavement Rehabilitation – Phase 1
Resident Engineering Services

Attached please find a contract, resolution and fee schedule regarding resident engineering services for the Finley Road Pavement Rehabilitation – Phase 1 project.

This selection was made from the new FY 2012/2014 Resident Engineering Short List. The new resident engineering short list is comprised of seven (7) firms.

The initial Request for Qualifications (RFQ) and Request for Proposals (RFP) for Resident Engineering Services was sent to twenty (20) firms. Finley Road was the “target project” within the RFQ/RFP. What that means is; the firms not only submitted their overall Statement of Qualifications (SOQ) but also submitted a proposal (RFP) for resident engineering services specifically for the Finley Road - Phase 1 project. Compiling all the scores from the eight (8) person evaluation committee yielded Baxter & Woodman of Crystal Lake, as the overall (RFP/RFQ) top rated firm and thus was determined to be the most qualified firm to serve as resident engineer for this project.

Baxter & Woodman performed the Resident Engineering services for the Olde Towne – East, Phase 3, 4 and 5 and the North Industrial Park projects. For Finley Road, Baxter & Woodman has proposed the same resident engineer, who worked on Olde Towne, Phases 3, 4 and 5 (Rich Himebaugh) and the same Assistant Resident Engineer (Ron Priebe, P.E.) who observed all the concrete paving operation for the North Industrial Park project.

The scope and fee were negotiated with Baxter & Woodman and agreed to by both parties. The not-to-exceed fee for resident engineering services is \$306,532.

Please present this agreement and resolution to the President and Board of Trustees for their review at their regular meeting of April 12, 2012. If approved, please return one original signed copy to Public Works-Engineering for further processing.

DAD/rgs

RESOLUTION
R _____ 12

A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON AN AGREEMENT

WHEREAS, the Corporate Authorities of the Village of Lombard have received an Agreement between the Village of Lombard, and Baxter & Woodman, Inc. regarding the Finley Road Rehabilitation – Phase 1 project as attached hereto and marked Exhibit "A"; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement.

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 Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said agreement as attached hereto.

Adopted this 12th day of April, 2012.

Ayes: _____

Nays: _____

Absent: _____

Approved this 12th day of April, 2012.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk



**VILLAGE OF LOMBARD
CONTRACT**

CONTRACT DOCUMENT NUMBER ST-12-05

This agreement is made this 12th day of April 2012, between and shall be binding upon the VILLAGE of Lombard, an Illinois municipal Corporation hereinafter referred to as the "VILLAGE" and Baxter & Woodman, Inc. hereinafter referred to as the "ENGINEER" and its successors.

Witnessed, that in consideration of the mutual promises of the parties delineated in the contract documents, the ENGINEER agrees to perform the services and the VILLAGE agrees to pay for the following services as set forth in the contract documents:

Resident Engineering services Finley Road Pavement Rehabilitation – Phase 1

1. This contract shall embrace and include all of the applicable contract documents listed below as if attached hereto or repeated herein:
 - a. Request for Qualifications and Request for Proposal (January 13, 2012) consisting of the following:
 - i) Cover Sheet
 - ii) Table of Contents
 - iii) General Provisions
 - iv) Special Provisions
 - v) Request for Qualifications and Proposals for Resident Engineering Short-List
 - vi) Instructions Regarding the Consultant Evaluation Form
 - vii) Instructions Regarding the Statement of Qualifications Form
 - viii) Consultant Evaluation Form
 - ix) Statement of Qualifications Form
 - b. ENGINEER'S Proposal Dated February 3, 2012
 - c. ENGINEER'S Letter and attached Work Effort and Fee Dated March 30, 2012
 - d. Required Certificates and Signatures and Certificate of Insurance
2. The VILLAGE agrees to pay, and the ENGINEER agrees to accept as full payment for the services, which are the subject matter of this contract in accordance with the General Provisions.
3. This Contract represents the entire agreement between the parties and may not be modified without the written approval of both parties.

IN WITNESS WHEREOF, the Village of Lombard, Illinois by William J. Mueller, Village President, and the ENGINEER have hereunto set their hands this 12th day of April 2012.

If an individual or partnership, all individual names of each partner shall be signed or if a corporation, an officer duly authorized shall sign here:

Baxter & Woodman, Inc.

Accepted this _____ day of _____, 2012.

Individual or Partnership _____ Corporation _____

By

Position/Title

By

Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 12th day of April, 2012.

William J. Mueller, Village President

Attest:

Brigitte O'Brien, Village Clerk

**VILLAGE OF LOMBARD
ENGINEER'S CERTIFICATION**

_____, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

_____, having submitted a proposal for:
(Name of Company)

Finley Road Pavement Rehabilitation – Phase 1 to the Village of Lombard, hereby certifies that said ENGINEER:

1. has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105(A) (4).
2. is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if it is:
 - a. it is contesting its liability for the tax or the amount of tax in accordance with procedures established by the approved Revenue Act; or
 - b. it has entered into an agreement with the Department of Revenue for payment of all taxes due and is currently in compliance with that agreement.
3. is in full compliance with the Federal Highway Administration Rules on Controlled Substances and Alcohol Use and Testing, 49 CFR Parts 40 and 382 and that

(Name of employee/driver or "all employee drivers")
is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.

By: _____
Officer or Owner of Company named above

Subscribed and sworn to
before me this _____
day of _____, 2012.

Notary Public