

DISTRICTS - ALL

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: William T. Lichter, Village Manager

DATE: December 7, 2004 (COW) (B of T) **Date:** January 6, 2005

TITLE: Annual Geotechnical Engineering/Construction Material Testing
Service Contract
Amendment #2

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

BACKGROUND/POLICY IMPLICATIONS:

This is a strategic partnership providing high quality services at cost efficient and effective rates.

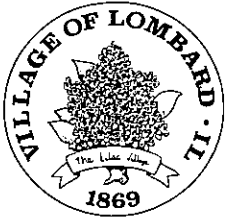
FISCAL IMPACT/FUNDING SOURCE:

\$85,000 increase to blanket P.O. 046370
Total revised contract amount (FY 04 & 05) = \$220,000
Various Project Funds for both fiscal years

Review (as necessary):

Village Attorney X	_____	Date _____
Finance Director X	<i>W. Leonard Flood</i>	Date <i>12/10/04</i>
Village Manager X	<i>W. T. Lichter</i>	Date <i>12/10/04</i>

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 *DA*
Date: December 7, 2004
Subject: Geotechnical Engineering & Construction Material Testing Services Contract Amendment #2

Testing Services Corporation of Carol Stream is currently in the second year of two-year contract. The total contract amount over the two-year period was budgeted for \$135,000. A balance of approximately \$78,000 was allotted for FY 2005. Please reference the attached memo dated May 24, 2004 which was sent to the Village Board of Trustees on June 3, 2004.

Based on the work performed and remaining under contract, the budget for testing services will be exceeded. Four prevalent factors precipitated the overrun and amendment to the contract.

- 1) A significant change for the prevailing wage rate related to drilling (Hourly drilling crew rate surcharge of \$65 per hour).
- 2) Environmental testing related to the Yorktown Water Main (\$7,812.25), Highland Avenue (\$3,540.00) and four asbestos demolition surveys (\$10,116.13).
- 3) Construction Material Testing expenses for Highland Avenue. (slightly over \$50,000 – about 65% of the contract budget).
- 4) Three projects not anticipated to be covered under the existing agreement (North Broadway, Yorktown Water Main – Phase 2 and the Highland and East Gate Traffic Signal).

The following table details the outstanding balances for current and upcoming projects.

#	Project	Outstanding Balance/ Budget	Description
1.	Hammerschmidt Parking Lot	\$500.00	Estimated remaining balance for Construction Material Testing services
2.	Charlotte Avenue	\$500.00	Estimated remaining balance for Construction Material Testing services
3.	SA 218 (Grace and Fairfield)	\$500.00	Estimated remaining balance for Construction Material Testing services
4.	Main Street LAPP	\$6,851.09	Invoice for Construction Material Testing
5.	Lombard Hills Phase 5	\$3,220.22	Invoice for Construction Material Testing
6.	Highland Avenue	\$15,517.92	Invoice for Construction Material Testing
7.	SA 219 (Ahrens & School)	\$10,152.25	Invoice for soil borings
8.	North Broadway	\$37,000	Construction Material Testing budget allowance.
9.	Highland and East Gate Traffic Signal	\$4,400	Construction Material Testing budget proposal.
10.	Yorktown Water Main (Phase 2)	\$6,000	Budget for subsurface soil investigation to avoid possibly contaminated soils in the vicinity of the Bamboo Room (formerly J.C. Penny Auto Service Center)
	Sum	\$84,641.48	

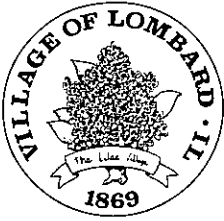
December 7, 2004

Geotechnical Engineering & Construction Material Testing Services Contract
Amendment #2

A supplemental budget amount of \$85,000 will be required to cover the aforementioned factors and both existing and upcoming projects. The \$85,000 breaks out to \$37,600 to meet existing project obligations and a budget \$47,400 for new construction projects covered under the existing agreement. The total revised contract amount will be a not to exceed amount of \$220,000.00

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on January 6, 2005. Upon approval, please return all paperwork to the Engineering Division for further processing.

CC: File Professional Services/Geotechnical/FY2005-renewal
Attachment



InterOffice Memo

To: William T. Lichter, Village Manager
From: David A. Dratnol, P.E., Village Engineer
Date: May 24, 2004
Subject: Geotechnical Engineering & Construction Material Testing Services Contract

Testing Services Corporation of Carol Stream has performed commendably over the past year. It is recommended that the Village exercise its option to renew the current agreement for one more year. The service agreement has fulfilled its primary function of establishing continuity of service, simplifying contracting procedures and reducing Village staff time associated with contract document preparation and administration.

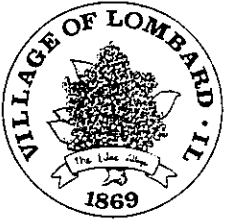
The total contract amount over the two-year period will be \$135,000. We anticipate that the remaining balance of approximately \$78,000 should be adequate for the upcoming fiscal year, barring any unforeseen environmental or extensive subsurface investigative projects or a change in the labor force agreement (refer to the Rider of the attached letter from TSC dated May 12, 2004).

Construction projects for the summer of 2004 are listed below:

	Project
1.	Special Assessment 218 (Grace and Fairfield)
2.	Lombard Hills - East (Phase V)
3.	North Broadway
4.	Highland Avenue STP
5.	Hammerschmidt Parking Lot
6.	Yorktown Watermain - Phase I
7.	Olde Towne - East Phase II Charlotte (St. Charles to Grove)
8.	Main Street LAPP
9.	Asphalt Patching and Paving Program
10.	Concrete Rehab Program

The proposed fee schedule for FY 05 is attached.

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on June 3, 2004. Upon approval, please return all paperwork to the Engineering Division for further processing.



RESOLUTION
R _____ 04

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT

WHEREAS, the Board of Trustees of the Village of Lombard on March 20, 2003 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Testing Services Corporation {which was amended on June 3, 2004}; 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 Testing Services Corporation substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 6th day of January 2005.

Ayes: _____

Nays: _____

Absent: _____

Approved this 6th day of January 2005.

William J. Mueller
Village President

ATTEST:

Barbara John
Deputy Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 6th day of January 2005, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **TESTING SERVICES CORPORATION** (the "CONSULTANT").

WHEREAS, on March 20, 2003 and June 4, 2004 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Annual Geotechnical Services 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 May 12, 2004 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$220,000.00.

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

TESTING SERVICES CORPORATION

By: _____

ATTEST:

By: _____