

DISTRICT 3

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: Scott Niehaus, Village Manager

DATE: June 23, 2023 (COW) (B of T) **Date:** July 20, 2023

TITLE: 22nd Street Shared-Use Path Improvements Design Engineering
Contract Amendment 1

SUBMITTED BY: Michael Barbier, P.E., Civil Engineer II *MB*

BACKGROUND/POLICY IMPLICATIONS:

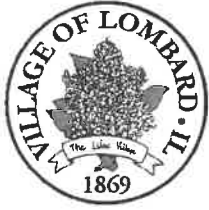
Amendment No. 1 is a net increase of \$10,895.48. The amendment is for the additional work performed by Christopher B. Burke Engineering.

FISCAL IMPACT/FUNDING SOURCE:

Project #: ST-23-01
Current Contract Amount: \$139,603.65
Amendment #1: \$10,895.48
Total Revised Contract Amount: \$150,499.13
Account: MFT Engineering Fund (420.730.730.75410)

Review (as necessary):
Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

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: Village President and Board of Trustees
From: Michael Barbier, P.E., Civil Engineer II *MB*
Through: Carl Goldsmith, Director of Public Works *g*
Date: June 23, 2023
Subject: 22nd Street Shared-Use Path Improvements Design Engineering Contract Amendment 1

The Village Board of Trustees approved a contract with Christopher B. Burke Engineering on November 18, 2021 in the amount of \$139,603.65 for the Design Engineering of the 22nd Street Shared-Use Path. This contract included the entire scope of work and associated level of effort that was initially estimated to be required in order to obtain Phase I Design Approval from the Illinois Department of Transportation (IDOT) and provide the Village with Construction Plans and Documents.

Due to the need for additional effort in obtaining Phase I Design Approval from IDOT, advanced construction of ADA accommodations, and the requirement of securing a DuPage County Stormwater Permit, the Village has requested a proposal from Christopher B. Burke Engineering for the additional work.

Attached please find the amendment for the design engineering services with Christopher B. Burke Engineering in the amount of a net increase of \$10,895.48. The amendment includes all of the additional work effort to complete the Design Engineering of the 22nd Street Shared-Use Path. The detailed information regarding the amendment #1 can be found in the attachment.

This amendment will be presented to the President and Board of Trustees for their review and approval at their regular meeting on July 20, 2023. If approved, please have one signed copy returned to Engineering for further processing.

R E S O L U T I O N
R _____

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 Christopher B. Burke Engineering regarding the 22nd Street Shared-Use Path 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 \$10,895.48.

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 20th day of July, 2023.

Ayes: _____

Nays: _____

Absent: _____

Approved this 20th day of July, 2023.

Keith Giagnorio
Village President

ATTEST:

Elizabeth Brezinski
Village Clerk

Legistar: 230230
Exhibit A

MEMORANDUM

DATE: 06/21/2023

TO: Village of Lombard

FROM: Jason Souden
Mark Thomas

SUBJECT: Village of Lombard
22nd Street Multi-Use Path
Supplemental Scope
(CBBEL Project. No. 210412)

This memo details three areas of additional work that was performed by CBBEL during the Phase I and II design of the 22nd Street Multi-Use Path. This additional work described was not anticipated when the original contract for professional services was created in 2021.

Getting the Phase 1 Project Design Report approved by IDOT required additional hours in excess of typical CE 1 bike paths that CBBEL has received approval for in the past. IDOT requested that a Location Drainage Tech Memo be completed. To avoid having to complete a Drainage Tech memo, a letter was drafted explaining the project and outlining the reasons why a drainage memo was not necessary. IDOT also wanted the project to get biological clearance which would have added significant processing time and may have required a full wetland impact evaluation. To avoid this, a CBBEL wetland expert visited the wetlands adjacent to the project and drafted a wetland letter and exhibit to include in the PDR. A crash analysis was performed within the project limits, but IDOT also required the creation of collision diagrams for the entire 22nd Street corridor which was not expected for a bike path project.

After the project kick-off meeting, Lombard requested that CBBEL create a separate advance construction package of ADA ramps where the existing sidewalk fell outside of the right-of-way. Eight ramps were placed onto separate plan sheets for this package and a separate summary of quantities was created for each ramp. After the advance construction project was sent out, the plans for Phase I and II had to be modified to show the advance construction work as existing conditions.

When the DuPage County Highway Permit application was submitted for the work at 22nd Street and Meyers Road, we were notified that a DuPage County Stormwater permit would be required. During the original project scoping, we had assumed that a stormwater permit would not be necessary since we were essentially replacing an existing path.



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

ILLINOIS DEPARTMENT OF TRANSPORTATION

Request for Approval
of Change in Consultant Contract

Date: 6/21/2023

Local Agency: Village of Lombard

Request: No. 1

Name: 22nd Street Bike Path
Phase II Engineering

To: Village of Lombard

Section: 22-00162-00-BT

Consultant: Christopher B. Burke Engineering

I recommend that an addition be made to the above consultant contract.

The estimated work is listed below

Original contract amount for services described:	\$ 139,603.65
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Sum of all previous contract change orders:	\$0.00
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Item #	Description	Additions	Deductions
1	Additional Phase 1 work necessary to complete the PDR that was not typically required in the past for a CE 1 bike path project.	\$3,544.48	
2	Created separate submittal for advanced construction ADA package.	\$4,498.11	
3	DuPage County Stormwater Permit	\$2,852.89	
TOTALS		\$10,895.48	\$0.00
NET CHANGE		\$10,895.48	\$0.00

Net ADDITION change to date \$10,895.48 which is 7.80 % of the original contract amount for services described

State fully the nature and reason for change:

Revised contract amount for services described:	\$150,499.13
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Please see attached.

When the net increase or decrease in the cost of the contract is \$10,000 or more, or the time of completion is increased or decreased by 30 days or more, one of the following statements shall be checked.

The undersigned determined that the circumstances which necessitated this change were not reasonably foreseeable at the time the contract was signed.

The undersigned has determined that the change is germane to the original contract as signed.

The undersigned determined that this change is in the best interest of the local agency and is authorized by law.

Project Manager/Engineer _____ Date _____

Department Head _____ Date _____

Approved _____ Date _____

Village Engineer

**Village of Lombard -22nd Street Design
Work Effort and Fee Estimate for Supplemental Services
June 21, 2023**

Rate	Personnel & Hours														Total Hours	% of Hours	Total Cost		
	Enl. VI \$77.50	Enl. V \$67.99	Enl. IV \$56.98	Enl. III \$46.92	Enl. II \$33.22	Survey V \$77.50	Survey IV \$69.00	Survey III \$61.00	Survey II \$50.00	Survey I \$37.33	CAD Manager \$65.17	CAD II \$47.67	Engineering Tech IV \$54.38	Environmental Res Spec V \$73.00				Environmental Res Spec IV \$53.96	
Additional Phase 1 Work	4		13											4		21	29.6%	\$1,337.54	
Advanced construction ADA package			30													30	42.3%	\$1,697.40	
DuPage County Stormwater Permit			4	12										4		20	28.2%	\$1,076.56	
Subtotal	4	0	47	12		0	0	0	0	0	0	0	0	8	0	71			
% of Hours	5.6%	0.0%	66.2%	16.9%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	11.3%	0.0%	100.0%			
Total Cost	\$310.00	\$0.00	\$2,659.26	\$559.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$584.00	\$0.00			\$4,111.50	
Multiplier			2.85																\$10,895.48
Total Cost																		\$10,895.48	