

DISTRICT #1

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

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: January 25, 2006 (COW) (B of T) Date: February 16, 2006

TITLE: Special Assessment 213B (West Road – St. Charles Road to Woodland Avenue)
Resident Engineering – Amendment #1

SUBMITTED BY: David A. Drathol, P.E., Village Engineer

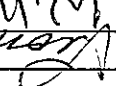
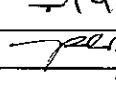
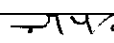

BACKGROUND/POLICY IMPLICATIONS:

Please see memo.

FISCAL IMPACT/FUNDING SOURCE:

Total Amended Contract Amount: \$126,309.30 / Capital Projects Fund
Amendment Amount: \$35,651.04
HTB Project Number: 0141
Account: 8735.755660
PW Project Number: ST-05-03
P.O. #: 052550

Review (as necessary):

Village Attorney X 
Finance Director X 
Village Manager X 
Date 02/07/06
Date 2/7/06

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.

MEMORANDUM

To: William T. Lichter, Village Manager
 Through: Wes Anderson, Assistant Director of Public Works
 From: David A. Dratmol, P.E., Village Engineer
 Date: January 25, 2006
 Subject: Special Assessment 213B (West Road)
 Resident Engineering - Amendment #1

Attached is a request from Burns & McDonnell for additional compensation in the amount of \$35,651.04 related to construction observation for SA 213B that will be extended into the spring of 2006.

The request for additional compensation stems from work related to an extension of time for underground utility construction, a delay related to the delivery and installation of street lighting, redesign of a retaining wall at 40 West Road and extensive after hours time spent by the resident engineer with West Road residents discussing the effects of construction along the right-of-way in front of their property (location of sidewalk, sanitary clean outs, roadway grades, parkway drainage, driveway aprons, tree removal and temporary easements). The proposed revised contract amount is \$126,309.30 (\$90,658.30 + \$35,671.04).

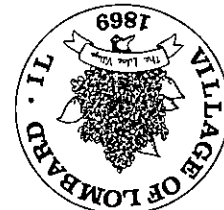
Staff is reviewing liquidated damage provisions to determine the amount that can be assessed to the contractor for delays in completing the work.

Please present this amendment to the President and Board of Trustees for their review and approval at their regular meeting on February 2, 2006. If approved, please have the two signed originals returned to Engineering for further processing.

DD/rjs

c: File: ST-03-06

H:PW/PW-ENG/PROJECTS/FY2003/ST-03-06/Resident Engineering



RESOLUTION
R 06

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT

WHEREAS, the Board of Trustees of the Village of Lombard on May 19, 2005 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Burns & McDonnell, Inc., 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 5/33B-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 Burns & McDonnell, Inc. substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 16th day of February 2006.

Ayes: _____

Nays: _____

Absent: _____

Approved this 16th day of February 2006.

ATTEST:
William J. Mueller
Village President

Brightie O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 16th day of February 2006, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **BURNS & MCDONNELL, INC.** (the "CONSULTANT").

WHEREAS, on May 19, 2005 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Special Assessment 213B; 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 January 10, 2006 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$126,309.30

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: _____
Village Clerk

and **BURNS & MCDONNELL, INC.**

By: _____

ATTEST:

By: _____