

DISTRICTS - ALL

**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 9, 2007 (COW) (B of T) **Date:** January 17, 2008

TITLE: Annual Geotechnical Engineering/Construction Material Testing Service Contract Amendment #1

SUBMITTED BY: David A. Dratmol, P.E. Village Engineer *MDA*

BACKGROUND/POLICY IMPLICATIONS:

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

FISCAL IMPACT/FUNDING SOURCE:

TSC	\$35,000 increase to blanket P.O. 057739	Various Project Funds
Seco	\$25,000 increase to blanket P.O. 057738	Various Project Funds
	Total revised contract amount (FY 08) = \$85,000	
	Total revised contract amount (FY 08) = \$75,000	

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	<i>Matthew Jackson</i>	Date	1/10/08
Village Manager X	<i>M. Lichter</i>	Date	1/17/08

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.

Inter-Office Memo



To: _____
Through: _____
From: _____
Date: _____
Subject: _____

William T. Lichter, Village Manager
David Gorman, P.E., Acting Director of Public Works
David A. Dratmol, P.E., Village Engineer
January 9, 2008
WTL

Geotechnical Engineering & Construction Material Testing Services
Contract -Amendment #1 for TSC & SEFCO

Attached are two separate resolutions for amending contracts with Testing Service Corporation (TSC) of Carol Stream and Seeco Consultants (SEFCO) of Tinley Park. Both firms are currently under contract to provide Geotechnical Engineering, Construction Material Testing and Environmental Engineering services to the Village of Lombard on a work order basis for one year with a one year option to renew. Based on TSC's and Seeco's performance over the past year, the Public Works Department will present a separate item to the Village Board in June to propose a testing budget for FY 2009 and renew both contracts.

Currently TSC's and Seeco's total contract in FY 2008 is budgeted for \$100,000 (\$50,000 each). Evaluating the project budgets in relation to the work performed to date and remaining under contract, the FY 2008 budget for testing services will be exceeded. Two prevalent factors precipitate the proposed amendment to the contract.

1. Construction starting on seven projects (Main Street STP, Main Street High School Access, Main Street Lighting, Special Assessment 217A, Olde Towne East - Phase 3, South Booster Station, and Concrete Street Rehabilitation), before June 1, 2008.
2. Environmental remediation related to soil contamination on East Parkside Avenue adjacent to the Village property at the intersection of Main Street and Parkside Avenue.

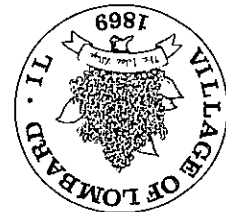
Based on proposed construction schedules and construction material testing budgets, an additional \$35,000 for TSC and \$25,000 for Seeco will be needed to cover the cost of services provided through May 31, 2008 (FY 2008). The \$35,000 for TSC is based on \$5,000 to meet existing project obligations, primarily Westmore/Meyers and \$30,000 for projects commencing in March and April. The total revised contract amount for TSC will be a not to exceed amount of \$85,000 (\$50,000 + \$35,000). The \$25,000 for Seeco is based on the engineering design for a bioremediation system for the Main Street/Parkside Avenue area. The total revised contract amount for Seeco will be a not to exceed amount of \$75,000 (\$50,000 + \$25,000).

As mentioned in the first paragraph, the remaining budget for testing performed after May 31, 2008, will be charged to FY 2009 and will be presented to the Village Board in June as part of the FY 2009 contract renewal and budget. Any funds not used under the amended contracts will be "rolled over" to the FY 2009 budget.

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on January 17, 2008. Upon approval, please return all paperwork to the Engineering Division for further processing.

RESOLUTION
R _____
08

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT



WHEREAS, the Board of Trustees of the Village of Lombard on April 5, 2007, adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Testing Services Corporation 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 17th day of January 2008.

Ayes; _____

Nays: _____

Absent: _____

Approved this 17th day of January 2008.

ATTEST:

William J. Mueller
Village President

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas R. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 17th day of January 2008, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **TESTING SERVICES CORPORATION** (the "CONSULTANT").

WHEREAS, on April 5, 2007 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 show a contract sum not to exceed \$85,000.00.

SECTION 2: 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

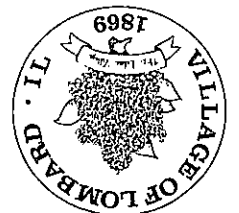
TESTING SERVICES CORPORATION

By: _____

ATTEST:

By: _____

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT



WHEREAS, the Board of Trustees of the Village of Lombard on April 5, 2007, adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Seeco Consultants 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 5/33E-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 Seeco Consultants Inc. substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 17th day of January 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this 17th day of January 2008.

ATTEST:

William J. Mueller
Village President

Brigitte 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 17th day of January 2008, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **SECO CONSULTANTS INC.** (the "CONSULTANT").

WHEREAS, on April 5, 2007 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 show a contract sum not to exceed \$75,000.00.

SECTION 2: 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

SECO CONSULTANTS INC.

By: _____

ATTEST:

By: _____