

**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 A. Hulseberg, Village Manager

**DATE:** April 25, 2012 (COW) (B of T) **Date:** May 03, 2012

**TITLE:** Westmore-Meyers Road Sidewalk - Phase II  
Design Engineering Contract Amendment 1

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

**BACKGROUND/POLICY IMPLICATIONS:**

Amendment to design service Contract with Baxter & Woodman Consulting Engineers to modify the design of the sidewalks on the west side of Westmore-Meyers Road from Roosevelt Road to Norton Street.

**FISCAL IMPACT/FUNDING SOURCE:**

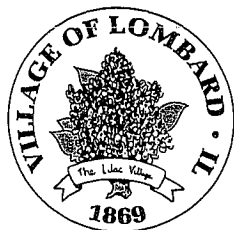
Amount of Amendment: \$3,753.00  
Amended not to exceed contract amount: \$20,353.00  
Funding: Capital Projects Fund  
Account#: 7110.809425  
PW Project Number: ST-12-06  
HTE Project Number: 1205

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.

## InterOffice Memo



**To:** David A. Hulseberg, Village Manager  
**Through:** Carl S. Goldsmith, Director of Public Works *CSG by DAD*  
**From:** David A. Dratnol, P.E., Village Engineer *DAD*  
**Date:** April 23, 2012  
**Subject:** Westmore-Meyers Road Sidewalk – Phase II  
 Design Engineering  
 Amendment No. 1

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Attached, please find an engineering services amendment with Baxter & Woodman Consulting Engineers in the amount of \$3,753.00. This agreement provides for revising the construction documents to reflect the change in plans required by the Shell gas station on the corner of Westmore-Meyers Road and Roosevelt Road.

Originally, Baxter & Woodman was directed to put the plans together based on installing the sidewalk in a permanent easement on the Shell property. Once the plans were submitted to the owners of the property along with the value of the easement, they decided that they did not want the sidewalk on their property. This makes it necessary to revise the plans to install the sidewalk in the Public right-of-way. The original contract was for a not to exceed amount of \$16,600.00. The amended contract will be for a not to exceed amount of \$20,353.00.

Please present Amendment No.1 to the President and Board of Trustees for their review at their regular meeting of May 03, 2012. If approved, please return two original signed copies to Public Works-Engineering for further processing.

DAD/pk

c: File: ST-12-06

## AMENDMENT TO CONTRACT

**THIS AMENDMENT TO CONTRACT** is made and entered into this 3<sup>rd</sup> day of May, 2012, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **Baxter & Woodman Consulting Engineers** (the "CONSULTANT").

**WHEREAS**, on August 18, 2011 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Westmore-Meyers Road Sidewalk – Phase II (the "Original Contract"); and

**WHEREAS**, the VILLAGE and CONSULTANT have agreed to increase the amount of work to be performed by the CONSULTANT under the Original Contract, together with a resultant increase in the limit which the Original Contract amount may not exceed;

**NOW, THEREFORE**, for and in consideration of the foregoing, the mutual covenants herein contained, and other good and valuable consideration, it is agreed by and between the Village and the Consultant as follows:

**SECTION 1:** The Original Contract is hereby amended to change the scope of work in accordance with the CONSULTANT'S April 20, 2012 letter, a copy of which is attached hereto as Exhibit A and made part hereof.

**SECTION 2:** The Original Contract shall still be subject to an Amended Contract amount not to exceed \$20,353.00.

**SECTION 3:** All other terms, covenants and conditions of said Original Contract, which are not amended or deleted hereby, shall remain in full force and effect as if set forth herein.

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 3<sup>rd</sup> day of May, 2012 , pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this 3<sup>rd</sup> day of May, 2012.

\_\_\_\_\_  
**William J. Mueller**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Brigitte O'Brien**  
**Village Clerk**



Mr. David A. Dratnol, P.E.  
Village Engineer  
Village of Lombard  
1051 South Hammerschmidt Avenue  
Lombard, Illinois 60148

April 20, 2012

***Subject: Village of Lombard - Request for Scope & Fee - Design Engineering –  
Supplement #1***

***Westmore-Meyers Road Sidewalk Improvements - Phase II***

Dear Mr. Dratnol:

The following is Baxter & Woodman, Inc.'s response to your Request for Scope and Fee for Supplement #1 of our design engineering services for the Westmore-Meyers Road Sidewalk Improvements - Phase II. You have requested this work in order to revise the plans, contract documents, and easement documents based on design revisions required adjacent to the Shell Gas Station property.

Please contact Todd Hoffman, Project Manager, or myself to discuss any questions or comments you may have. We look forward to continuing to assist the Village of Lombard with your engineering needs.

Very truly yours,

BAXTER & WOODMAN, INC.  
CONSULTING ENGINEERS

A handwritten signature in black ink, appearing to read "John V. Ambrose". The signature is written in a cursive style with a large, sweeping initial 'J'.

John V. Ambrose, P.E.  
Vice President

TLD/JVA:jak

I:\Crystal Lake\LOMBD\110556-10-Proposal\SW Phase II cover letter.docx

VILLAGE OF LOMBARD, ILLINOIS  
WESTMORE-MEYERS ROAD SIDEWALK IMPROVEMENTS – PHASE II  
SUPPLEMENT #1

EXHIBIT A

**GENERAL SCOPE OF SERVICES:**

The scope of services sought by the Village shall include the provision of all required labor, materials, and equipment related to design and completion of plans, specifications and estimates of cost. The Engineers will perform or be responsible for the performance of the following services in connection with this Project. Tasks may include, but are not limited to:

1. Utilizing previously completed topographic survey and plan view base sheets, modify the previously completed sidewalk alignment and design adjacent to the Shell Gas Station property to relocate the proposed sidewalk within the existing right of way. Update the proposed design plans at this location.
2. Design modular block retaining wall to be located along the proposed sidewalk adjacent to the Shell Gas Station property.
3. Prepare and provide three (3) proposed cross sections in the revised plans. Cross sections will be prepared at Shell Gas station driveways (two cross sections) and at the approximate mid-point of a proposed modular block retaining wall adjacent to the Shell Gas Station (one cross section).
4. Update the Project Design Details and Summary of Quantities.
5. Update the design and contract documents based on the revised sidewalk layout in the Village's format, which will include construction plans and specifications, bid forms, instructions to bidders, bonding and insurance requirements, and applicable county, state or federal compliance requirements.
6. Pending any final comments, the Engineers will submit a final set of plans on both paper and digitally (including AutoCAD .dwg, Word, Excel files and pdf format of all the bid documents). The delivery of final design plans will include a minimum of ten (10) CDs that have pdf files of the bid documents.
7. Revise previously completed plat and legal description for one (1) parcel of land to be acquired for temporary construction easement based on the revised sidewalk alignment.

**EXHIBIT B - PRELIMINARY ENGINEERING  
WESTMORE-MEYERS ROAD SIDEWALK IMPROVEMENTS PHASE II  
SUPPLEMENT #1**

Westmore-Meyers Sidewalks - PH II  
VILLAGE OF LOMBARD

ROUTE:  
LOCAL AGENCY: (Municipality/Township/County)  
SECTION:  
PROJECT:  
JOB NO.: 110556.40

\* FIRM'S APPROVED RATES ON FILE WITH IDOT'S  
BUREAU OF ACCOUNTING AND AUDITING:  
OVERHEAD RATE (OH) Multiplier 147%  
COMPLEXITY FACTOR (R) Multiplier 2.828  
CALENDAR DAYS 0

ELEMENT OF WORK	EMPLOYEE CLASSIFICATION	MAN-HOURS	PAYROLL RATE	% of Hours Task	Total Costs	In-House Direct (IHDC)	Total Cost with Multiplier	Total Cost By Task	% Cost by Task
<b>WESTMORE-MEYERS ROAD SIDEWALK IMPROVEMENTS - PH II</b>									
MANAGE PROJECT	Todd Hoffman	1	\$37.43	2.9%	\$37.00		\$104.64	\$104.64	2.8%
PRELIMINARY GEOMETRIC PLANS	Todd Hoffman	1	\$37.43	2.9%	\$37.00		\$104.64	\$1,600.65	42.7%
	Ursula Botsch	15	\$35.28	42.9%	\$529.00		\$1,496.01		
PROJECT DETAILS AND STANDARDS	Todd Hoffman	1	\$37.43	2.9%	\$37.00		\$104.64	\$404.40	10.8%
	Ursula Botsch	3	\$35.28	8.6%	\$106.00		\$299.77	\$104.64	2.8%
ESTIMATE OF COST	Todd Hoffman	1	\$37.43	2.9%	\$37.00		\$104.64	\$104.64	2.8%
SPECIAL PROVISIONS	Todd Hoffman	1	\$37.43	2.9%	\$37.00		\$212.10	\$412.89	11.0%
FINAL CONTRACT PLANS AND CONTRACT PROPOSAL	Todd Hoffman	2	\$37.43	5.7%	\$75.00		\$200.79	\$1,020.91	27.2%
	Ursula Botsch	2	\$35.28	5.7%	\$71.00		\$200.79		
PLATS AND LEGAL DESCRIPTIONS (1 parcel)	Anthony Bianchini	8	\$45.08	22.9%	\$361.00		\$1,020.91	\$1,020.91	27.2%
<b>TOTAL WESTMORE-MEYERS ROAD SIDEWALK</b>		<b>35</b>		<b>100%</b>	<b>\$1,327</b>	<b>\$0</b>	<b>\$3,753</b>	<b>\$3,753</b>	<b>100%</b>

IN-HOUSE DIRECT COSTS (INCLUDED IN TOTAL COST):  
VEHICLE EXPENSES - TRAVEL, 405 MI @ \$0.555/MILE  
POSTAGE  
EASEMENT TITLE COMMITMENT AND DOCUMENT FEES

Project Multiplier  
Overhead = 1.47  
Direct Labor = 1  
Profit @ 14.5% = 0.358  
Multiplier = 2.828

**RESOLUTION**  
**R \_\_\_\_\_ 12**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT**

**WHEREAS**, staff has presented and recommended the proposed amendment to the contract between the Village of Lombard and Baxter & Woodman Consulting Engineers regarding the Westmore-Meyers Road Sidewalk – Phase II 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 \$3,753.00, with the revised total dollar amount being \$20,353.00

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.
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- 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.



Resolution \_\_\_\_\_

Page 2

Adopted this 3rd day of May, 2012, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this 3rd day of May, 2012.

\_\_\_\_\_  
**William J. Mueller**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Brigitte O'Brien**  
**Village Clerk**