

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) _____

X

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: November 3, 2006 (COW) (B of T) Date: November 16, 2006

TITLE: Special Assessment 217 (Lombard Lagoons)
Contract Amendment No. 5

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

BACKGROUND/POLICY IMPLICATIONS:

Please see the attached memo.

FISCAL IMPACT/FUNDING SOURCE:

THIS ITEM: \$257,687 INCREASE (\$72,233/Water & Sewer \$185,454 Capital Project Fund)
TOTAL CONTRACT: \$695,059.00
Public Works Project No.: ST01-10
HTE Project No.: 0130
P.O. No.: 037393

Review (as necessary):

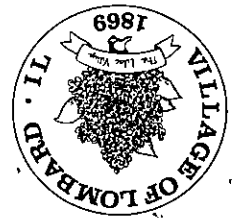
Village Attorney X _____
Finance Director X *W. Dratmol*
Village Manager X *W. Lichter*
Date 11/8/06
Date 11/9/06

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.

InterOffice Memo

To: William T. Lichter, Village Manager
 From: David A. Dratnol, P.E., Village Engineer
 Through: Wesley B. Anderson, Public Works Director
 Date: November 3, 2006
 Subject: SA 217 (Lombard Lagoons)
 Contract Amendment #5



Attached please find a "Resolution Authorizing Amendment of a Professional Services Contract", and an "Agreement to Amend a Contract". This amendment addresses five (5) issues associated with preparation of the contract documents for the sanitary sewer system replacement for the Lombard Lagoons project area and the future roadway/storm sewer/street lighting/sidewalk improvements to be done through Special Assessment. The project area borders are North Avenue, Grace Street, Sunset Avenue and Kramer Avenue.

A brief description of the category of the tasks for the amended scope of work is listed below:

- ✓ Sunset Avenue Homes - feasibility study to assure the ability to provide sanitary sewer service from Village Right-of-Way once the area of Sunset/Kramer is reconstructed.
- ✓ Design of Fire Loop Water Main and Potential Future Water Main - A fire loop water main was constructed to assure sufficient water supply for fire protection in the area.
- ✓ Phase One Sanitary - Time for drafting as the sanitary sewer replacement portion of the project was phased over two construction seasons as two separate projects.
- ✓ Phase Two Sanitary - See above.
- ✓ Complete Roadway Plans - Preparation of contract documents (plans, specifications and estimates) for the three potential special assessments. The area will also be resurveyed to verify quantities for construction.

Please refer to the attached memo from Engineering Resources Associates (ERA), which explains in detail the work effort and calculation of man-hours related to the additional engineering services to prepare plans, specifications and estimates for the work.

Please note this amendment is not all Special Assessment related. The first four items are non-special assessment related. (approximately 28% of amendment). Work associated with the maintenance and replacement of existing Village facilities will not be charged against the Special Assessment. The first project provided for storm water management; the second and third projects are the replacement of the existing rear yard sanitary sewers with new sanitary sewers in the right-of-way. Also included in the scope of work is water main which provides additional fire protection to the area.

The original contract was based on having ERA prepare a complete set of construction documents covering all of the contemplated improvements. Because of issues with funding, Illinois American Water and the sanitary

sewer, the Village has changed the project to a six (6) stage construction project. Storm water improvements to Veterans Pond and Lombard Lagoon were completed in the first stage of the project. The second and third stages of the project include the replacement of the rear yard sewer. The last three stages involve the Special Assessment. This includes the construction of a fully improved urban section (curb & gutter, full depth asphalt pavement, storm sewer, sidewalk and street lights).

This item will be presented to the Board of Local Improvements on November 9, 2006, as an amendment to the original Special Assessment design contract. Please place this item on the Board of Trustees agenda for the meeting scheduled on November 16, 2006, and request approval of the contract amendment in the amount of \$257,687.00. This amendment increases the contract to a not-to-exceed amount of \$695,059.00. If approved, please return all paperwork to Engineering for further processing.

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT

WHEREAS, the Board of Trustees of the Village of Lombard on June 1, 2000 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Engineering Resources Associates, Inc.; which was amended on May 17, 2001, November 15, 2001, February 20, 2003 and July 22, 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 5/33B-9 regarding preparation of change orders.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBAR, 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 Engineering Resources Associates, Inc., substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this the 16th day of November 2006.

Ayes; _____

Nays: _____

Absent: _____

Approved this the 16th day of November 2006.

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 the 16th day of November 2006 by and between the Village of Lombard (the "VILLAGE") and Engineering Resources Associates, Inc. (the "CONSULTANT").

WHEREAS, on June 1, 2000 the VILLAGE and CONSULTANT executed a contract {which was amended on May 17, 2001, November 15, 2001, February 20, 2003 and July 22, 2004} regarding certain engineering services relative to the Special Assessment 217 (Lombard Lagoons); 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 as provided for in the CONSULTANT'S May 5, 2006 and September 7, 2006 letters.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$695,059.00

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: _____
Village Clerk

and Engineering Resources Associates, Inc.

By: _____

ATTEST:

By: _____



ENGINEERING RESOURCE ASSOCIATES, INC.

38701 West Avenue, Suite 150, Warrenville, Illinois 60555-3256
Phone (630)393-5060, Fax (630)393-2152

October 4, 2006

Mr. Ray Schwab
Civil Engineer
Village of Lombard
1051 South Hammerschmidt Avenue
Lombard, IL 60148

SUBJECT: SA 217(N.E. Lombard Area Improvements)
Contract Amendment No. 5
Phased Sanitary Sewer & Roadway Improvements (2005-2009)
ERA Project No.: 200604

Dear Ray:

In accordance with our recent conversations, Engineering Resource Associates, Inc. (ERA) is hereby submitting this Contract Amendment No. 5 to our agreement for design engineering services for SA 217 (N.E. Lombard Area Improvements). This amendment reflects additional engineering services beyond the scope of the existing contract.

In June, 2000 ERA was retained by the Village of Lombard to provide design engineering services for Special Assessment 217. The original project was anticipated to be constructed in 2002 as a single phase project with an estimated construction cost of \$3,600,000. The project consisted of reconstructing the existing rural cross section to the village standard cross section along with sanitary and storm sewer improvements. ERA completed and submitted pre-final plans, specifications and estimates (PS&E) for the overall project in September, 2002.

Due to unforeseen issues over water mains and sanitary sewers, it was determined that the project would be constructed in several phases as separate construction contracts. Final PS&E for the first phase, which consisted of detention pond and minor storm sewer improvements, were completed in April, 2003. The first phase was constructed in 2003.

In July, 2004, we were directed to prepare final engineering plans for the sanitary sewer portion of the project. Pre-final (95%) PS&E were submitted for this phase in November, 2004. The project was placed on hold at that time while outstanding issues with Illinois American were worked out. In October, 2005, the Village directed ERA to divide the sanitary plans into two sets of phased PS&E and to amend the plans to include a new water main fire loop and to include future Village of Lombard water mains. Phase One PS&E were completed in February, 2006 and issued for bids. Phase Two PS&E are anticipated to be issued for bids in late 2006.

The Village of Lombard now desires to amend ERA's contract to include separation of sanitary sewer plans into two phases, design of roadway improvements in three phases and other additional engineering services as described below. The following is a summary of additional engineering services included in the scope of this Contract Amendment No. 5.

1. Sunset Avenue Homes - The Village of Lombard directed ERA to survey and design a new front yard sanitary sewer for four homes along Sunset Avenue that were previously connected to an existing line through the rear yards. This work also included updating of the plans for the improvements of North Avenue at Joyce Street.

2. Fire Loop Water Main and Future Water Main Design - The Village of Lombard directed ERA to add a new fire loop water main to the PS&E for both phases. In addition, we were directed to add future water main to the plans to accommodate a corridor for future improvements. This task also included preparation and submittal of an IEPA permit for the fire loop water main.

3. Phase One Sanitary - On November 8, 2004, ERA submitted 95% plans for the proposed sanitary sewer. The project was suspended and subsequently it was decided to split the project into two phases. PS&E were prepared for phase one improvements. This work included separation of quantities, field visits to verify existing conditions, designing of connections between phase one and phase two as well as connections to existing systems, an additional public meeting, and updating the specifications and general notes to conform to current Village of Lombard requirements. This work was completed in February, 2006 and the project was issued for bids. The project will begin construction in Spring, 2006.

4. Phase Two Sanitary - This work will include the preparation of final PS&E to accommodate construction of the second phase of sanitary main improvements in 2007. This work will include separation of quantities, field visits to verify existing conditions, designing of connections to the existing systems, an additional public meeting, updating the specifications and general notes to conform to current Village of Lombard requirements, permit applications and bidding assistance.

5. Complete Roadway Plans - The proposed roadway project will be constructed in three phases instead of one. This will require preparation of three sets of PS&E. Division of the contract documents also requires analysis of optimal phasing limits, design of grade transitions, separation of quantities, extension of utilities beyond phasing limits and additional bidding assistance. The project site must be re-surveyed to revise the earthwork quantities that have changed because of the re-ditching during the construction of the sanitary sewer, the reconstruction of Il Rte. 64 and any other changes that have occurred since it was surveyed in 2000. In addition, the quantities and specifications will be checked and updated to meet the new IDOT and Village standards.

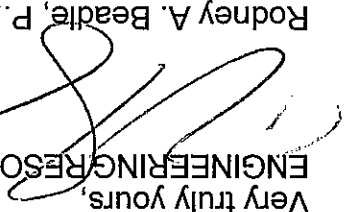
The proposed project schedule is hereby modified as follows:

- Submit Phase Two Sanitary Final PS&E November, 2006
- Issue for Bids December, 2006
- Complete Sanitary Construction Fall, 2007
- Issue Phase One Roadway for Bids January, 2008
- Construct SA 217 Phase One Summer, 2008
- Issue Phase Two Roadway for Bids January, 2009
- Construct SA 217 Phase Two Summer, 2009
- Issue Phase Three Roadway for Bids January, 2010
- Construct SA 217 Phase Three Summer, 2010

Fees for additional engineering services described in this Amendment No. 5 are proposed on a cost plus not to exceed basis using our current 2.66 multiplier rate. The following is a summary of proposed additional fees for this Amendment No. 5.

• Previous Contract Amount	\$437,372
• This Amendment (No. 5)	
• 2005-2006 Phased Sanitary Sewer	\$ 72,233
• 2007 Roadway Improvements, Phase I	\$ 60,842
• 2008 Roadway Improvements, Phase II	\$ 62,827
• 2009 Roadway Improvements, Phase III	\$ 61,785
• Revised Contract Amount	\$695,059

An hour and cost budget for additional services described in this amendment is included on the last pages of this amendment. Hourly pay rates have been escalated by a factor of 5% for each year after December 31, 2006. We appreciate the opportunity to provide this amendment and we trust that it meets with your approval. Please advise if you have any questions or comments.

Very truly yours,

 ENGINEERING RESOURCE ASSOCIATES, INC.
 Rodney A. Beadle, P.E., C.F.M.
 President

Hour and Cost Budget
 Village of Lombard
Special Assessment 217
Contract Amendment No. 5
 Prepared By
 Engineering Resource Associates, Inc.
October 4, 2006

PD: Project Director
 PM: Project Manager
 SPE: Senior Project Engineer
 PE: Project Engineer
 CC: Survey Crew Chief
 FT: Field Technician
 CT: CADD Technician
 CL: Clerical

TASKS	PD	PM	SPE	PE	CC	FT	CT	CL	TOTAL HOURS	TOTAL COST	FEE (2.66 MULT)
	Rate: \$70.00	\$55.50	\$45.00	\$28.50	\$24.50	\$19.00	\$29.00	\$20.50			
Original Agreement											
Amendment No. 1 (San Survey & Design)	84	214	450	672	150	262	1050	85	2,967	\$249,914	\$249,914
Amendment No. 2 (Flow Monitoring)	5	18	44	116	40	40	124	22	409	\$28,067	\$28,067
Amendment No. 3 (Phase 1 PS&E)	24	58	116	204	48	48	384	30	912	\$31,750	\$31,750
Amendment No. 4 (Phase 2 PS&E)	20	40	74	152	32	32	268	44	662	\$73,563	\$73,563
Previous Totals	133	330	684	1,144	270	382	1,826	181	4,950	\$437,372	\$437,372

Amendment No. 5
2005-2006 Work

1. New Sunset Ave. Sanitary Sewer	6	8	8	26	24	24	26	2	124	\$3,804	\$10,119
2. Watermain Design	4	8	32	120	0	0	96	4	264	\$8,450	\$22,477
3. Phase one Sanitary	6	12	24	72	0	4	80	32	230	\$7,270	\$19,338
4. Phase two Sanitary	6	12	24	72	4	4	80	32	234	\$7,368	\$19,599

Subtotals	22	40	88	290	28	32	282	70	852	\$26,892	\$71,533
Direct Costs											
Printing											\$400
Postage/Shipping											\$200
Mileage											\$100

Subtotal 2005-2006 Work	22	40	88	290	28	32	282	70	852	\$26,892	\$72,233
Subtotal 2007 Work, Phase 1 Roadway (see following sheets)	30	57	86	126	48	48	200	34	629	\$22,375	\$60,842
Subtotal 2008 Work, Phase 2 Roadway (see following sheets)	30	56	84	122	48	48	198	33	619	\$23,121	\$62,827
Subtotal 2009 Work, Phase 3 Roadway (see following sheets)	29	55	82	120	24	24	198	32	564	\$22,729	\$61,785

Addendum No. 5 Totals	111	208	340	658	148	152	878	169	2664	\$95,117	\$257,687
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Hour and Cost Budget
Village of Lombard
Special Assessment 217
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October 4, 2006

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TASKS	PD	PM	SPE	PE	CC	FT	CT	CL	TOTAL HOURS	TOTAL COST	FEE (2.66 MULT)
	Rate: \$73.50	\$58.28	\$47.25	\$29.93	\$25.73	\$19.95	\$30.45	\$21.53			

1. Meetings & Coordination	4	12	16	16	0	0	0	8	56	\$2,400	\$6,385
2. Field Survey Update	1	2	4	6	48	48	0	2	111	\$2,794	\$7,432
3. Base Plan Update	1	2	4	6	0	0	52	0	65	\$2,142	\$5,698
4. Design Update	1	4	8	12	0	0	6	2	33	\$1,269	\$3,377
5. Final PS&E											
a. 65% Submittal	4	12	20	40	0	0	80	6	162	\$5,700	\$15,163
b. 95% Submittal	2	6	10	18	0	0	40	4	80	\$2,812	\$7,480
c. 100% Submittal	1	3	6	8	0	0	18	2	38	\$1,362	\$3,624
6. Permits	2	4	6	8	0	0	0	4	24	\$989	\$2,631
7. Bidding Assistance	2	4	6	8	0	0	0	4	24	\$989	\$2,631
8. QA/QC	12	8	6	4	0	0	4	2	36	\$1,916	\$5,097

Subtotals	30	57	86	126	48	48	200	34	629	\$22,375	\$59,517
Direct Costs											
Printing											\$750
Postage/Shipping											\$200
Mileage											\$375
Subtotal 2007 Work											\$60,842

Hour and Cost Budget
Village of Lombard
Special Assessment 217
Contract Amendment No. 5
 Prepared By
 Engineering Resource Associates, Inc.
October 4, 2006

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TASKS	PD	PM	SPE	PE	CC	FT	CT	CL	TOTAL HOURS	TOTAL COST	FEE (2.66 MULT)
	Rate: \$77.18	\$61.19	\$49.61	\$31.42	\$27.01	\$20.95	\$31.97	\$22.60			

Amendment No. 5											
2008 Work											
1. Meetings & Coordination	4	12	16	16	0	0	0	8	56	\$2,520	\$6,704
2. Field Survey Update	1	2	4	6	48	48	0	2	111	\$2,934	\$7,804
3. Base Plan Update	1	2	4	6	0	0	52	0	65	\$2,249	\$5,983
4. Design Update	1	3	6	8	0	0	4	1	23	\$960	\$2,554
5. Final PS&E											
a. 65% Submittal	4	12	20	40	0	0	80	6	162	\$5,985	\$15,921
b. 95% Submittal	2	6	10	18	0	0	40	4	80	\$2,952	\$7,854
c. 100% Submittal	1	3	6	8	0	0	18	2	38	\$1,430	\$3,805
6. Permits	2	4	6	8	0	0	0	4	24	\$1,039	\$2,763
7. Bidding Assistance	2	4	6	8	0	0	0	4	24	\$1,039	\$2,763
8. QANOC	12	8	6	4	0	0	4	2	36	\$2,012	\$5,352
Subtotals	30	56	84	122	48	48	198	33	619	\$23,121	\$61,502

Direct Costs											
Printing											\$750
Postage/Shipping											\$200
Mileage											\$375
Subtotal 2008 Work											\$62,827

Hour and Cost Budget
Village of Lombard
Special Assessment 217
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 CL: Clerical

TASKS	PD	PM	SPE	PE	CC	FT	CT	CL	TOTAL HOURS	TOTAL COST	FEE (2.66 MULT)
1. Meetings & Coordination	4	12	16	16	0	0	0	8	56	\$2,646	\$7,039
2. Field Survey Update	0	1	2	4	24	24	0	1	56	\$1,533	\$4,077
3. Base Plan Update	1	2	4	6	0	0	52	0	65	\$2,362	\$6,282
4. Design Update	1	3	6	8	0	0	4	1	23	\$1,008	\$2,682
5. Final PS&E											
a. 65% Submittal	4	12	20	40	0	0	80	6	162	\$6,285	\$16,717
b. 95% Submittal	2	6	10	18	0	0	40	4	80	\$3,100	\$8,246
c. 100% Submittal	1	3	6	8	0	0	18	2	38	\$1,502	\$3,995
6. Permits	2	4	6	8	0	0	0	4	24	\$1,090	\$2,901
7. Bidding Assistance	2	4	6	8	0	0	0	4	24	\$1,090	\$2,901
8. QA/QC	12	8	6	4	0	0	4	2	36	\$2,113	\$5,620
Subtotals	29	55	82	120	24	24	198	32	564	\$22,729	\$60,460

Direct Costs
 Printing \$750
 Postage/Shipping \$200
 Mileage \$375

Subtotal 2009 Work **\$61,785**