

**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:** August 26, 2020 (B of T) **Date:** September 3, 2020

**TITLE:** Water Infrastructure Act Risk and Resiliency Assessment ERP  
Professional Services Engineering – Baxter & Woodman Consulting  
Engineers

**SUBMITTED BY:** Brian Jack, Utilities Superintendent 

**BACKGROUND/POLICY IMPLICATIONS:**

The Village is required to perform, update, and develop a Risk and Resiliency Assessment and Emergency Response Plan per the U.S. Environmental Protection Agency and the America’s Water Infrastructure Act along with the national Risk and Capability Assessment required by FEMA also known as the Threat and Hazard Identification and Risk Assessment (THIRA). See enclosed memo dated August 26, 2020.

**FISCAL IMPACT/FUNDING SOURCE**

Total Contract Amount: \$26,800.00  
Account: RM PROG 32 520.790.715.75410  
Water System Maintenance and Improvements



Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**To:** Scott Niehaus, Village Manager  
**From:** Brian Jack, Utilities Superintendent   
**Through:** Carl Goldsmith, Director of Public Works   
**Date:** August 26, 2020  
**Subject:** **Water Infrastructure Act Risk and Resiliency Assessment**  
Professional Services – Baxter & Woodman Consulting Engineers

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### Background

On October 23, 2018, America's Water Infrastructure Act (AWIA) was signed into law. AWIA Section 2013 requires community (drinking) water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans (ERPs). The law specifies the components that the risk assessments and ERPs must address, and establishes deadlines by which water systems must certify to EPA completion of the risk assessment and ERP.

Each community water system serving a population of greater than 3,300 persons shall assess the risks to, and resilience of, its system. The assessments shall include: the risk to the system from malevolent acts and natural hazards; the resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system; the monitoring practices of the system; the financial infrastructure of the system; the use, storage, or handling of various chemicals by the system; and operation and maintenance of the system.

This new requirement is the next step in protecting water systems after the 2002 Public Health and Bioterrorism and Response Act that required all community water systems to perform a Vulnerability Assessment.

The schedule to complete the new Risk and Resiliency Assessment is June 30, 2021 for systems with population served of 3,301 – 49,999.

### Short List

Public Works Staff solicited the Design Engineer Short List for professional services in which three (3) of the five (5) firms submitted proposals. Upon review, it was determined

that Baxter & Woodman Consulting Engineers of Crystal Lake, IL was the most qualified firm to provide professional engineering services to complete the assessment.

The scope and fee was negotiated with Baxter & Woodman and agreed by both parties. Engineering services budget for this study is being submitted for a not-to-exceed professional services contract in the amount of \$26,800.00 and will be provided for in the Water/Sewer Capital Reserve Budget RM PROG 32 Water System Maintenance and Improvements.

**Recommendations:**

Please present to the Board of Trustees this agreement and resolution to award Baxter & Woodman Consulting Engineers of Crystal Lake, IL a professional services agreement not to exceed \$26,800.00 for the Water Infrastructure Act Risk and Resiliency Assessment.

Please execute signature on the agreement and return two copies to the Utilities Division for further processing.

DELIVERABLE Title	SUB-DELIVERABLE Title	PM \$ 180	PE \$ 140	PE \$ 120	PM Conc \$ 175	PE-Conc. \$ 120	SECT. \$ 120	MILES/ \$ 0.535	TOTAL HOURS	COST	DELIVERABLE COST
<b>Project Management</b>	Project Management	4	4						8	\$ 1,280	\$ 1,280
<b>Meetings</b>											
	Kickoff Meeting/Site Visit	4	6	6				288	16	\$ 2,434	
	Workshop Meetings	4	7	7		4		288	22	\$ 3,174	\$ 5,608
<b>System Analysis</b>											
	Collect and Review Data			8					8	\$ 960	
	Data Analysis		4	4					8	\$ 1,040	
	Determine Threats/Countermeasures		8	20					28	\$ 3,520	
	Cybersecurity Assessment		8		4	20			32	\$ 4,220	
	Risk Assessment	2	4	16					22	\$ 2,840	\$ 12,580
<b>Risk and Resiliency Report</b>											
	Report		10	26			2		38	\$ 4,760	
	Report Review	6	6		3				15	\$ 2,445	
	Submit Certification			1					1	\$ 120	\$ 7,325
<b>Subtotal-Hours</b>		20	57	88	7	24	2		198		
<b>Subtotal - Hourly Costs</b>		\$ 3,600	\$ 7,980	\$ 10,560	\$ 1,225	\$ 2,880	\$ 240			Labor Subtot.	\$ 26,485
<b>Expenses - Mileage</b>								576			\$ 308
<b>Total Budget Fee (Design + Expenses + Consultant costs)</b>										<b>TOTAL</b>	<b>\$ 26,800</b>

**R E S O L U T I O N**  
**R \_\_\_\_\_ 20**

**A RESOLUTION AUTHORIZING SIGNATURE OF  
PRESIDENT AND CLERK ON AN AGREEMENT**

**WHEREAS**, the Corporate Authorities of the Village of Lombard have received an Agreement between the Village of Lombard, and Baxter & Woodman Consulting Engineers regarding professional engineering services for the Water Infrastructure Act Risk and Resiliency Assessment as attached hereto and marked Exhibit "A"; and

**WHEREAS**, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement.

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 Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

**SECTION 2:** That the Village Clerk be and hereby is authorized to attest said agreement as attached hereto.

Adopted this 3<sup>rd</sup> day of September, 2020.

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

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

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

Approved this 3<sup>rd</sup> day of September, 2020.

\_\_\_\_\_  
**Keith Giagnorio**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Sharon Kuderna**  
**Village Clerk**



## VILLAGE OF LOMBARD CONTRACT

### WATER INFRASTRUCTURE ACT RISK AND RESILIENCY ASSESSMENT

This agreement is made this 3<sup>RD</sup> DAY OF September, 2020, between and shall be binding upon the VILLAGE of Lombard, a Illinois municipal Corporation hereinafter referred to as the "VILLAGE" and Baxter & Woodman, Inc. hereinafter referred to as the "CONSULTANT" and its successors.

Witnessed, that in consideration of the mutual promises of the parties delineated in the contract documents, the CONSULTANT agrees to perform the services and the VILLAGE agrees to pay for the following services as set forth in the contract documents:

Scope of work includes: Project Management, System Analysis, and final Risk and Resiliency Report.

1. This contract shall embrace and include all of the applicable contract documents listed below as if attached hereto or repeated herein:
  - a) VILLAGE's Request for Qualifications and Proposals for Shortlists for Engineering Services dated October 31, 2016 consisting of the following:
    - i. Cover Sheet
    - ii. Table of Contents
    - iii. General Provisions
    - iv. Special Provisions
    - v. Appendices 1, 2 & 3
  - b) CONSULTANT'S Statement of Qualifications and Proposal dated March 25, 2019
  - c) CONSULTANT'S Work Effort and Fee submittal Dated April 08, 2019
  - d) Required Certificates and Signatures and Certificate of Insurance
2. The VILLAGE agrees to pay, and the CONSULTANT agrees to accept as full payment for the services which are the subject matter of this contract in accordance with the General Provisions in the amount not to exceed \$26,800.00.
3. This Contract represents the entire agreement between the parties and may not be modified without the written approval of both parties.

IN WITNESS WHEREOF, the Village of Lombard, Illinois by Keith Giagnorio, Village President, and the CONSULTANT have hereunto set their hands this 3rd day of September, 2020.

If an individual or partnership, all individual names of each partner shall be signed or if a corporation, an officer duly authorized shall sign here:

\_\_\_\_\_  
Print Company Name

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Individual or Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

\_\_\_\_\_  
By Position/Title

\_\_\_\_\_  
By Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 3<sup>rd</sup> day of September, 2020.

\_\_\_\_\_  
Keith Giagnorio, Village President

Attest:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk



VILLAGE OF LOMBARD
CONSULTANT'S CERTIFICATION

\_\_\_\_\_, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

\_\_\_\_\_, having submitted a proposal for:
(Name of Company)

South Lombard Sanitary Forcemain/Relief Sewer Study to the Village of Lombard hereby certifies that said CONSULTANT:

- 1. has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105(A) (4).
2. is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if it is:
a. it is contesting its liability for the tax or the amount of tax in accordance with procedures established by the approve Revenue Act; or
b. it has entered into an agreement with the Department of Revenue for payment of all taxes due and is currently in compliance with that agreement.
3. is in full compliance with the Federal Highway Administration Rules on Controlled Substances and Alcohol Use and Testing, 49 CFR Parts 40 and 382 and that

\_\_\_\_\_,
(Name of employee/driver or "all employee drivers")
is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.

By: \_\_\_\_\_
Officer or Owner of Company named above

Subscribed and sworn to
before me this \_\_\_\_\_
day of \_\_\_\_\_, 2020.

\_\_\_\_\_,
Notary Public