

DISTRICT 1, 2, 4, 5 & 6

Legistar: 090063

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

<input checked="" type="checkbox"/>	Resolution or Ordinance (Blue)
<input type="checkbox"/>	Waiver of First Requested Recommendations of Boards, Commissions & Committees (Green)
<input type="checkbox"/>	Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Huliseberg, Village Manager *deh*

DATE: March 31, 2009 (COW) (B of T) **Date:** April 2, 2009

TITLE: Main St Lighting Project - Phase I Resident Engineering (RE) Contract Amendment

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

BACKGROUND/POLICY IMPLICATIONS:

Amend RE Contract to reflect extension of time previously granted by the Village for the construction contract.

FISCAL IMPACT/FUNDING SOURCE:

Total Amended Contract Amount: \$186,640.09
Amendment Amount: \$31,871.68
HTE Project Number: 0806 HTE Act: 7110.809425
Public Works Project Number: M-08-05-RE
P.O. #: 060300

Review (as necessary):

Village Attorney X	_____
Finance Director X	_____
Village Manager X	_____
Date	3/25/09
Date	3/25/09
Date	3/25/09

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.



To: David A. Hulseberg, Village Manager
Through: Carl Goldsmith, Director of Public Works
From: David A. Dratnoi, P.E., Village Engineer
Date: March 31, 2009

Subject: Main Street Lighting Project – Phase I
Contract Amendment for Resident Engineering

Attached please find a request for an amendment to the contract for resident engineering services for the Main Street Lighting Project – Phase I in the amount of an increase to the contract of \$31,871.68.

Due to the extension of the construction contract previously granted to Utility Dynamics for the construction of the street lights on Main Street, the Resident Engineer, Christopher B. Burke Engineering, Ltd. is requesting an additional 40 days for construction inspection and the paperwork associated with the additional time.

The original contract for resident engineering services is \$154,768.41. The proposed contract amount will be \$186,640.09.

Please present this Contract Amendment to the President and Board of Trustees at their regular meeting of April 2, 2009. If approved, please return one signed original to Public Works-Engineering for further processing.

DAD/pk

c: File: H:P/W/PW-ENG/PROJECTS/FY2008/M-08-05/construction/RE/Contract Amendment
Bot Memo RE M-08-05

RESOLUTION
R _____
09

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT

WHEREAS, the Board of Trustees of the Village of Lombard on April 17, 2008 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and CHRISTOPHER B. BURKE ENGINEERING LTD. 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 CHRISTOPHER B. BURKE ENGINEERING LTD. substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 2nd day of April, 2009.

Ayes; _____

Nays: _____

Absent: _____

Approved this 2nd day of April, 2009.

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 2nd day of April, 2009, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **CHRISTOPHER B. BURKE ENGINEERING LTD.** (the "CONSULTANT").

WHEREAS, on April 17, 2008 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Main Street Lighting Project – Phase I (Roosevelt Road to Maple Street); 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 February 17, 2009 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$188,963.61.

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 **CHRISTOPHER B. BURKE
ENGINEERING LTD.**

By: _____

ATTEST:

By: _____



CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX(847) 823-0520

February 17, 2009

Village of Lombard
255 E. Wilson
Lombard, IL 60148

Attention: Mr. Paul Kuehnlenz

Subject: Request for Contract Amendment
Main Street Lighting
Village of Lombard
(CBBEL Project No. 08-0126)

Dear Paul:

Christopher B. Burke Engineering, Ltd., (CBBEL) is requesting an amendment to the Main Street Lighting professional engineering construction services contract due to the extension of time that was granted to the Contractor by the Village. The additional working days granted to the Contractor have resulted in additional time and subsequent fees expended by CBBEL for field observation and contract administration. The Contractor was granted an additional 61 working days. Twenty-one of those days were attributed to material procurement. Therefore, a net 40 working days were added to the contract. The estimated additional hours and resultant fees are detailed on the attached amended estimated work effort. It is anticipated that the majority of the hours will be billed by Mr. Gerry Hennelly (Engineering Technician III) who has been on site for the majority of the Contractor's operations. CBBEL respectfully requests that \$31,871.68 be added to our original contract amount of \$154,768.41 resulting in a revised contract amount not to exceed \$186,640.09.

CBBEL looks forward to completing this important project and continuing to provide engineering services to the Village.

If you have any questions, please feel free to contact me.

Sincerely,

John P. Caruso, PE
Head, Mechanical/Electrical Section

Village of Lombard
Main Street Lighting Project
Contract M-08-05

Construction Engineering Work Effort
Supplement February 17, 2009

Task	Rate*	Project Manager (Eng V)	Project Engineer (Eng III)	Project Engineer (Eng VII)	Survey Manager	Survey III	Survey II	Survey I	CAD Manager	Engineer Technician III	Engineer Technician III**	Administrative	Hours	Rate	Total
Project Administration/Meetings	Task 1	60											60		\$3,896.35
Preliminary Engineering	Task 2	2											2		\$331.26
Shop Drawing Review	Task 3	2											2		\$1,912.38
Construction Observation	Task 4	40											40		\$45,934.50
Supplemental Construction Observation	Task 4A			180									180		\$10,178.00
Surveying / GPS Locating	Task 5												66		\$2,137.72
Record Drawing Preparation	Task 6	2											2		\$790.54
Project Closeout Paperwork	Task 7	2											2		\$1,159.58
Supplemental Project Closeout Paperwork	Task 7A												40		\$1,454.00
Subtotal		106	24	206	2	4	24	24	4	998	320	94	1,738		\$67,934.34
Total Labor Cost		\$6,746.28	\$895.68	\$8,021.38	\$133.00	\$181.00	\$728.64	\$812.00	\$184.52	\$38,922.00	\$11,632.00	\$2,477.84			\$186,140.09
Direct Costs															\$500.00

* Average rate for classification
** Actual Rate for Classification

11,652.00 ✓
x 2.74
31,871.68 -