

DISTRICT 3

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: November 8, 2021 (COW) (B of T) **Date:** November 18, 2021
TITLE: 22nd Street Shared-Use Path Improvements Design Engineering
SUBMITTED BY: David Gorman, PE, Assistant Director of Public Works *DRY*

BACKGROUND/POLICY IMPLICATIONS:

Federally funded CIP project that includes path connection and replacement, pavement markings, and pedestrian improvements.

FISCAL IMPACT/FUNDING SOURCE:

Total Contract Amount: \$139,603.65 (FY 2022)
Project Number: ST 23 01 22nd Street Shared-Use Path Improvements
Account: MFT Engineering Fund (420.730.730.75410)

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.



To: Village President and Board of Trustees
From: David Gorman, PE, Assistant Director of Public Works *DG*
Through: Carl Goldsmith, Director of Public Works *CG*
Date: November 8, 2021
Subject: 22nd Street Shared-Use Path Design Engineering Contract

22nd Street Shared-Use Path Improvements is a new project included within the approved 2022-2031 Capital Improvement Program. The Village secured federal (STBGP) 2023 construction and construction observation funding for this project through the DuPage Mayors and Managers Conference. The 2023 construction project budget is \$1,080,000 (\$756,000 STBGP funds, \$324,000 Village funds), with Village budgeted funds of \$120,000 for 2022 design engineering/geotechnical services and \$120,000 (\$84,000 STBGP funds, \$36,000 Village funds) for 2023 construction observation/material testing services. The project is scheduled for design in 2022 and construction in 2023. The Village will create separate professional services contracts awarded in actual fiscal years.

This path improvement project will complete a missing path gap and rehabilitate the existing shared-use path from Finley Road to Meyers Road. The project includes a concrete multi-use path, pedestrian improvements, and lighting relocation. It is also included within the Village Bicycle and Pedestrian Master Plan and Village Bicycle/Pedestrian Network.

A Request for Proposal (RFP) was sent to all eligible firms on both 2021 Design and Resident Engineering Shortlists. Christopher B. Burke Engineering was determined by the Public Works selection evaluation team to be the most qualified firm. The contract scope and fee for design engineering and construction observation were negotiated and agreed to by both parties. Since this work will occur in separate fiscal years, this 2022 contract work will be performed for a total design engineering fee not to exceed \$139,603.65 from the CIP Engineering Fund.

Please present the attached agreement and resolution for the contract to the President and Board of Trustees for their review at their regular meeting of November 18, 2021. If approved, please return two original signed copies of the agreement to Public Works for further processing.

R E S O L U T I O N
R _____ 21

**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 Christopher B Burke Engineering, Ltd., regarding the 22nd Street Shared-Use Path Improvements project 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 18th day of November, 2021.

Ayes: _____

Nays: _____

Absent: _____

Approved this 18th day of November, 2021.

Keith Giagnorio
Village President

ATTEST:

Elizabeth Brezinski
Village Clerk

**VILLAGE OF LOMBARD
CONTRACT****CONTRACT DOCUMENT NUMBER ST-23-01**

This agreement is made this 18th day of November, 2021, between and shall be binding upon the VILLAGE of Lombard, an Illinois municipal Corporation hereinafter referred to as the "VILLAGE" and Christopher B. Burke Engineering, Ltd., hereinafter referred to as the "ENGINEER" and its successors.

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

Design (Phases 1 and 2) Engineering Services for 22nd Street Shared-Use Path Improvements

1. This contract shall embrace and include all the applicable contract documents listed below as if attached hereto or repeated herein:
 - a. VILLAGE'S Request for Qualifications for Short-List for Engineering Services Dated October 28, 2016
 - b. ENGINEER'S Project Proposal Dated September 20, 2021
 - c. ENGINEER'S Scope Revised Proposal Submittal Dated October 26, 2021
 - d. Required Certificates and Signatures and Certificate of Insurance
2. The VILLAGE agrees to pay, and the ENGINEER agrees to accept as full payment for the services which are the subject matter of this contract in accordance with the General Provisions.
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 the Village President, and the ENGINEER have hereunto set their hands this 18th day of November, 2021.

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:

Christopher B. Burke Engineering, Ltd.

Accepted this _____ day of _____, 2021.

Individual or Partnership _____ Corporation _____

By Position/Title

By Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 18th day of November, 2021.

Keith Giagnorio
Village President

Attest: _____
Elizabeth Brezinski
Village Clerk

**VILLAGE OF LOMBARD
ENGINEER'S CERTIFICATION**

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

Christopher B. Burke Engineering, Ltd., having submitted a proposal for 22nd Street Shared-Use Path Improvements to the Village of Lombard, hereby certifies that said ENGINEER:

- 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 _____, 2021.

Notary Public