

**RESOLUTION**  
**R 40-17**

**A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT INVOLVING AN INCREASE/DECREASE IN THE DOLLAR AMOUNT OF THE CONTRACT OF \$10,000 OR MORE AND/OR EXTENDING/SHORTENING THE TIME IN WHICH THE CONTRACT IS TO BE COMPLETED BY THIRTY (30) DAYS OR MORE**

**WHEREAS**, pursuant to Illinois Compiled Statutes, Chapter 720, Section 5/33E-9, units of local government are required to make specific findings prior to authorizing any amendment relative to a contract which would increase or decrease the dollar amount of the contract by \$10,000 or more, or would extend or shorten the time in which the contract is to be completed by thirty (30) days or more; and

**WHEREAS**, staff has presented and recommended the proposed amendment #2 to the contract between the Village of Lombard and ESI Consultant LTD. regarding the North Broadway Force Main and Pump Station 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 #4 attached hereto as Exhibit "A" would increase the dollar amount of the contract by \$9,186.41.

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 #4 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.

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No. Broadway Force Main & Pump Station, Amendment #4

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**SECTION 2:** That having made the findings set forth in Section 1 above, the President and Board of Trustees hereby approve the Amendment #4 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 15<sup>th</sup> day of June, 2017.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston and Ware


Nays: None

Absent: Trustee Pike

Approved this 15<sup>th</sup> day of June, 2017.

  
**Keith T. Giagnorio**  
**Village President**

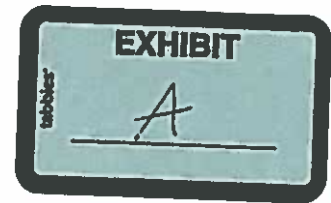
ATTEST:

  
**Sharon Kuderna**  
**Village Clerk**



ESI Consultants, Ltd.  
*Excellence, Service, Integrity*

May 1, 2017



Ms. Ying Miao  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, IL 60148

RE: N. Broadway Pump Station and Force Main

Dear Ms. Miao:

As we have discussed ESI Consultants, Ltd. has provided services to the Village which are outside the scope of services included in our original contract and previous addenda. We have outlined below these tasks with a narrative for each.

#### Review of Shop Drawings for Pre-purchased Equipment

ESI's hours for this task were significantly reduced during the negotiations for the previous addendum. For the review of the prefabricated building, generator and ATS, dewatering pump, rails, special piping and mini cas, control cabinets, VFDs, and flow meter sensor, the Village allowed a total of 21 hours for one review and one follow up for review as needed. To date, 28 hours have been spent on this task and believe that no additional time will be required as all shop drawings for the pre-purchased equipment have been completed.

These additional hours are contributed to the following reasons.

- Due to the delay of the project, the Village decided to add the axial pumps to the project. This required additional time by ESI to review this submittal.
- Coordination to select the colors for the building took significant effort as the Village wanted to match colors of an existing building and the colors needed to be matched those of the desired manufacturer.
- The effort to review the Flolo shop drawings, which included 137 pages, was only allotted four hours to review. Additional hours were required due to the volume of information.
- Research and coordination for Xylem's request to substitute the requested paint specification for the pipes and pumps required additional hours that were not included in the scope.
- It was not intended that all shop drawing submittals would require a significant resubmittal effort, however this was the case. Each of the submittals required a second resubmittal.

The cost for the additional effort is \$1,336.65.

#### Make Modifications to the Plans and Project Manual

ESI kept a set of plans and specifications to mark up as items arose during the year and reviewed the changes with you prior to making them. When completed, we sent the Village the files. At that time, we were informed that the Village had made major changes to the Village's specifications and that we needed

to revise the project manual and plans accordingly. In addition, the Village requested that the opinion of construction costs be updated. These efforts were not included in the previous addendum.

It took 33 hours to make the modifications to the plans and project manual for the two submittals. This task was allotted 8 hours in the previous addendum.

The cost for the additional effort is \$4,811.94.

Participation at Pre-Bid Meeting

As a year had passed from the previous bidding process, time was required to review the plans and assemble some notes for those attending the meeting. In the previous addendum, 4 hours had been allotted to attend the meeting. To prepare for and attend the meeting, 5.5 hours were required.

The cost for the additional effort is \$286.43.

Participation at a Public Information Meeting

The Village has requested participation at a public information meeting scheduled for May 17, 2017. This effort was not included in the previous addendum. It is anticipated that up to 5 hours will be required to review the Village's power point, present at the meeting and address individual questions after the meeting.

The cost for the additional effort is \$954.75.

Credit for making CDs and Delivering to Village

The previous addendum included making 15 CDs for the Village to distribute to parties interested in bidding on the project. After this addendum was approved by the Village, the Village revised their practice and only required a pdf version of these documents be provided. ESI provided a link to its ftp site for the Village to download for their use.

The total credit for this task is \$303.81.

Design Support During Construction

The Village has retained Baxter and Woodman to provide resident engineering services during construction. To assist in addressing questions as they arise, the Village has requested ESI include 8 hours to this addendum request toward this task.

The total credit for this task is \$1,527.60.

Participation at a Pre-construction Meeting

The Village has requested participation at a pre-construction meeting scheduled for May 23, 2017. This effort was not included in the previous addendum. The Village has requested that ESI include 3 hours toward this task.

The total credit for this task is \$572.85.

Cost for additional effort



May 1, 2017  
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Based on the information presented above, ESI is requesting an addendum to our contract in the amount of \$9,186.41. A summary of the man-hours has been enclosed with this letter for your use.

Should you have any questions, please contact me.

Sincerely,  
ESI Consultants, Ltd.



Anthony Malone, P.E.  
Vice President

Enclosure

ESI Lombard N. Broadway Pump Station and Force Main Addendum No. 4 20170501.doc

