

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

    X     Resolution or Ordinance (Blue)      \_\_\_\_\_ Waiver of First Requested  
\_\_\_\_\_  
\_\_\_\_\_  
Other Business (Pink)

**TO:** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** David A. Hulseberg, Village Manager

**DATE:** November 22, 2010      (COW) (B of T)      **Date:** December 2, 2010

**TITLE:** St. Charles Road LAPP Project  
Resident Engineering (RE) Contract Amendment #1

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

**BACKGROUND/POLICY IMPLICATIONS:**

Amend RE Contract to reflect additional work required to oversee the contract due to contractor and subcontractor scheduling and issues related to traffic controller modifications.

**FISCAL IMPACT/FUNDING SOURCE:**

Total Amended Contract Amount: \$239,450.79  
Amendment Amount: \$35,026.95  
HTE Project Number: 1001 HTE Acct: 7110.809425  
Public Works Project Number: ST-09-05  
P.O. #: 065990

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: David A. Hulseberg, AICP, ICMA-CM, Village Manager  
Through: Carl S. Goldsmith, Director of Public Works  
From: David A. Dratnol, P.E., Village Engineer  
Date: November 23, 2010  
Subject: St. Charles LAPP Project  
Resident Engineering Services – Amendment #1

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Attached please find a resolution and contract amendment #1 to amend the resident engineering services for the St. Charles LAPP Project.

V3 Companies of Illinois, the resident engineer for the project, has requested additional fees due to increased staffing and time required to cover the administration of the project. The additional work was caused by low productivity of the contractor resulting in extensive overtime work. There was an unanticipated material claim by the contractor regarding the video detection system which required added coordination with the contractor, the subcontractor, IDOT, and Village staff. The contractor has used up the contract working days and the contract has been suspended until spring which will require additional engineering. Refer to the attached letter from V3 for additional information.

The original not-to-exceed fee for resident engineering services is \$204,423.84. V3 anticipates that the project will require an additional 180 man-hours to complete resulting in an increase of \$35,026.95 to the contract for an amended not-to-exceed fee of \$239,450.79. The Village staff will pursue liquidated damages from the contractor to offset the additional costs for resident engineering services.

Please present Amendment #1 and resolution to the President and Board of Trustees for their review at their regular meeting of December 2, 2010. If approved, please return two (2) original signed copies to Public Works-Engineering for further processing.

DAD/pk

cc: File: ST-09-05

**RESOLUTION**  
**R \_\_\_\_\_ 11**

**A RESOLUTION AUTHORIZING**  
**AMENDMENT OF A PROFESSIONAL**  
**SERVICES CONTRACT**

**WHEREAS**, the Board of Trustees of the Village of Lombard on May 20, 2010 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and V3 Companies of Illinois 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 5/33E-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 V3 Companies of Illinois substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 2<sup>nd</sup> day of December, 2010.

Ayes; \_\_\_\_\_

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

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

Approved this 2<sup>nd</sup> day of December, 2010.

**ATTEST:**

\_\_\_\_\_  
**William J. Mueller**  
**Village President**

\_\_\_\_\_  
**Brigitte O'Brien**  
**Village Clerk**

**AGREEMENT TO AMEND A CONTRACT**

**THIS AGREEMENT** made and entered into this 2<sup>nd</sup> day of December, 2010, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and V3 Companies of Illinois (the "CONSULTANT").

WHEREAS, on May 20, 2010 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Main Street Lighting Project; 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 November 23, 2010 letter.

**SECTION 2:** The aforementioned contract shall be amended to show a contract sum not to exceed \$240,450.79.

**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 V3 Companies of Illinois**

By: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_



November 23, 2010

Mr. David Dratnol, P.E.  
Village Engineer  
Village of Lombard  
255 East Wilson Ave.  
Lombard, IL 60148

**RE: St. Charles Road  
Supplement for Engineering Services**

Dear Mr. Dratnol

V3 Companies of Illinois respectfully requests a supplement to our Engineering Services Agreement for resident engineering on the St. Charles Road construction project. The attached exhibits outline the additional hours and costs required to complete the work.

Several issues occurred during construction which were not anticipated when the original fee was negotiated with the Village. These included additional time required due to extremely low productivity by the subcontractors during the concrete and structure adjustment portions of the project, an unusually high level of effort required to manage the traffic control plan, additional time required for resolution of the vehicle detection system issue, additional time required after the contractor exhausted the contract working days and work being delayed to the spring of 2011.

The low productivity of the concrete and drainage subcontractors and high level of oversight required for their maintenance of traffic control resulted in higher levels of inspection during the first half of the project. V3 staff was working longer hours per day due to this issue. This overtime was not accounted for in the original fee.

There was a marked increase in administrative time required to administer the claim by the contractor concerning the vehicle detection system on the project. This included coordination between the contractor, their electrical subcontractor, the designer and the IDOT. This claim was not anticipated in the original agreement.

Because of the subcontractor's low productivity during the first half of the project, the contract working days were exhausted before even the mainline paving and pavement markings could be completed. The contractor attempted to avoid incurring liquidated damages by mobilizing two paving crews and two pavement marking crews on a Saturday and completed most of the paving and striping during that 14 hour day. A portion of the paving work was delayed due to emergency work by AT&T at the intersection of St. Charles Road and Main Street. The paving of that intersection was delayed approximately two weeks while AT&T was making the repairs. Punchlist work



was continuing during the AT&T delay even though working days could not be charged. Also, there is contract work (stamped crosswalks and pavement markings) which has now been delayed to the spring of 2011. V3's original fee anticipated that all contract work would be completed within the 55 working days allowed in the construction contract. The working days were exhausted on October 15<sup>th</sup>, 2010. All of the field work done by the contractor after the working days were exhausted, including punchlist work, was beyond the work anticipated in the original agreement.

Due to these changes we anticipate that the total hours worked on this project will increase by about 10% from 1813 hours to 1993 hours. V3 requests an increase in the Engineering Services Agreement in the amount of \$35,026.95. This change will increase the agreement upper limit of compensation from \$204,423.84 to \$239,450.79.

Please contact me directly at (630) 729-6286 with any questions.

Sincerely,  
V3 Companies of Illinois

A handwritten signature in black ink, appearing to read 'Tom R. Valaitis'.

Tom R. Valaitis, P.E.  
Vice President – Director of Construction Engineering

Attachments

cc: Frank Kalisik  
George Malek

### Summary Monitor Report St Charles Road Construction Management

**St. Charles Road LAPP - Lombard**

Hours To Date	Classification	Average Hrv Rate	11/27/10	12/25/10	1/22/11	2/19/11	3/19/11	4/16/11	5/14/11	6/11/11	Hours	Total Hours	Direct Labor
39.0	Division Director	\$70.00	6.0	4.0	4.0	4.0	4.0	2.0	2.0	2.0	28.0	28.0	\$1,980.00
69.0	Resident Engineer	\$49.02	125.0	70.0	64.0	56.0	40.0	32.0	16.0	10.0	413.0	413.0	\$20,245.26
802.5	ARE/Inspector	\$25.50	13.0								13.0	13.0	\$333.50
11.5	Resident Engineer	\$50.70									0.0	0.0	\$0.00
8.0	Inspector	\$30.00									0.0	0.0	\$0.00
14.0	Inspector	\$38.20									0.0	0.0	\$0.00
12.0	Inspector	\$28.20									0.0	0.0	\$0.00
6.0	Inspector	\$28.50									0.0	0.0	\$0.00
1.0	Designer	\$51.90									0.0	0.0	\$0.00
	Draftsperson	\$24.51				36.0					36.0	36.0	\$882.36
1930.0			144.0	74.0	68.0	96.0	44.0	34.0	18.0	12.0	490.0	490.0	\$23,471.12
	Total CM Direct Labor		\$6,931.00	\$3,711.40	\$3,417.28	\$3,907.46	\$2,240.80	\$1,706.64	\$924.32	\$630.20			\$23,471.12
	CM DL w/ 2.8 DLM		\$19,406.80	\$10,391.92	\$9,566.38	\$10,940.94	\$6,274.24	\$4,784.19	\$2,588.10	\$1,764.56			\$65,719.14

Total Projected Labor to Complete = \$65,719.14  
 Total Projected Direct to Complete = \$3,141.00

Total Projected Amount to Complete = \$68,860.14  
 Total Amount Invoiced to Date = \$170,590.65  
 Total Projected for Entire Project = \$239,450.79  
 Original Contract Amount = \$204,423.84  
 Estimated Amount Over/Under Contract Value = \$35,026.95

Invoice #	Thru	Invoice Date	Dollars Expended	Amount Invoiced	Invoiced to Date
610168	6-Jun-10	6-Jul-10	\$8,627.60	\$8,219.22	\$8,219.22
710264	31-Jul-10	11-Aug-10	\$15,411.38	\$15,627.81	\$23,847.03
810310	28-Aug-10	10-Sep-10	\$39,238.23	\$37,373.83	\$61,220.86
910278	25-Sep-10	6-Oct-10	\$41,754.65	\$39,767.02	\$100,987.88
	30-Oct-10	12-Nov-10	\$64,588.79	\$61,467.48	\$162,455.36
	27-Nov-10				
	25-Dec-10				
	28-Jan-11				
	26-Feb-11				
	26-Mar-11				
	30-Apr-11				
			\$170,590.65	\$162,455.36	

V3 Contract	\$	197,673.94
Direct Salaries	\$	6,750.00
Direct Costs	\$	204,423.84

Total Original Hours 1853.0  
 Total Proposed Hours 1953.0  
 % Increase Hours 10%  
 % Increase Cost 17%

Classification	Rate	11/27/10	12/25/10	1/22/11	2/19/11	3/19/11	4/16/11	5/14/11	6/11/11	Hours	Total Hours	Total Costs
Vehicles @ \$45/day	\$45.00	13.0	8.0	7.0	6.0	4.0	4.0	4.0	1.0	47.0	47.0	\$2,115.00
Communications (Radios)	\$65.00	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	6.0	6.0	\$390.00
Field Office	\$200.00	1.0	1.0	1.0						3.0	3.0	\$600.00
Field Bookers/Binders	\$6.00									6.0	6.0	\$36.00
Exhibits/Aerial Photography	\$218.00											\$0.00
Photocopiers	\$33.00											\$0.00
Total Costs:											3,141.00	

ENDING DATE: October 23, 2010

**St. Charles LAPP - Personnel and Hours**

Rate	PM / Director		Resident		Resident Insp		Inspector		DR	Anticipated Estimated Total Hours	% of HOURS	Original Estimated Total Hours	% of HOURS	TOTAL COST	Anticipated Estimated Total Cost
	Actual / Anticipated	Proposed	Actual / Anticipated	Proposed	Actual / Anticipated	Proposed	Actual / Anticipated	Proposed							
	\$70.00	\$70.00	\$49.02	\$46.60	\$29.50	\$29.50	\$317.75 (AVG)	\$25.00	\$24.51						
Pre-Construction Services	6.5	5	35.5	80	76.5	80		0	0	118.5		165	9.02%	\$6,438.00	\$4,418.50
Layout			57.0	20	62.5	60		0	0	121.5		80	4.37%	\$2,702.00	\$4,735.93
Public Relations			85.5	240	45.5	70		0	0	142.0		310	16.95%	\$13,249.00	\$6,014.12
Inspection			260.0	120	327.0	420		0	0	760.0		540	39.14%	\$17,982.00	\$31,161.76
Documentation/Administration			182.5	270	287.0	100		0	0	581.0		420	29.15%	\$19,032.00	\$23,627.28
Record Drawings			12.0	8	0.0	20		36	36	48.0		64	2.41%	\$1,362.80	\$1,470.60
Post-Construction/Closeout			192.0	120	0.0	120		0	0	202.0		250	10.14%	\$9,532.00	\$10,111.84
			0	0	0	0		0	0	0		0	0.00%	\$0.00	\$0.00
			0	0	0	0		0	0	0		0	0.00%	\$0.00	\$0.00
			0	0	0	0		0	0	0		0	0.00%	\$0.00	\$0.00
Subtotal:	39.0	61.5	620.5	858.0	798.5	870.0	40.0	0.0	36.0	1993.0		1829.0	100.00%	\$70,597.80	\$81,540.03
% of Hours			3.55%	46.91%	47.57%		0.00%	1.97%							
TOTAL COST	\$ 4,305.00	\$ 4,550.00	\$ 51,176.88	\$ 39,982.80	\$ 23,939.25	\$ 25,665.00	\$ 1,270.00	\$ -	\$ 882.36					\$ 197,873.64	\$ 228,312.08
MULTIPLIER 2.80														\$ 6,750.00	\$ 11,136.71
DIRECT COSTS														\$ -	\$ -
TOTAL COST														\$ 204,423.64	\$ 239,450.79

PMD/Director = Project Manager/Director = Tom Valaitis, P.E.  
 RE = Resident Engineer = George Malek  
 RI = Resident Inspector = Ed Benesh, E.I.  
 INSP = Inspector = To be determined  
 DR = CADD Draftsman = To be determined

Project Multiplier  
 Overhead Rate 1.63  
 Direct Labor 1.00  
 Profits @ 0.145% 0.38  
 Calculated Multiplier 3.011

Our approved IDOT overhead rate is 1.63. We propose to use a multiplier of 2.800 for this project.