

RESOLUTION

77-09

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

WHEREAS, the Board of Trustees of the Village of Lombard on April 5, 2007 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Testing Service Corporation, which was amended on January 17, 2008 and June 5, 2008;

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 Testing Service Corporation substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.


Adopted this 2nd day of April 2009.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom


Nays: None

Absent: None

Approved 2nd day of April 2009.


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into 2nd day of April 2009, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **TESTING SERVICE CORPORATION** (the "CONSULTANT").

WHEREAS, on April 5, 2007 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Geotechnical Engineering, Construction Material Testing and Environmental Services contract; 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 May 21, 2008 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$125,000 for Fiscal Year 2008 & 2009.

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 **TESTING SERVICE CORPORATION**

By: _____

ATTEST:

By: _____

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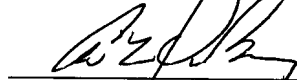
VILLAGE OF LOMBARD

By: 
Village President


ATTEST:

By: 
Village Clerk

and **TESTING SERVICE CORPORATION**

By: 
Allen L. DuBose, President

ATTEST:

By: 
James O'Brien, Executive Vice President

InterOffice Memo



To: David Hulseberg, Village Manager
Through: Carl Goldsmith, Director of Public Works *cy*
From: David A. Dratnol, P.E., Village Engineer *DDA*
Date: March 24, 2009
Subject: Geotechnical Engineering & Construction Material Testing Services
 Contract -Amendment #2 for TSC & SEECO

Attached are two separate resolutions for amending contracts with Testing Service Corporation (TSC) of Carol Stream and Seeco Consultants (SEECO) of Tinley Park. Both firms are currently under contract to provide Geotechnical Engineering, Construction Material Testing and Environmental Engineering services to the Village of Lombard on a work order basis for one year with a one year option to renew. If you recall, at the Board of Trustees meeting of March 19, 2009, TSC and Seeco were awarded the contracts for FY 2010 & 2011. This item addresses work under the current fiscal year (FY 2009).

TSC's total contract in FY 2008 & 2009 (including previous amendments) is budgeted for \$160,000. Seeco's total contract in FY 2008 & 2009 (including previous amendments) is budgeted for \$175,000.

Evaluating the project budgets in relation to the work performed to date and remaining under contract, the TSC budget can be reduced by \$35,000, while SEECO's budget allocation will need to be increased by \$45,000. Two prevalent factors precipitate the proposed budget increase to SEECO's contract.

1. Soil borings need to be done to evaluate the subsurface conditions and existing pavement section throughout the Industrial Park located north of North Avenue (Lombard Road, Cortland Avenue, Ridge Avenue, DuPage Avenue, Main Street, Progress Road, and Garfield Street) This work is anticipated to cost approximately \$40,000.
2. Continued environmental remediation work is necessary related to soil contamination at 101 South Main and on East Parkside Avenue adjacent to the 101 South Main property. This work is anticipated to cost approximately \$7,5000, of which \$2,500 will be covered by the existing budget.

Both projects are being done by SEECO. Based on the proposed budgets for the two project mentioned above, an additional \$45,000 will be needed to cover the cost of services provided through May 31, 2008 (FY 2009). Please note, both jobs will be completed under the FY 2009 budget. The total revised contract amount for Seeco will be a not to exceed amount of \$220,000 (\$175,000 + \$45,000). The total revised contract amount for TSC will be a not to exceed amount of \$125,000 (\$160,000 - \$35,000).

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on April 2, 2009. Upon approval, please return all paperwork to the Engineering Division for further processing.