

DISTRICTS - ALL

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

Resolution or Ordinance (Blue)	_____	X
Waiver of First Requested	_____	
Recommendations of Boards, Commissions & Committees (Green)	_____	
Other Business (Pink)	_____	

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: March 22, 2004 (COW) (B of T) **Date:** April 6, 2006

TITLE: Annual Geotechnical Engineering/Construction Material Testing Service Contract Amendment #1

SUBMITTED BY: David A. Dramol, P.E. Village Engineer *DAE*

This is a strategic partnership providing high quality services at cost efficient and effective rates.

FISCAL IMPACT/FUNDING SOURCE:

\$40,000 increase to blanket P.O. 052546
Total revised contract amount (FY 06) = \$90,000
Various Project Funds

Review (as necessary):

Village Attorney	X
Finance Director	X
Village Manager	X

Donald J. Flood
Date: 3/22/06

action

NOTE:

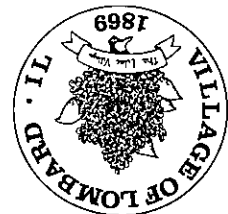
All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

InterOffice Memo

William T. Lichter, Village Manager
 Wes Anderson, Director of Public Works *WLA*
 David A. Dratnoi, P.E., Village Engineer *DMR*

March 23, 2006

Subject: Geotechnical Engineering & Construction Material Testing Services
 Contract -Amendment #1



To:

Through:

From:

Date:

Subject:

Testing Services Corporation (TSC) of Carol Stream is currently under contract to provide Geotechnical Engineering, Construction Material Testing and Environmental Engineering services to the Village of Lombard. TSC is under contract to provide soil investigations and construction material testing on a work order basis for one year with a one year option to renew. Based on TSC's performance over the past year, the Public Works Department will present an item to the Village Board in May to propose a testing budget for FY 2007 and renew TSC's contract.

Currently TSC's total contract in FY 2006 is budgeted for \$50,000. A balance of approximately \$11,300 remains.

Evaluating the budget in relation to the work performed to date and remaining under contract, the FY 2006 budget for testing services will be exceeded. Two prevalent factors precipitate the proposed amendment to the contract.

1. Construction starting on seven projects (Main Street Streetscape, Yorktown Water Main, N.E. Lombard Area Improvements, SA 219, South Broadway, Concrete Rehabilitation, Asphalt Utility Cuts Patching), before June 1, 2006.
2. The soil borings for the Great Western Trail Pedestrian Bridge design engineering study.

Based on proposed construction schedules and construction material testing budgets, an additional \$40,000 will be needed to cover the cost of services provided through May 31, 2006 (FY 2006). The \$40,000 is based on \$10,500 to meet existing project obligations and \$29,500 for soil borings for the Great Western Trail Pedestrian Bridge. The total revised contract amount will be a not to exceed amount of \$90,000 (\$50,000 + \$40,000). The remaining budget for testing performed after May 31, 2006, will be charged to FY 2007 and will be presented to the Village Board in May as part of TSC's FY 2007 contract renewal and budget.

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on April 6, 2006. Upon approval, please return all paperwork to the Engineering Division for further processing.



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

R E S O L U T I O N
06

WHEREAS, the Board of Trustees of the Village of Lombard on April 21, 2005, adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Testing Services Corporation 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 Testing Services Corporation substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 6th day of April 2006.

_____ Ayes;

_____ Nays;

_____ Absent;

Approved this Adopted this 6th day of April 2006.

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 6th day of April 2006, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **TESTING SERVICES CORPORATION** (the "CONSULTANT").

WHEREAS, on April 21, 2005 the **VILLAGE** and **CONSULTANT** executed a contract regarding certain engineering services relative to the Annual Geotechnical 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 show a contract sum not to exceed \$90,000.00.

SECTION 2: 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

TESTING SERVICES CORPORATION

By: _____

ATTEST:

By: _____