

RESOLUTION

R 66-09

**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 Baxter & Woodman, Inc. regarding the Olde Towne – East, Phase 4 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 5th day of March, 2009.

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

Nays: None

Absent: None

Approved this 5th day of March, 2009.


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney



VILLAGE OF LOMBARD CONTRACT

CONTRACT DOCUMENT NUMBER ST-09-04

This agreement is made this 5th day of March 2009, between and shall be binding upon the VILLAGE of Lombard, an Illinois municipal Corporation hereinafter referred to as the "VILLAGE" and Baxter & Woodman, Inc. 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:

Resident Engineering services for Olde Towne – East, Phase 4

1. This contract shall embrace and include all of the applicable contract documents listed below as if attached hereto or repeated herein:
 - a. Request for Qualifications and Request for Proposal (January 11, 2008) consisting of the following:
 - i) Cover Sheet
 - ii) Table of Contents
 - iii) General Provisions
 - iv) Special Provisions
 - v) Request for Qualifications Resident Engineering Short-List
 - vi) Instructions Regarding the Consultant Evaluation Form
 - vii) Instructions Regarding the Statement of Qualifications Form
 - viii) Consultant Evaluation Form
 - ix) Statement of Qualifications Form
 - b. Request for Proposal Dated January 9, 2009
 - c. ENGINEER'S Proposal Dated February 16, 2009
 - d. ENGINEER'S Letter Dated February 24, 2009
 - e. 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.

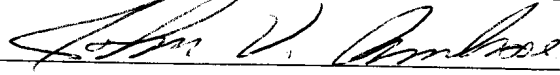
IN WITNESS WHEREOF, the Village of Lombard, Illinois by William J. Mueller, Village President, and the ENGINEER have hereunto set their hands this 5th day of March 2009.

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:

Baxter & Woodman, Inc.

Accepted this _____ day of _____, 2009.


Individual or Partnership _____ Corporation

By  VICE-PRESIDENT
Position/Title

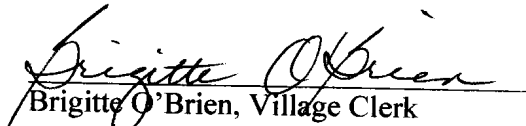
By _____
Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 5th day of March, 2009.


William J. Mueller, Village President

Attest:


Brigitte O'Brien, Village Clerk

**VILLAGE OF LOMBARD
ENGINEER'S CERTIFICATION**

John V. Ambrose, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

Baxter & Woodman, Inc., having submitted a proposal for:
(Name of Company)

Olde Towne – East, Phase 4 to the Village of Lombard, hereby certifies that said ENGINEER:

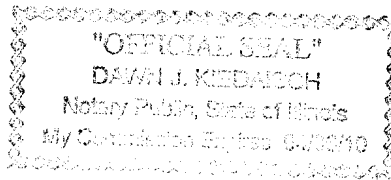
1. has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105(A) (4).
2. is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if it is:
 - a. it is contesting its liability for the tax or the amount of tax in accordance with 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: John V. Ambrose
Officer or Owner of Company named above

Subscribed and sworn to
before me this 4th
day of March, 2009.

Dawn J. Kedarsch
Notary Public





To: David Hulseberg, Village Manager
Through: Carl Goldsmith, Director of Public Works *cy*
From: David A. Dratnol, P.E., Village Engineer
Date: February 24, 2008
Subject: Olde Towne – East, Phase 4
Resident Engineering

Attached please find a contract, resolution and fee schedule for resident engineering services for Olde Towne – East, Phase 4.

This selection was made from the current Resident Engineering Short List. The short list is comprised of seven firms. The proposal was sent to six (6) firms. The design firm, Civiltech Engineering of Itasca was not eligible under Public Works Policy. All six (6) firms responded to the request for proposal. Upon review, it was determined that Baxter & Woodman of Crystal Lake, is the most qualified firm to serve as resident engineer for this project.

Baxter & Woodman performed the Resident Engineering services for Olde Towne – East, Phase 3. The same resident engineer (Rich Himebaugh) is proposed for Phase 4.

The scope and fee were negotiated with Baxter & Woodman and agreed to by both parties. The not-to-exceed fee for resident engineering services is \$238,260.00

Please present this agreement and resolution to the President and Board of Trustees for their review at their regular meeting of March 5, 2009. If approved, please return one original signed copy to Public Works-Engineering for further processing.

DAD/rgs

c: File: ST-09-04

H:PW/PW-ENG/PROJECTS/FY2009/ST09-04/Olde Towne – East 4 /RE Phase 4