

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

 X Resolution or Ordinance (Blue) _____ 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: January 25, 2004 (COW) (B of T) **Date:** February 3, 2005

TITLE: North Broadway Improvements
Design Engineering
Contract Amendment #1

SUBMITTED BY: David A. Dratnol, P.E., Village Engineer *Dratnol* *[Signature]*

BACKGROUND/POLICY IMPLICATIONS:

See Memo

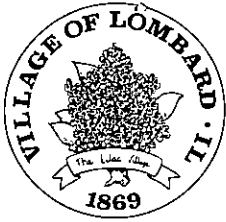
FISCAL IMPACT/FUNDING SOURCE:

Amended Contract Amount: \$268,672.73 (\$17,877.46 Increase)
HTE Project Number: 0334
PW Project Number: ST-04-05-D
Funding: Water & Sewer - \$10,508.41 -- 7901.809500
Motor Fuel Tax - \$ 7,369.05 - ~~4270.809425~~
73

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X <i>[Signature]</i>	Date <u>1/27/05</u>
Village Manager X <i>[Signature]</i>	Date <u>1/27/05</u>

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



InterOffice Memo

To: William T. Lichter, Village Manager
From: David A. Dratnol, P.E., Village Engineer *DA*
Date: January 25, 2005
Subject: North Broadway Improvements,
Design Engineering Contract Amendment #1

Attached please find a contract amendment in the amount of \$17,877.46 for Design Engineering associated with the North Broadway Improvements Project. This contract amendment increases the upper limit of compensation for Christopher B. Burke Engineering, Ltd. to \$268,672.73. Additional services associated with this amendment include direct costs, a tree survey and report, and structural design of the pump station and junction chambers.

Please present this contract amendment to the President and Board of Trustees for their review and approval at their regular meeting on February 3, 2005. If approved, please have two signed copies of the contract amendment returned to Engineering for further processing.

cc: File: ST-04-05
Wes Anderson, Director of Public Works

RESOLUTION

R _____ 05

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT

WHEREAS, the Board of Trustees of the Village of Lombard on October 16, 2003 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Christopher B. Burke Engineering, Ltd.; 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 Christopher B. Burke Engineering, Ltd. substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 3rd day of February, 2005.

Ayes; _____

Nays: _____

Absent: _____

Approved this 3rd day of February, 2005.

William J. Mueller
Village President

ATTEST:

Barbara Johnson
Deputy Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 3rd day of February, 2005, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **CHRISTOPHER B. BURKE ENGINEERING, LTD.** (the "CONSULTANT").

WHEREAS, on October 16, 2003 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the North Broadway Improvements 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 January 13, 2005 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$268,672.73.

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:

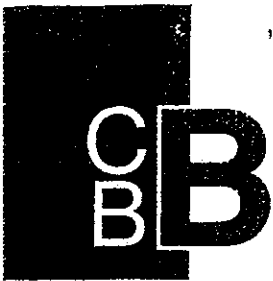
By: _____
Deputy Village Clerk

and **CHRISTOPHER B. BURKE ENGINEERING, LTD.**

By: _____

ATTEST:

By: _____



CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 West Higgins Road • Suite 600 • Rosemont, Illinois 60018-4920 • TEL (847) 823-0500 • FAX (847) 823-0520

January 13, 2005

Village of Lombard
255 East Wilson Avenue
Lombard, Illinois 60148

Attention: David Dratnol, PE
Village Engineer

Subject: North Broadway Reconstruction and Outfall Sewer
Lombard Project No.: ST-04-05-D
(CBBEL Project No. 03-591)

Dear Mr. Dratnol:

Upon completion of the design phase of this project, we are respectfully requesting additional fees for items not anticipated in our original proposal. The following items were not included or under estimated in our contract scope of services:

1. Direct Cost Overages

We estimated that \$3,200 would cover our direct expenses for this project; however, we expended \$10,569.05 during the course of the design. These direct costs were for documents sent to the Village, IDOT, permitting agencies, bidders or utility companies. All internal copies, check plots, etc. were charged to overhead and are not included in the \$10,569.05.

The attached spreadsheet summarizes the direct costs which result in a requested extra as follows:

Actual Direct Expenses	\$10,569.05
Estimated Direct Expenses	(\$3,200.00)
Additional Direct Fees	\$7,369.05

2. Tree Survey and Report

At the request of DuPage County, CBBEL's Licensed Forester completed a tree survey of all of the trees impacted in the County's right-of-way.

Environmental Specialist - 3 hours x \$94.47/hour	\$283.41
Engineer V - 2 hours x \$114.85/hour	\$229.70
Total	\$513.11

3. Structural Design of Pump Station Junction Chambers

In our original proposal we estimated that four structural drawings at 30 hours per drawing (or 120 hours) would be required. In our revised work effort we increased the structural hours to 160. As you know the final bid documents included eleven structural drawings; including an intricate top slab, grit chamber, stop log valve and multiple hatch design. During the Phase 1 design, additional areas of the Village were added to the tributary area of the sewer causing the sewer size and thus the pump station and junction chamber sizes to significantly increase.

Because CBBEL admittedly underestimated the structural design effort that was required for this project, we are only requesting direct labor and 1/2 of fringe (not overhead and profit) for 210 additional hours. Although our structural department spent 250 hours more than our estimated 160 hours, we are only requesting 210 additional hours (7 extra sheets x 30 hours per sheet). CBBEL's fringe rate approved by IDOT is 61.38%. Thus taking 1/2 of our fringe, our multiplier for the additional hours is 1.31.

Senior Structural Engineer - 80 hours x \$47.00/hour x 1.31	\$4,925.60
Structural Technician - 100 hours x \$31.50/hour x 1.31	\$4,126.50
Structural Engineer - 30 hours x \$24.00/hour x 1.31	\$943.20
Additional Work Effort Total	\$9,995.30
Total Requested Additional Fee	\$17,877.46

Please note that the overall total sheet count went from 55 estimated in our proposal to 84 in the bid set.

With the additional requested fee of \$17,877.46, our total fee would be \$268,672.73, which is approximately 7.3% of the low bid construction cost of \$3,700,980.35. We believe this total fee to be reasonable for Phase 1 and Phase 2 Engineering given the complexities involved in the project.

Please call if you have any questions.

Sincerely,



Jason G. Souden, PE
Head, Design Engineering Department

Enclosures

North Broadway Improvements Direct Costs

ITEMS	DESCRIPTION/COPIES	DATE	COST	ITEM TOTAL COST	ESTIMATED COST
Dupage Co Recorder	ROW Documents	12/9/2003	\$329.50	\$329.50	\$0.00
Draft PDR	2 copies 2 revised copies	2/27/2004 3/22/2004	\$30.51 \$30.19	\$60.70	\$50.00
Final PDR	3 copies	5/12/2004	\$38.54	\$38.54	\$50.00
Preliminary Plans & Specs	9 sets	5/21/2004	\$738.00	\$738.00	\$400.00 5 sets
QA/QC Plan	6 preliminary sets 6 prefinal sets	6/1/2004 7/9/2004	\$48.00 \$57.12	\$105.12	\$0.00
Delivery	FedEx to IDOT FedEx to IDOT Fed Ex to Lombard Fed Ex to IDOT (Lighting) Fed Ex to Lombard Fed Ex to Lombard (Lighting) Mileage (Mt Tedeschi) Fed Ex to Lombard (Permit) Fed Ex to Lombard (Permit) Fed Ex to Lombard Mileage to Lombard	5/21/2004 5/21/2004 6/1/2004 6/15/2004 6/18/2004 6/15/2004 5/21/2004 6/9/2004 6/16/2004 6/23/2004 7/7/2004 7/23/2004	\$17.23 \$10.92 \$10.75 \$10.20 \$7.30 \$7.36 \$15.85 \$7.36 \$10.20 \$7.36 \$7.46 \$10.38	\$122.37	\$100.00
DuPage County Stormwater Permit Application	4 books	6/16/2004	\$92.73	\$92.73	\$0.00
Water Main & Fire Hydrant Plan	6 sheets 3 revised sheets	6/18/2004 7/7/2004	\$4.32 \$2.16	\$6.48	\$0.00
Pre-Final Plans and Specs	9 full size sets 2 1/4 size sets 2 sets for Village Utilities	7/9/2004 7/9/2004 7/23/2004	\$783.86 \$46.56 \$139.68	\$970.10	\$400.00 5 sets
Utility Coordination Plans	12 sets	8/13/2004	\$838.08	\$838.08	\$600.00
		Previously invoiced and paid		\$3,301.62	
Final Plans and Specs				\$1,314.82	\$1,600.00 20 sets
Cover Sheet scan for Reproduction	1 - 24"x36" plan sheet	9/1/2004	\$0.50		
for IDOT Approval	2 full size plans 3 1/4 size plans 5 spec books	9/2/2004	\$391.84		
to Lombard	6 full size plans 6 spec books	9/2/2004	\$615.12		
to DuPage County Community Development	1 full size plan 1 spec book	9/2/2004	\$102.52		
to IEPA	2 full size plans 2 spec books	9/13/2004	\$205.04		
Bid Review and Bid Plans and Specs				\$2,862.45	
Cover Sheet scan for Reproduction	1 - 24"x36" plan sheet	9/1/2004	\$0.50		
for Lombard final review	3 full size plans 3 spec books	10/21/2004	\$274.41		
for Lombard pre-printing review	1 full size plan 1 spec book	10/27/2004	\$81.47		
Bid set to Lombard	20 Bid full size plans 20 Bid spec books 5 1/4 size plans (Village record) 1 signed spec book (Village record)	10/29/2004	\$1,961.19		
to IEPA	2 full size plans	10/30/2004	\$120.96		
Record set to IDOT	1 1/4 size plan 1 signed spec book	10/28/2004	\$51.15		
to utilities	6 full size plans	11/2/2004	\$362.77		
Additional bid sets				\$2,260.60	
	15 plans 15 specs	11/8/2004	\$907.20 \$449.16		
	10 plans 10 specs	11/12/2004	\$604.80 \$299.44		
Public Meeting	2 plan sets	11/9/2004	\$120.96	\$120.96	
Addendum delivery				\$708.60	
	messenger to Village FedEx 37 @ \$17.25 each FedEx FedEx	11/19/2004 11/18/2004 11/18/2004 11/18/2004	\$35.00 \$638.25 \$27.10 \$8.25		
		total	\$10,569.05		\$3,200.00