

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: Scott Niehaus, Village Manager
DATE: June 5, 2024 (COW) (B of T) **Date:** June 20, 2024
TITLE: St. Charles Road Resurfacing Project - Resident Engineering
SUBMITTED BY: Mike Barbier, PE, Civil Engineer II *MB*

BACKGROUND/POLICY IMPLICATIONS:

Resident engineering contract for a federally funded CIP project that includes roadway resurfacing, pavement markings, and pedestrian improvements.

FISCAL IMPACT/FUNDING SOURCE:

Total Contract Amount: \$205,016.00 (FY 2024)
Project Number: ST 25 01 St. Charles Road Resurfacing
Account: MFT Engineering Fund (420.730.730.75410)

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: Village President and Board of Trustees
From: Mike Barbier, PE, Civil Engineer II *MB*
Through: Carl Goldsmith, Director of Public Works *[Signature]*
Date: June 5, 2024
Subject: St. Charles Road Resurfacing
Resident Engineering Contract

The resurfacing of St. Charles Road from IL-53 to Grace Street is a project included within the approved Capital Improvement Program. The Village secured federal (STP) 2024 construction and construction observation funding for this project through the DuPage Mayors and Managers Conference. The Village budgeted funds of \$190,000 (\$84,000 STP funds, \$36,000 Village funds) for construction observation/material testing services. The project will be let through IDOT on August 2, 2024.

A Request for Proposal (RFP) was sent to all eligible firms on both 2021 Design and Resident Engineering Shortlists. Christopher B. Burke Engineering was determined by the Public Works selection evaluation team to be the most qualified firm. The contract scope and fee for design engineering and construction observation were negotiated and agreed to by both parties. The Village separated the design engineering contract from the resident engineering contract, as the services for each occur in different fiscal years. The Village previously executed and completed a contract for design engineering with Christopher B. Burke Engineering for the design engineering of this project. This 2024 contract work will be performed for a total resident engineering fee not to exceed \$205,016.00 from the MFT Engineering Fund.

Please present the attached agreement and resolution for the contract to the President and Board of Trustees for their review at their regular meeting of June 20, 2024. If approved, please return two original signed copies of the agreement to Public Works for further processing.

R E S O L U T I O N
R _____ 24

**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 Christopher B Burke Engineering, Ltd., regarding the St. Charles Road Resurfacing 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 20th day of June, 2024.

Ayes; _____

Nays: _____

Absent: _____

Approved this 20th day of June, 2024.

Keith Giagnorio
Village President

ATTEST:

Elizabeth Brezinski
Village Clerk

**VILLAGE OF LOMBARD
CONTRACT**

CONTRACT DOCUMENT NUMBER ST-25-01

This agreement is made this 20th day of June, 2024, between and shall be binding upon the VILLAGE of Lombard, an Illinois municipal Corporation hereinafter referred to as the "VILLAGE" and Christopher B. Burke Engineering, Ltd., 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 St. Charles Road Resurfacing

1. This contract shall embrace and include all the applicable contract documents listed below as if attached hereto or repeated herein:
 - a. VILLAGE'S Request for Qualifications for Short-List for Engineering Services Dated October 28, 2016
 - b. ENGINEER'S Project Proposal Dated September 20, 2021
 - c. ENGINEER'S Scope Revised Proposal Submittal Dated October 22, 2021
 - d. ENGINEER'S Consultant Services Worksheet Submitted June 5, 2024
 - 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 the Village President, and the ENGINEER have hereunto set their hands this 20th day of June, 2024.

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:

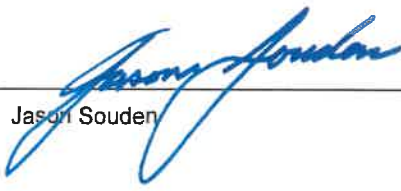
Christopher B. Burke Engineering, Ltd.

Accepted this 5th day of June, 2024.

Individual or Partnership _____ Corporation X



By Michael Kerr President
Position/Title



By Jason Souden Vice President
Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 20th day of June, 2024.

Keith Giagnorio
Village President

Attest: _____
Elizabeth Brezinski
Village Clerk

**VILLAGE OF LOMBARD
ENGINEER'S CERTIFICATION**

Michael Kerr, President, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

Christopher B. Burke Engineering, Ltd., having submitted a proposal for 22nd Street Shared-Use Path Improvements 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 all employee drivers

 (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: 
Officer or Owner of Company named above

Subscribed and sworn to
before me this 5th
day of June, 2024.


Notary Public





CHRISTOPHER B. BURKE ENGINEERING, LTD.

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

EXHIBIT A

Route: St. Charles Road Improvements
Local Agency: Village of Lombard
Section No.: 22-00163-00-RS
Project No.:
Job No.: C-91-193-22
County: DuPage

SCOPE OF SERVICE

The Village of Lombard has initiated a project requiring Phase III Professional Engineering Services by Christopher B. Burke Engineering, Ltd. (CBBEL) for the proposed St. Charles Road Improvements. The project is to improve roadway surfaces and vehicle/pedestrian movements on St. Charles Road between IL Route 53 and Grace, and Park Avenue between St. Charles Road and Michael McGuire Drive. The project primarily consists of roadway resurfacing, roadway restriping, and intersection improvements. The streets and most cross-streets lie under the jurisdiction of the Village of Lombard. The project is in the Village of Lombard in DuPage County.

CBBEL will serve as the Village's representative during the entire duration of the construction project. The following scope is to be performed by CBBEL throughout the project duration.

Task I Preconstruction Services

Review of Existing Data: Resident Engineer and staff will review plans, specifications and contract documents.

Preconstruction Meeting: CBBEL staff will attend a pre-construction conference with the contractor, VILLAGE, IDOT, and other parties.

Task II Submittal Review

CBBEL staff will review shop drawings and submittals; this task includes check and approve, or reject and request resubmittal of, any submittals made by the Contractor for compliance with the contract documents.

As requested by the Village, the CBBEL Resident Engineer shall:

- Obtain from the contractor a list of proposed suppliers and subcontractors. Make recommendations to the Village regarding the suitability of the subcontractors for the proposed work.
- Review the construction schedule submitted by the contractor for compliance with the contract.
- Check and approve, or reject and request resubmittal of, any submittals made by the contractor for compliance with the contract documents.

Shop Drawings and Contractor Submittals:

- Record data received, maintain a file of drawings and submissions, and check construction for compliance with them.
- Review Contractor's submittals for compliance with contract documents. Notify the Village of any deviations or substitutions. With the notification, provide the Village with a recommendation for acceptance or denial, and request direction from the Village regarding the deviation or substitution.



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- Alert the Contractor's field superintendent when materials or equipment are being installed before approval of shop drawings or samples, where such are required, and advise the VILLAGE when it is necessary to disapprove work as failing to conform to the Contract Documents.

Task III Construction Observation

This task assumes that the construction duration is 60 Working Days to complete construction on the St. Charles Road Improvements.

CBBEL Construction staff shall observe the progress and quality of the executed work, determine if the work is proceeding in accordance with the Contract Documents. The ENGINEER shall keep the VILLAGE informed of the progress of the work, guard the VILLAGE against defects and deficiencies in the work, advise the VILLAGE of all observed deficiencies of the work and disapprove or reject all work failing to conform to the Contract Documents.

CBBEL's Resident Engineer and/or Inspectors shall provide extensive on-site observations of the work in progress and field checks of materials and equipment through a Resident Engineer or Inspector, who shall:

- Serve as the VILLAGE'S liaison with the contractor working principally through the contractor's field superintendent.
- Be present whenever the contractor is performing work on-site, associated with the project.
- Cooperate with the contractor in dealing with the various local agencies having jurisdiction over the Project to complete service connections to public utilities and facilities.
- Attend all construction conferences. Arrange a schedule of progress meetings and other job conferences as required. Maintain and circulate copies of records of the meetings.
- Review contractor's progress on a regularly scheduled basis (weekly or other appropriate interval) and update the progress schedule. Compare actual progress to the contractor's approved schedule.
- If the project falls behind schedule, work with the contractor to determine the appropriate course of action to get back on schedule.
- Perform weekly barricade checks. The inspection shall be made between sunset and sunrise. The Barricade Check Reports shall be completed and delivered to the Public Works Department. Notify the contractor of, and take appropriate steps to correct, any deficiencies noted.
- Maintain orderly files of correspondence, reports of job conferences, shop drawings, and other submissions, reproductions or original contract documents including all addenda, change orders and additional drawings issued after the award of the contract.
- Record names, addresses and telephone numbers of all contractors, subcontractors, and major material suppliers.
- Prepare payment requisitions and change orders. Review applications for payment with the Contractor for compliance with established submission procedure and forward them with recommendations to the VILLAGE.
- Prior to final inspection, submit to the contractor a list of observed items requiring correction and verify that each correction has been made.
- Conduct final inspection with the VILLAGE and prepare a final list of items to be corrected.



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- Verify that all items on the final list have been corrected and make recommendations to the VILLAGE concerning project acceptance.
- Except upon written instructions of the VILLAGE, the Resident Engineer or Inspector shall not authorize any deviation from the Contract Documents.
- Carry and utilize a cell phone during contractor's working hours (usually 7 a.m. to 6 p.m.).
- Prepare and submit all partial and final payment estimates, change orders, records, certifications, documentation, and reports. This documentation will be completed using the Construction and Materials Management System (CMMS).
- Prepare and submit all partial and final material documentation. This documentation will be completed using the MISTIC Entry Database.

Area Resident and Business Concerns: The Resident Engineer will be responsible for keeping the public aware of the construction activities, as required. This will include, but not limited to, notification of construction starting, detours and/or road closures, and access limitations. The RE will also be available throughout the construction project to address any questions or concerns area residents and/or businesses may have. Our policy is to respond to all questions or concerns within one business day.

Task IV Construction Documentation

- Keep an inspector's daily report book and project diary in the Village's format, recording hours on the job site, weather conditions, general and specific observations, daily activities, quantities placed, inspections, decisions, and list of visiting officials, as outlined in IDOT's Construction Manual. Additionally, prepare photo documentation of construction to be submitted in both hard and digital formatting.
- Prepare payment requisitions and change orders. Review applications for payment with the Contractor for compliance with established submission procedure and forward them with recommendations to the Village. Maintain a Change Management Plan logging all decisions and approved changes of scope and budget.
- Schedule any material testing through CBBEL's subconsultant at the frequency required by IDOT's QC/QA provisions. Also obtain and document all material inspection received from the Contractor as outlined in the Project Procedures Guide of IDOT's Construction Manual.
- Prepare a monthly written update to the Village summarizing the Project status, costs and schedule.
- Review and coordinate response to any RFI from the Contractor in a timely manner and maintain a separate file for each request.
- Complete all IDOT paperwork and procedures for federal funding requirements.
- Determine if the project has been completed in accordance with the contract document, and if the contractor has fulfilled all obligations.
- The ENGINEER shall comply with the VILLAGE Personal Protective Equipment (PPE) policy. The policy at minimum requires anyone on a construction site to wear a safety vest and steel-toed shoes. Various situations calling for further safety requirements are indicated in the policy.



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- The ENGINEER shall have the ability and expertise to be able to collect and provide GPS data for all VILLAGE-owned underground utilities and street lighting compatible with the VILLAGE's GIS and Cartograph asset management systems. The VILLAGE will provide a list of the required "data fields". (The hours for this work effort are not estimated in the CECS provided for this project and is unknown at the time of original submission).
- Satisfy any requirements for using STBGP funding. The Resident Engineer will be responsible for properly allocating STBGP and MFT items into the proper funding code so that the Village can be invoiced and/or reimbursed according to those budget allocations.

Task V Project Closeout

Prepare Punchlist: CBBEL staff will prepare and distribute the final punch list to all parties and verify when completed.

Final Documentation:

- Final documentation, IDOT audit, and project closeout with Village of Lombard and IDOT.
- Final mark-up of record drawings; the Resident Engineer shall:
 - Maintain a set of Record Drawings on which all changes are noted. Deliver an electronic PDF 11" x 17" set of drawings as well as AutoCAD drawing file(s) on USB flash drive to the VILLAGE at the completion of the Project.
 - Deliver a draft of the record drawings for the underground utilities within one month of the substantial completion of the construction of the underground utilities. This submittal shall include both the plans and the individual service location sheets.

Task VI Materials QA Testing

The Contractor will be required to provide the Quality Control (QC) Testing required by the plans and specifications. The Phase III Engineering Services will be required to provide the subsequent Quality Assurance (QA) Testing. The testing requirements and frequency of testing will be as required and outlined in the IDOT Manual for Materials Testing Inspection and Procedures. Materials Testing will be performed by Testing Service Corporation (TSC).

ESTIMATED FEE

The not to exceed fee for services is estimated to be \$205,016.00 as shown on the attached Cost Estimate Worksheet.