

DISTRICTS - ALL

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

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

PRESIDENT AND BOARD OF TRUSTEES

TO:

David Hulseberg, Village Manager

FROM:

March 24, 2009 (COW) (B of T) Date: April 2, 2009

DATE:

Annual Geotechnical Engineering/Construction Material Testing/Environmental Services Contract Amendment #2

TITLE:

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

BACKGROUND/POLICY IMPLICATIONS:

Adjustment to budget for professional services contract.

FISCAL IMPACT/FUNDING SOURCE:

TSC	\$35,000 decrease to blanket P.O. 057739
	Total revised contract amount (FY 08 & 09) = \$125,000
Seeco	\$45,000 increase to blanket P.O. 057738
	Total revised contract amount (FY 08 & 09) = \$220,000
	Various Project Funds

Review (as necessary):

Village Attorney X	<i>[Signature]</i>
Finance Director X	<i>[Signature]</i>
Village Manager X	<i>[Signature]</i>

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.

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 Seeco Consultants; which was amended on January 17, 2008 and June 5, 2008 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 LOMBAR, 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 Seeco Consultants substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 2nd day of April 2009.

Ayes; _____

Nays: _____

Absent: _____

Approved 2nd day of April 2009.

ATTEST:
William J. Mueller
Village President

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 **SECO CONSULTANTS** (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 20, 2008 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$220,000 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 **SECO CONSULTANTS**

By: _____

ATTEST:

By: _____