

**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:** April 9, 2014 (COW) (B of T)      **Date:** April 17, 2014

**TITLE:** Hammerschmidt Pond Improvements  
Design Engineering

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

**BACKGROUND/POLICY IMPLICATIONS:**

Stormwater management improvement project to increase the storage capacity of Hammerschmidt Pond.

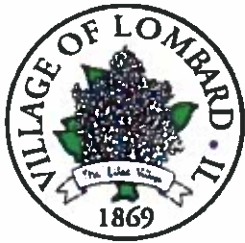
**FISCAL IMPACT/FUNDING SOURCE:**

Total Contract Amount: \$97,671.00  
Project Number: SS-14-02 Design Eng.  
Account: Water/Sewer Capital Reserve: 520.790.715.75420

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: Scott Niehaus, Village Manager  
Through: Carl S. Goldsmith, Director of Public Works *gy*  
From: David A. Dratnol, P.E., Village Engineer *Dratnol*  
Date: April 9, 2014  
Subject: Hammerschmidt Pond Improvements  
Design Engineering Contract

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The Hammerschmidt Pond Improvements project is a stormwater management improvement project. The project consists of the evaluation of alternatives to increase the storage capacity of the Hammerschmidt Pond. The evaluation of drainage improvements at the intersection of Hammerschmidt Avenue and New Street and along Stewart Avenue is included in the scope of work. This work is for preliminary design engineering only. Final design will be negotiated after completion of this phase and the final scope of work is determined.

A Request For Proposal (RFP) was included in the Village's Hydraulics and Hydrology short list of firms request for qualifications and proposal. Baxter & Woodman, Inc. (Baxter) was determined to be the most qualified firm. Baxter has previously performed work for the Village. The project scope and fee was directly negotiated with Baxter and agreed to by both parties.

This work will be performed for a total not to exceed engineering fee of \$97,671. The engineering costs will be paid through the Sewer and Water Capital Reserve Fund. This project was not included in the current CIP.

Please present this agreement and resolution for Design Engineering services to the President and Board of Trustees for their review at their regular meeting of April 17, 2014. If approved, please return two original signed copies of the agreement to Public Works-Engineering for further processing.

**RESOLUTION**

**R \_\_\_\_\_ 14**

**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 Hammerschmidt Pond Improvements 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 17th day of April, 2014.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this 17th day of April, 2014.

\_\_\_\_\_  
**Keith Giagnorio  
Village President**

**ATTEST:**

\_\_\_\_\_  
**Janet Downer  
Deputy Village Clerk**

## **VILLAGE OF LOMBARD CONTRACT**

### **CONTRACT DOCUMENT NUMBER SS-14-02**

This agreement is made this 17th day of April, 2014, 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:

#### **Design Engineering Services for the Hammerschmidt Pond Improvements Project**

1. This contract shall embrace and include all of the applicable contract documents listed below as if attached hereto or repeated herein:
  - a. VILLAGE'S Request for Qualifications and Proposals for Short-Lists for Engineering Services Dated December 13, 2013
  - b. ENGINEER'S Statement of Qualifications and Proposal Dated January 24, 2014
  - c. ENGINEER'S Scope Revisions memo and Work Effort and Fee submittal Dated April 9, 2014
  - d. 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 17th day of April, 2014.

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 \_\_\_\_\_, 2014.

Individual or Partnership \_\_\_\_\_ Corporation \_\_\_\_\_

\_\_\_\_\_  
By \_\_\_\_\_ Position/Title

\_\_\_\_\_  
By \_\_\_\_\_ Position/Title

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this 17th day of April, 2014.

\_\_\_\_\_  
Keith Giagnorio  
Village President

Attest: \_\_\_\_\_  
Janet Downer  
Deputy Village Clerk

**VILLAGE OF LOMBARD  
ENGINEER'S CERTIFICATION**

\_\_\_\_\_, having been first duly sworn depose and states as follows:  
(Officer or Owner of Company)

Baxter & Woodman, Inc., having submitted a proposal for: Hammerschmidt Pond 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

\_\_\_\_\_  
(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 \_\_\_\_\_  
day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public