

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: March 22, 2007 (COW) (B of T) **Date:** April 5, 2007

TITLE: Geotechnical Engineering, Construction Material Testing and Environmental Services Contract

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

BACKGROUND/POLICY IMPLICATIONS:

This is a very successful strategic partnership providing high quality services at cost efficient and effective rates. See attached memo for additional information.

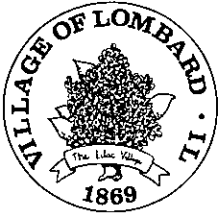
FISCAL IMPACT/FUNDING SOURCE:

\$100,000/Various Funds

Review (as necessary):

Village Attorney X	_____	Date	_____
Finance Director X	_____	Date	_____
Village Manager X	<i>David A. Dratnol</i>	Date	<u>3/23/07</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 Distribution.



MEMORANDUM

Legistar: 070192

To: William T. Lichter, Village Manager
Through: Wes Anderson, P.E., Director of Public Works *Wes Anderson*
From: David A. Dratnol, P.E., Village Engineer *David A. Dratnol*
Date: March 22, 2007
Subject: Geotechnical Engineering, Construction Material Testing
and Environmental Services Contract

Following the Public Works-Engineering consultant selection process, Testing Service Corporation and Seeco Consultants, Inc. were determined to be the most qualified firms to provide the stipulated services. Attached are four copies (two for each firm) of the Geotechnical Engineering, Construction Material Testing and Environmental Services Contract between the Village of Lombard and Testing Service Corporation (TSC) and Seeco Consultants.

This year there is a slight modification to the format followed in the previous years. To avoid any possible conflict of interest, two firms have been short-listed. Typically, geotechnical/environmental firms work with many privately owned businesses (including engineers/developers/homebuilders), some of whom are long-term clients. When engineering firms are under contract with Public Works, a clause in the contracts states that the engineer agrees to perform no professional services during the term of the contract for any person, firm or corporation, for any project or work that may be subject to the Village's review/inspection, without notification prior to rendering services. By having a second firm available, if there are any potential conflicts of interest, the Village can still have a "qualified" engineer available to perform the necessary professional services.

The selection process was as follows: Seventeen (17) qualified firms received the Request for Proposals, and ten (10) firms replied. Four (4) staff members (including myself) comprised the evaluation committee. Evaluation criteria consisted of contract terms and conditions, staffing and facilities, quality of work/references, work effort (fee structure), and proposal content. Utilizing the selection criteria, the committee determined that Testing Service Corporation of Carol Stream (TSC) and Seeco Consultants were the "most qualified" firms.

The Engineering Division has used the services contract format for the past thirteen years. Environmental related testing services have been included with this contract over the past six years. TSC has been the consultant for this contract over the last eleven years.

The terms of the contract allow the Village to contract with either of the two engineering firms to perform all services related to geotechnical engineering, construction material testing and environmental services. This agreement helps to establish continuity of service and gives staff a short "go to" list for geotechnical engineering, construction material testing and environmental services. This format is much like the current short-list for design engineering, resident engineering and hydraulics/hydrology. Man-hour rates, cost of common testing procedures and terms of contract are included in this agreement. The Village will request proposals for each job and determine whether TSC or Seeco is the "best qualified" firm for the particular project/job. The contracts between the Village and TSC and Seeco are effective for one year with a one-year option to renew.

Engineering is requesting a budget of \$100,000 for services associated with this contract for the next twelve months. To track contracts, the Finance Department will create two separate blanket purchase orders with separate entries for each job. This will enable the budget to be continuously monitored. Construction material testing and geotechnical engineering are estimated for each project and are included as part of the engineering budget. Environmental services are typically utilized on an as needed basis.

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on April 5, 2007. Upon approval, please return one fully executed contract for Seeco and TSC to engineering. Please note that two separate resolutions are attached (one for each firm).



RESOLUTION
R. _____ 07

**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 Testing Service Corporation regarding the Geotechnical Engineering, Construction Material Testing and Environmental Services Contract 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 April 2007.

Ayes: _____

Nays: _____

Absent: _____

Approved this 5th day of April 2007.

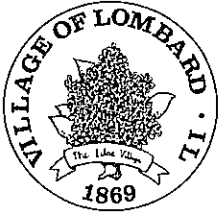
William J. Mueller
Village President

ATTEST:

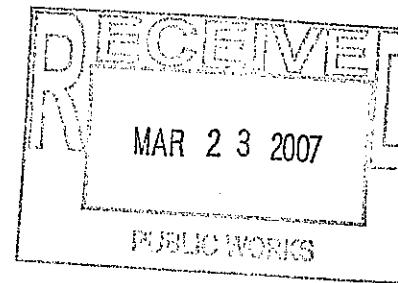
Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney



VILLAGE OF LOMBARD CONTRACT



CONTRACT DOCUMENT NUMBER M-08-01-G

This agreement is made this 5th day of April, 2007, between and shall be binding upon the Village of Lombard, an Illinois Municipal Corporation hereinafter referred to as the "VILLAGE" and Seeco Consultants 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:

Geotechnical Engineering, Construction Material Testing and Environmental Services

1. This contract shall embrace and include all of the applicable contract documents listed below as if attached hereto or repeated herein:

(a) Geotechnical Engineering, Construction Material Testing and Environmental Services
Request for Proposal consisting of the following:

- i) Cover Sheet
- ii) Table of Contents
- iii) General Provisions
- iv) Special Provisions
- v) Request for Proposal dated January 17, 2007
- vi) ENGINEER's Proposal dated February 12, 2007

(b) 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 April 2007.

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:

Accepted this 20th day of March, 2007.

Individual or Partnership _____ Corporation X

By William J. Mueller, President Position/Title

By _____ Position/Title

SEECO CONSULTANTS, INC.

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this _____ day of _____, 2007.

William J. Mueller, Village President

Attest:

Brigitte O'Brien, Village Clerk

VILLAGE OF LOMBARD ENGINEER'S CERTIFICATION


Collin W. Gray, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

Seeco Consultants, Inc. , having submitted a proposal for:

Geotechnical Engineering, Construction Material Testing and Environmental Services
Contract to the Village of Lombard, hereby certifies that said ENGINEER:

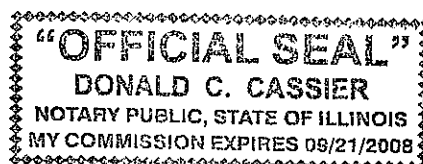
1. has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105(A) (4).
2. is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if it is:
 - a. it is contesting its liability for the tax or the amount of tax in accordance with procedures established by the approved 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 eligible
(Name of employee/driver or "all employee drivers")
is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.

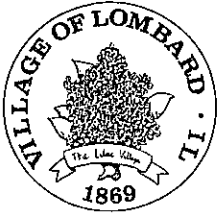
By:


Authorized Agent of ENGINEER

Subscribed and sworn to
before me this 21st
day of March, 2007.


Notary Public





VILLAGE OF LOMBARD CONTRACT

CONTRACT DOCUMENT NUMBER M-08-01-G

This agreement is made this 5th day of April, 2007, between and shall be binding upon the Village of Lombard, an Illinois Municipal Corporation hereinafter referred to as the "VILLAGE" and Testing Service Corporation 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:

Geotechnical Engineering, Construction Material Testing and Environmental Services

1. This contract shall embrace and include all of the applicable contract documents listed below as if attached hereto or repeated herein:

(a) Geotechnical Engineering, Construction Material Testing and Environmental Services Request for Proposal consisting of the following:

- i) Cover Sheet
- ii) Table of Contents
- iii) General Provisions
- iv) Special Provisions
- v) Request for Proposal dated January 17, 2007
- vi) ENGINEER's Proposal dated February 12, 2007

(b) 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 April 2007.

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:

Accepted this _____ day of _____, 2007.

Individual or Partnership _____ Corporation X

By Allen L. DuBose President
Position/Title

By _____ Position/Title

TESTING SERVICE CORPORATION

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this _____ day of _____, 2007.

William J. Mueller, Village President

Attest:

Brigitte O'Brien, Village Clerk

VILLAGE OF LOMBARD ENGINEER'S CERTIFICATION

Allen L. DuBose, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

Testing Service Corporation, having submitted a proposal for:

Geotechnical Engineering, Construction Material Testing and Environmental Services
Contract 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 approved 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:



Authorized Agent of ENGINEER

Subscribed and sworn to
before me this _____
day of _____, 2007.

Notary Public