

**RESOLUTION
R 01-11**

**A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT**

WHEREAS, the Board of Trustees of the Village of Lombard on September 20, 2007 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and CIVILTECH ENGINEERING, INC. 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 CIVILTECH ENGINEERING, INC. substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 3rd day of June, 2010.

Ayes: Trustees Gron, Wilson, Moreau, Fitzpatrick and Ware

Nays: None


Absent: None

Approved this 3rd, day of June, 2010.



William J. Mueller
Village President

ATTEST:



Brigitte O'Brien
Village Clerk

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 3rd day of June, 2010, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **CIVILTECH ENGINEERING, INC.** (the "CONSULTANT").

WHEREAS, on September 20, 2007 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Main Street Lighting 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:

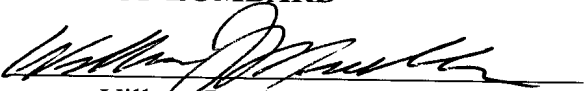
SECTION 1: The aforementioned contract shall be amended to expand the scope of work as provided for in the CONSULTANT'S April 28, 2010 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$200,891.13.

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.

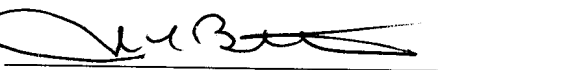
VILLAGE OF LOMBARD

By: 
Village President

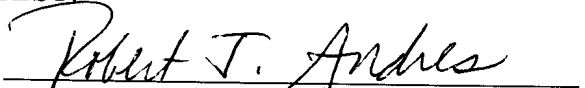
ATTEST:

By: 
Village Clerk

and **CIVILTECH ENGINEERING, INC.**

By: 

ATTEST:

By: 

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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;

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VILLAGE OF LOMBARD

By: 
Village President

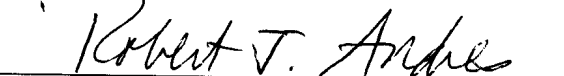
ATTEST:

By: 
Village Clerk

and **CIVILTECH ENGINEERING, INC.**

By: 

ATTEST:

By: 
Robert J. Andre

**AMENDMENT NO. 1
TO
MAIN STREET LIGHTING
DESIGN ENGINEERING AGREEMENT
April 28, 2010**

Civiltech Engineering, Inc. is currently under contract with the Village of Lombard to provide professional design engineering services for the Village's Main Street Lighting Project. Phase I was constructed in 2008 and Phase II will be under construction this summer. The following items beyond the original scope of work included in our engineering contract have become necessary as part of this project:

1. In phase I of the project additional permanent easements were required for placement of the lighting units. Jorgensen and Associates developed additional plats than was originally estimated when the contract was developed. Civiltech notified the Village of this overage verbally, and through the project status reports submitted with each invoice. At the time Civiltech stated that we would attempt to absorb the additional cost in our portion of the fee, which in the end we were unable to do because of additional work performed for Phase II design engineering. This included documenting pot holing performed by utility companies and engineering design and plan alternates that included an option for LED fixtures.
2. In Phase II, a few weeks before going out for bid Civiltech was directed by the Village to analyze the option of using LED fixtures to be incorporated into the phase II plans. Photometric calculations were required along with multiple field visits to LED mock-ups provided by the manufacturer in the already completed south phase of the project. Civiltech also coordinated with the manufacturer of the LED fixtures multiple times as part of the design and analysis of the LED fixtures. Civiltech presented the results of computations at the public works committee meeting on April 26.

Calculation of Fee:

Item 1 – Additional easement documentation provided by Jorgensen and Associates:

Sub-consultant Expense:

Original Fee	\$4,976.00
Total Invoiced (Invoice #2398, #2384, #2406, #2448, #2458 attached)	<u>\$9722.28</u>
Outstanding Fee	\$4746.28
Additional Fee Required	\$4746.28

Item 2 – LED Fixture Investigation

Labor Fee:	Photometric Calculations	8 hours
	Field Visit of Test Fixtures (2 visits x 2 people x 4 hrs)	16 hours
	Coordination with Sternberg	5 hours
	Committee Meeting (including presentation preparation)	<u>12 hours</u>
		41 hours
	41 manhours X \$38.00/hour avg. X 2.65	\$4128.70

Total Fee, Contract Amendment No. 1: **\$8,874.98**

The following summarizes changes to the design engineering contract amount for the Main Street Lighting Improvements:

Original Contract (February 21, 2000) \$192,016.15

Amendment No. 1

Additional easement documentation and LED fixture evaluation \$8,874.98

Amended Contract Amount **\$200,891.13**

Please contact our Itasca Office if you require additional information or have any questions.

Very truly yours,

CIVILTECH ENGINEERING, INC.



Jonathan R. Vana, P.E.