

DISTRICT 1 & 4

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: December 12, 2023 (COW) (B of T) **Date:** December 21, 2023

TITLE: Downtown Sidewalk Project - Resident Engineering
Contract Amendment 1

SUBMITTED BY: Carl Goldsmith, Director of Public Works 

BACKGROUND/POLICY IMPLICATIONS:

Resident Engineering Contract Amendment to include the resident engineering services for the Park Avenue Pedestrianization project. This is a CIP project that includes roadway reconfiguration, expanded parkways, streetscape beautification, and pedestrian improvements on Park Avenue from St. Charles Road to Michael McGuire Drive.

FISCAL IMPACT/FUNDING SOURCE:

Project #: ST-20-05
Current Contract Amount: \$331,619.16
Amendment #1: \$199,777.84
Total Revised Contract Amount: \$531,397.00
Account: TIF 1 Engineering Fund (441.740.741.75410)

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: Michael Barbier, PE, Civil Engineer II MB
Through: Carl Goldsmith, Director of Public Works
Date: December 12, 2023
Subject: Downtown Sidewalk Project - Resident Engineering
Contract Amendment 1

The Downtown Sidewalk Project is a project included within the approved 2024-2033 Capital Improvement Plan (CIP). Within this project, there is one component focused on the Streetscape Improvements along St. Charles Road and another focused on the Pedestrianization of South Park Avenue.

In the original 2022 resident engineering contract with Thomas Engineering Group, the scope was limited to the Streetscape Improvements along St. Charles Road. This is because staff was uncertain on the construction timeline for the work on South Park Avenue. However, the construction of the South Park Pedestrianization Project was able to immediately follow the St. Charles Road Streetscape Improvements. Hence, this contract amendment covers the required resident engineering services for the work on South Park Avenue.

The contract amendment #1 scope and fee for the resident engineering of the Park Avenue Pedestrianization Project were negotiated and agreed to by both parties.

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 December 21, 2023. If approved, please have one signed copy returned to Engineering for further processing.

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

A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT INVOLVING AN INCREASE/DECREASE IN THE DOLLAR AMOUNT OF THE CONTRACT OF \$10,000 OR MORE AND/OR EXTENDING/SHORTENING THE TIME IN WHICH THE CONTRACT IS TO BE COMPLETED BY THIRTY (30) DAYS OR MORE

WHEREAS, pursuant to Illinois Compiled Statutes, Chapter 720, Section 5/33E-9, units of local government are required to make specific findings prior to authorizing any amendment relative to a contract which would increase or decrease the dollar amount of the contract by \$10,000 or more, or would extend or shorten the time in which the contract is to be completed by thirty (30) days or more; and

WHEREAS, staff has presented and recommended the proposed amendment to the contract between the Village of Lombard and Thomas Engineering Group regarding the Downtown Sidewalk Project, as attached hereto as Exhibit "A" and made part hereof, (the "Amendment") to the Corporate Authorities of the Village of Lombard; and

WHEREAS, said Amendment attached hereto as Exhibit "A" would increase the dollar amount of the contract by \$199,777.84.

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 after reviewing the explanation of staff as to the necessity of and reasons for the Amendment attached hereto as Exhibit "A", the President and Board of Trustees find as follows:

- A That the circumstances which necessitated said Amendment were not reasonably foreseeable at the time the contract was entered into.
- B. That the basis of the Amendment was not within the contemplation of the contract when the contract was signed.
- C. That it is in the best interests of the Village of Lombard to approve the Amendment in its proposed form.
- D. That to the extent that it may have been necessary to go to bid relative to the work contemplated by said Amendment, bidding is hereby specifically waived as to the Amendment work.

SECTION 2: That having made the findings set forth in Section 1 above, the President and Board of Trustees hereby approve the Amendment attached hereto as Exhibit "A", and direct and authorize the Village President and Village Clerk to execute said Amendment on behalf of the Village.

Adopted this 21st day of December, 2023.

Ayes: _____

Nays: _____

Absent: _____

Approved this 21st day of December, 2023.

Keith Giagnorio
Village President

ATTEST:

Elizabeth Brezinski
Village Clerk

Exhibit A
Legistar: 230429



November 30, 2023

762 Shoreline Drive
Suite 200
Aurora, IL 60504

Mr. Mike Barbier, Civil Engineer
Village of Lombard
Public Works Department
Engineering Division
255 East Wilson Avenue
Lombard, IL 60148

**Re: Contract Amendment #1
CONTRACT DOCUMENT NUMBER (20-05)
Phase III Resident Engineering Services Downtown Sidewalk Rehabilitation Project**

Dear Mr. Barbier:

Thomas Engineering Group, LLC (TEG) is providing Phase III Resident Engineering Services for the ongoing Downtown Sidewalk Rehabilitation Project. Based on developments in the work and expansion of scope, TEG respectfully requests the Village's consideration to amend the professional engineering services Agreement for additional construction engineering services requested by the Village of Lombard.

The original engineering budget was based on providing full-time Phase III Resident Engineering Services over a period of 31 weeks, between April 1, 2023, and October 31, 2023, for streetscaping improvements along St. Charles Road between Craig Place and Elizabeth Street. The Village extended a construction change order to R.W. Dunteman Company for additional improvements to convert South Park Avenue, between St. Charles Road and Michael McGuire Drive, into a pedestrian-oriented space by removing parking from the west side of South Park to expand the sidewalk and streetscaping area.

TEG respectfully submits the enclosed fee proposal to the Village of Lombard to provide additional Resident Engineering Services for the Downtown Sidewalk Rehabilitation Project and South Park Avenue Streetscaping Improvements matching the construction schedule issued by R.W. Dunteman. The attachments enclosed, and referenced below, summarize the total work effort to complete additional services requested by the Village.

- Staff Scheduling Plan
- BDE 3606 Cost Estimate of Consultant Services (CECS)

We have utilized an IDOT standard Cost Estimate of Consultant Services (CECS) and Direct Labor Multiplier (DLM) method of compensation using a multiple of 2.65. The anticipated duration of construction services is seven (7) months, November 2023 through May 2024, with post construction punch list and closeout activities planned for the months of May and June 2024.



Contract Amendment #1
CONTRACT DOCUMENT NUMBER (20-05)
Phase III Resident Engineering Services Downtown Sidewalk Rehabilitation Project
Page 2 of 2

TEG respectfully requests the Village of Lombard's consideration of Contract Amendment #1. It has been a pleasure working on this important project with Village staff. Please let us know if you would like additional information.

ORIGINAL CONTRACT:	\$331,619.16
AMENDMENT #1:	<u>\$199,777.84</u>
AMENDED CONTRACT:	\$531,397.00

While we believe that this estimate accurately reflects our best effort at understanding the scope of work, we understand that the Village may interpret the scope differently or may seek to add, subtract, or modify the scope or level of effort contained herein.

If you have any questions or require additional information, please call me at (847) 815-9500 or by e-mail at kevinv@thomas-engineering.com.

Sincerely,
thomas engineering group, llc



Kevin C. VanDeWoestyne, P.E., ENV SP
Municipal Department Head

Attachments

Cc: Ed Herlihy, P.E., Senior Project Manager, Thomas Engineering Group, LLC
Carl Goldsmith, Director of Public Works, Village of Lombard

