

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) _____

X

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David Hulseberg, Village Manager

DATE: March 11, 2007 (COW) (B of T) Date: March 19, 2009

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

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

BACKGROUND/POLICY IMPLICATIONS:

Professional services related to soils, construction materials inspection and testing (asphalt & concrete) and environmental engineering (site mitigation) for CIP projects.

FISCAL IMPACT/FUNDING SOURCE:

\$100,000/Various Funds

Review (as necessary):

Village Attorney X _____
Finance Director X *[Signature]*
Village Manager X *[Signature]*

Date _____
Date: 3/10/09
Date: 3/10/09

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: 090082

To:
Through:
From:
Date:
Subject:

David Huliseberg, Village Manager
Carl Goldsmith, Director of Public Works
David A. Dratmol, P.E., Village Engineer
March 11, 2009
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 (4) copies (two (2) 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.

As in the last selection process (for FY 2008 & 2009), to avoid any possible conflict of interest, two (2) 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: Nineteen (19) qualified firms received the Request for Proposals, and nine (9) firms replied. The four (4) engineers on staff (including myself) comprised the evaluation committee. Evaluation criteria consisted of contract terms and conditions, staffing, quality of work/references, 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 fifteen (15) years. Environmental related testing services have been included with this contract over the past six (6) years. TSC has been the consultant for this contract over the last thirteen (13) years. Seeco Consultants have been short-listed for the last two (2) years.

The terms of the contract allow the Village to contract with either of the two (2) 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 FY 2010 (\$50,000. for each firm). To track contracts, the Finance Department creates 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 March 19, 2009. 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).

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 Seeco Consultants, Inc. 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 19th day of March 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved this 19th day of March 2009.

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-10-01-G

This agreement is made this 19th day of March 2009, between and shall be binding upon the Village of Lombard, an Illinois Municipal Corporation hereinafter referred to as the "VILLAGE" and Seeeco 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 9, 2009
- vi) ENGINEER'S Proposal dated February 6, 2009

(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 19th day of
March 2009.

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 _____, 2009.

Individual or Partnership _____ Corporation _____

By _____
Position/Title

By _____
Position/Title

SEECO CONSULTANTS, INC.

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this _____ day of _____, 2009.

William J. Mueller, Village President

Attest:

Brigitte O'Brien, Village Clerk

**VILLAGE OF LOMBARD
ENGINEER'S CERTIFICATION**

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

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 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:

Authorized Agent of ENGINEER

Subscribed and sworn to
before me this _____, 2009.

Notary Public