

DISTRICTS - ALL

**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

PRESIDENT AND BOARD OF TRUSTEES

TO:

David Hulseberg, Village Manager *DH*

FROM:

September 17, 2009 (COW) (B of T) Date: October 1, 2009

DATE:

Annual Geotechnical Engineering, Construction Material Testing and
Environmental Services Contract
Amendment #1

TITLE:

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

BACKGROUND/POLICY IMPLICATIONS:

Two separate resolutions amending contracts with Testing Service Corporation and Seeco Consultants
for Geotechnical Engineering, Construction Material Testing and Environmental Engineering Services.

FISCAL IMPACT/FUNDING SOURCE:

TSC	\$10,000 decrease to blanket P.O. 063561	Various Project Funds
Seeco	\$35,000 increase to blanket P.O. 063560	Various Project Funds
	Total revised contract amount (FY 10) = \$40,000	
	Total revised contract amount (FY 10) = \$85,000	

Review (as necessary):

Village Attorney X	<i>Thomas Krabel</i>	Date	9/23/09
Finance Director X	<i>Thomas Krabel</i>	Date	9/23/09
Village Manager X	<i>David Dratmol</i>	Date	9/24/09

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.

InterOffice Memo



To: David A Hulseberg, Village Manager

Through: Carl Goldsmith, Director of Public Works
[Signature] David A. Dratnol, P.E., Village Engineer

From: David A. Dratnol, P.E., Village Engineer

Date: September 17, 2009

Subject: Geotechnical Engineering, Construction Material Testing
 Environmental Services Contract
 Amendment # 1

Attached are two separate resolutions for amending contracts with Testing Service Corporation (TSC) of Carol Stream and Secco Consultants (SEECO) of Tinley Park. Both firms are currently under contract to provide Geotechnical Engineering, Construction Material Testing and Environmental Engineering services to the Village of Lombard on a work order basis for one year with a one year option to renew.

Currently TSC's and SEECO's total contract in FY 2010 is budgeted for \$100,000 (\$50,000 each). Evaluating the project budgets in relation to the work performed to date and remaining under contract, the FY 2010 budget for testing services needs to be amended. Four prevalent factors precipitate the proposed amendment to the contract.

1. To date, SEECO has been awarded more work than TSC. This is a result of SEECO being judged as the "most qualified" firm to perform the work on particular projects requested by the Village.

2. Investigation into pavement and soil conditions in the North Avenue Industrial Park. SEECO was retained to evaluate the soil conditions within the North Industrial Park. In addition to preparing a soils report Seeco was also asked to prepare an engineering report along with cost estimates evaluating multiple pavement maintenance and rehabilitation alternatives for extending the pavement life of the roadway in the North Industrial Park for at least 10 to 12 years. This study/project was not part of the FY 2010 budget.

3. Performing soils boring coring on North Main Street (St. Charles Road to North Avenue). Soil corings and borings need to be performed as part of the investigative study in preparation of the North Main Street LAPP project with IDOT. Given the funding parameters of this project, preliminary engineering needed to be accelerated, therefore placing into FY 2010

4. Sunset Knolls Parking Lot. The Village is working in conjunction with the Lombard Park District to complete this project before the end of the current construction season. SEECO will be performing the construction material testing (soil, concrete and asphalt) on the project. The Village's obligation to the project has expanded in scope to include full time construction inspection.

5. Construction starting on four projects. Special Assessment 217C, Olde Towne - East, (Phase 5), Westmore/Meyers & Roosevelt Road Sidewalk Project (not in FY 2010 budget) and St. Charles Road Resurfacing (accelerated funding places this in to FY 2010) are currently scheduled to be under construction before June 1, 2010.

Based on proposed construction schedules and construction material testing budgets, a decrease of \$10,000 for TSC and an increase of \$35,000 for SEECO will be needed to cover the cost of services provided through May 31, 2010 (FY 2010). The decrease of \$10,000 for TSC is based on the forecasted budget to meet existing and potential obligations for projects commencing in the spring. The total revised contract amount for TSC will be a not to exceed amount of \$40,000 (\$50,000 - \$10,000). The \$35,000 increase for SEECO is based on the engineering work related to the North Industrial Park, Sunset Knolls and for potential obligations related to existing and future projects. The total revised contract amount for SEECO will be a not to exceed amount of \$85,000 (\$50,000 + \$35,000).

As mentioned in the first paragraph, the remaining budget for testing performed after May 31, 2010, will be charged to FY 2011 and will be presented to the Village Board in May as part of the FY 2011 contract renewal and budget. Any funds not used under the amended contracts will be "rolled over" to the FY 2011 budget.

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on October 1, 2009. Upon approval, please return all paperwork to the Engineering Division for further processing.

CC: File Professional Services/Geotechnical/FY2010



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

WHEREAS, the Board of Trustees of the Village of Lombard on March 19, 2009, adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Testing Services Corporation 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 Testing Services Corporation substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 1st day of October 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved this 1st day of October 2009.

ATTEST:
William J. Mueller
Village President

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 1st day of October 2009, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **TESTING SERVICES CORPORATION** (the "CONSULTANT").

WHEREAS, on March 19, 2009 the **VILLAGE** and **CONSULTANT** executed a contract regarding certain engineering services relative to the Annual Geotechnical Services Contract and

WHEREAS, the **VILLAGE** and **CONSULTANT** have agreed to increase the amount of work to be performed by the **CONSULTANT** together with a resultant decrease 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 show a contract sum not to exceed \$40,000.00.

SECTION 2: 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

TESTING SERVICES CORPORATION

By: _____
Allen L. DuBose, President

ATTEST:

By: _____
Michael S. Gerbulis, Asst. Secretary