

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: David Hulseberg, Village Manager

DATE: July 29, 2013 (COW) (B of T) **Date:** August 15, 2013

TITLE: Garfield Street Public Works Facility
Resident Engineering Services
Amendment #1

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

BACKGROUND/POLICY IMPLICATIONS:

A contract amendment for compensation for additional expenditures incurred for construction observation/inspection services regarding the construction of the North Garfield Street Public Works Facility.

FISCAL IMPACT/FUNDING SOURCE:

Total Current Contract Amount: \$129,372.40
Amendment Amount: \$11,601.30 (Capital Project Fund)
Revised Contract Amount: \$140,973.70
Project Number: FM 08 07
P.O. Number: 2013-00003061
Account: 430.710.720.75420

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: David Hulseberg, Village Manager

Through: Carl Goldsmith, Director of Public Works

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

Date: July 29, 2013

Subject: Garfield Street Public Works Facility
Resident Engineering Services, Amendment #1

Attached please find a letter and resolution regarding an amendment to the resident engineering services contract for the Garfield Street Public Works Facility.

Thomas Engineering Group (TEG) exceeded their agreed upon work effort due to a late start by the contractor because of a delay encountered in the process of obtaining Railroad insurance from Canadian National. This resulted in a compressed work schedule for the contractor. For additional details refer to the attached letter from TEG, dated July 22, 2013.

The Public Works - Engineering Division reviewed the initial request from TEG. Based on the personnel and incurred direct costs, an agreed upon fee amendment of \$11,601.30 was negotiated with TEG. Justifications for the fee increase are listed below:

- Engineer time as opposed to technician time was needed onsite to resolve issues such as compaction, sensitive site grading and paving issues to insure proper drainage, block wall installation, concrete pad construction and resolving a water main installation issue.
- Additional survey time was also necessary due to the sensitive site grading issues as mentioned previously.
- All incurred direct costs over budget were allowed as TEG did utilize the assets during construction of the site.

Please present this agreement and resolution to the President and Board of Trustees for their review at their regular meeting of August 15, 2013.

DAD/rgs

RESOLUTION
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 Garfield Street Public Works Facility 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 \$11,601.30, for a revised total dollar contract amount of \$140,973.70.

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 15th day of August, 2013, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 15th day of August, 2013.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

July 22, 2013

Mr. David Dratnol, P.E. – Village Engineer
Village of Lombard
255 E. Wilson Ave.
Lombard, IL 60148

thomas[®]
engineering group
service at the highest grade.
55 west 22nd street
suite 300
lombard, illinois 60148

Re: **Garfield Street Public Works Facility
Request for Engineering Services Supplement**

Dear Mr. Dratnol,

Thomas Engineering Group, LLC (TEG), hereby requests a supplement to our Engineering Services Agreement for all resident engineering work associated with Project Number M-08-07, the Garfield Street Public Works Facility.

As you know, this project was completed on time and under budget after railroad insurance/ right-of-entry agreement issues delayed the anticipated start of construction by approximately one month. These delays required ACI and their subcontractors to work overtime and Saturday hours towards the end of the project to avoid liquidated damages and to ensure that the project would be completed prior to the winter shutdown of local asphalt plants. The additional effort required by TEG to properly inspect the work performed by ACI and their subcontractors was not anticipated or reflected in the original estimate of hours negotiated with the Village of Lombard and is the basis for this request. A total of 780.5 crew hours requiring inspection, including 41 hours of overtime (> 8 hours per workday) and Saturday work was performed by ACI. This was accomplished with 665 hours of billed inspection hours, with TEG inspecting 80.5 hours of multiple crews with one inspector, compared to the 580 total hours of inspection originally negotiated.

TEG efficiently performed the tasks required for this project, including additional shop drawing review and inspection of work with multiple crews, utilizing one full-time engineer to complete all Documentation/ Administration, Layout, Inspection, and some Closeout tasks during contractor working hours throughout the course of the project. As of the end of June, TEG has worked a total of 1040 hours, 68 hours more than our original estimate, utilizing unused Documentation/Administration and Closeout hours to accommodate the overage in inspection hours to stay as close to the original budget as possible. Despite our best efforts to remain within budget, TEG is over-budget by \$18,939.23 and is requesting an increase to our Engineering Services Agreement of \$11,601.30, which includes the following:

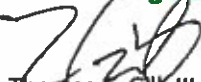
- 65 hours of Inspection @ \$53/hour * 2.70 Multiplier = \$9,301.50
- 11 hours of Layout @ \$34/hour * 2.70 Multiplier = \$1,009.80
- 3 months of GPS @ \$500/month = \$1,500.00
- 1 month of Phone @ \$70/month = \$70.00
- A credit of 7 days of Vehicle Usage @ \$40/day = (\$280.00)

This will increase our Engineering Services Agreement from \$129,372.40 to \$140,973.70.

Please feel free to contact me at your convenience to discuss this further.

Sincerely,

thomas engineering group, llc



Thomas E. Gill, III, P.E.

President

cc: Ray Schwab—Lombard Project Manager
Glen Kirchen—TEG Resident Engineer