

**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 A. Huliseberg, Village Manager *dash*

DATE: May 18, 2009 (COW) (B of T) Date: June 3, 2010

TITLE: Main St Lighting Project
Design Engineering (DE) Contract Amendment

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

BACKGROUND/POLICY IMPLICATIONS:

Amend DE Contract to reflect additional work required to complete phase I and phase II designs. Phase I required permanent easements and phase II required additional work related to providing an option for the LED luminaires.

FISCAL IMPACT/FUNDING SOURCE:

Total Amended Contract Amount: \$200,891.13
Amendment Amount: \$8,874.98
HTE Project Number: ~~0806~~ ¹⁰³³ HTE Acct: 7110.809425 ⁵⁰
Public Works Project Number: M-08-05-DE
P.O.#: 058647

Review (as necessary):

Village Attorney X _____
Finance Director X *[Signature]*
Village Manager X _____
Date _____
Date *5/26/10*
Date *5/26/10*

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 A. Hulseberg, Village Manager
 Through: Carl Goldsmith, Director of Public Works *CG*
 From: David A. Dramol, P.E., Village Engineer *DA*
 Date: May 18, 2010
 Subject: Main Street Lighting Project
 Contract Amendment for Design Engineering

Attached please find a request for an amendment to the contract for design engineering services for the Main Street Lighting Project in the amount of an increase to the contract of \$8,874.98.

During design of Phase I of the lighting project, two permanent easements were needed for which the Village had Civiltech Engineering put together the easement documents. This work was not part of the original scope of work. It was necessary for Civiltech to use their sub-consultant, Jorgensen & Assoc. to complete the work. At the time it was anticipated that the additional work would be completed within the original fee. Under the Phase II design work, Civiltech Engineering added an alternate contract for the use of LED lights. The analysis and design for this work was not part of the scope of the original project. Civiltech was also asked to make a presentation to the Public Works Committee regarding the LED lights, which included additional field measurements of light intensity and additional lighting calculations.

The original not to exceed contract for design engineering services was \$192,016.15. The proposed not to exceed contract amount will be \$200,891.13.

Please present this Contract Amendment to the President and Board of Trustees at their regular meeting of June 3, 2010. If approved, please return two signed originals to Public Works-Engineering for further processing.

DAD/pk

c: File: H:\PWPW-Eng\PROJECTS\FY2008\M-08-05 Main Street Lighting\Design Eng\Contract Amendment Bot Memo DE M-08-05.doc

RESOLUTION
R _____
II

**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 5/33B-9 regarding preparation of change orders.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBAR, 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;

Nays:

Absent:

Approved this 3rd day of June, 2010.

ATTEST:
William J. Mueller
Village President

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: _____
Robert J. Andrea

**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 \$9722.28
 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) 12 hours
 41 hours
 41 manhours X \$38.00/hour avg. X 2.65
\$4128.70

Total Fee, Contract Amendment No. 1:

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
 Amended Contract Amount \$8,874.98
\$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.