

**DISTRICTS 1 & 2**

**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 A. Hulseberg, Village Manager

**DATE:** April 7, 2009 (COW) (B of T)      **Date:** April 16, 2009

**TITLE:** North Avenue Reconstruction Project  
Amendment #4 to the Intergovernmental Agreement with the State of Illinois through  
the Illinois Department of Transportation

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

**BACKGROUND/POLICY IMPLICATIONS:**

Amendment #4 is a net increase to the IGA of \$317,257.23. The main categories related to this change order: final contract quantity adjustments (as-built quantities).

**FISCAL IMPACT/FUNDING SOURCE:**

\$317,257.23 INCREASE  
Project #: ST-89-17  
HTE Project #: 0315    7110.809450  
PO #: 044691  
Capital Improvement Fund

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.



## InterOffice Memo

To: David A. Hulseberg, Village Manager  
 From: David A. Dratnol, P.E., Village Engineer *deal*  
 Through: Carl Goldsmith, Public Works Director *cy*  
 Date: April 7, 2009  
 Subject: North Avenue Reconstruction Project

Amendment #4 to the Intergovernmental Agreement (IGA) for the  
 Final Invoice from the State of Illinois through the Illinois  
 Department of Transportation (IDOT)

The original estimated Village Share was \$2,053,412 of the \$26,881,958 project. The awarded Contract amount was \$27,843,513.62. There was an amendment to the Intergovernmental Agreement with IDOT for \$8,568 for Emergency Pre-emption at North Avenue and Route 53, bringing the estimated Village share to \$2,061,980. The Final Cost of the project is \$29,113,396.24. The final cost to the Village for the project is \$2,379,237.23, which represents quantity adjustments to the existing contract items based on field measured quantities for a final Increase to the contract in the amount of \$317,257.23. This is a summary spreadsheet of the changes:

VILLAGE OF LOMBARD  
 NORTH AVENUE RECONSTRUCTION PROJECT  
 SUPPLEMENTAL RESOLUTION IGA AMENDMENT  
 QUANTITY CHECK

ITEM	IGA AMOUNT	FINAL AMOUNT	DIFFERENCE
PCC SIDEWALK	97,425.00	74,736.72	(22,688.28)
EMERGENCY VEHICLE PRE-EMPTION	25,282.80	19,726.80	(5,556.00)
SEWER & WATER	1,342,766.00	1,934,144.01	591,378.01
SIGNALS @ 6.7%	10,385.00	7,619.22	(2,765.78)
SIGNALS @ 10%	42,000.00	32,675.19	(9,324.81)
FRONTAGE ROAD LIGHTING	275,000.00		(275,000.00)
<b>TOTALS</b>	<b>1,792,858.80</b>	<b>2,068,901.94</b>	<b>276,043.14</b>
ENGINEERING 15%	269,121.20	310,335.29	41,214.09
<b>GRAND TOTAL</b>	<b>2,061,980.00</b>	<b>2,379,237.23</b>	<b>317,257.23</b>

The original IGA was not adjusted for the actual contract amount (+3.58% or \$73.5K). Another reason for the increase in the cost was additional watermain and sewer items such as oversized watermain (\$14K), Additional water valves (\$16K), Repair leaking sanitary sewer (\$18K), Replacing sanitary sewer (\$14K), Relocating sanitary sewer (\$15K). These were items added in the field as force accounts and resulted in \$124K of increased cost to the contract. In addition, one item which had no plan quantity was trench backfill resulting in an addition of \$293K.

Please present Amendment 4 to the IGA between Lombard and the State of Illinois to the President and Board of Trustees for their review and approval at their regular meeting on April 16, 2009. If approved, please have two signed copies returned to Engineering for further processing.

cc: File: ST-89-17  
 Attachments: Resolution & Amendment 4 to IGA

**RESOLUTION**  
R \_\_\_\_\_ 09

**A RESOLUTION AUTHORIZING A FOURTH AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE STATE OF ILLINOIS THROUGH THE ILLINOIS DEPARTMENT OF TRANSPORTATION (ILLINOIS ROUTE 64 RECONSTRUCTION PROJECT)**

**WHEREAS**, the Village of Lombard (“VILLAGE”), on June 20, 2002 entered into an Intergovernmental Agreement with the State Of Illinois through the Illinois Department of Transportation which was amended on December 5, 2002, September 4, 2004, and May 4, 2006 (the “Amended IGA”); and

**WHEREAS**, a written amendment to the Amended IGA is required to legally bind the parties; and

**WHEREAS**, based upon the final cost of the ENHANCED PROJECT (as defined in the Amended IGA), it is necessary to further amend the Amended IGA (the “Fourth Amendment”);

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 Fourth Amendment attached hereto as Exhibit A and made a part hereof is hereby approved, and the Village President and Village Clerk are hereby directed and authorized to execute said Fourth Amendment on behalf of the Village.

Adopted this 16<sup>th</sup> day of April, 2009, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this 16<sup>th</sup> day of April, 2009.

\_\_\_\_\_  
**William J. Mueller**  
**Village President**

**ATTEST:**

\_\_\_\_\_  
**Brigette O’Brian**  
**Village Clerk**

**FOURTH AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE STATE OF ILLINOIS THROUGH THE ILLINOIS DEPARTMENT OF TRANSPORTATION (ILLINOIS ROUTE 64 RECONSTRUCTION PROJECT)**

**THIS FOURTH AMENDMENT (“Fourth Amendment”)** made and entered into this 16th day of April, 2009, by and between the **VILLAGE OF LOMBARD** (the “VILLAGE”) and **The STATE OF ILLINOIS**, through the **Illinois Department of Transportation** (the “STATE”).

**WHEREAS**, on June 20,2002 the VILLAGE and STATE entered into an Intergovernmental Agreement in regard to certain infrastructure improvements relative to the **ILLINOIS ROUTE 64 RECONSTRUCTION PROJECT** (the “Original IGA”); and

**WHEREAS**, the Original IGA has been amended three (3) times, pursuant to amendments dated December 5, 2002, September 4, 2004 and May 4, 2006 (the Original IGA as amended by said amendments being herein after referred to collectively as the “Amended IGA”); and

**WHEREAS**, as a result an increase in the quantities used in completing the **ILLINOIS ROUTE 64 RECONSTRUCTION PROJECT** the VILLAGE and STATE have agreed to increase the dollar amounts set forth in the Amended IGA to reflect actual costs;

**NOW, THEREFORE**, for and in consideration of the foregoing and the mutual covenants herein contained, it is agreed by and between the VILLAGE and the STATE as follows:

**1:** The aforementioned recitals are incorporated herin by reference.

**2:** That Section 4 of the Amended IGA is hereby further amended the construction cost dollar amount to read, “\$29,113,396.24” and the VILLAGE’s share dollar amount to read, “2,379,237.23”.

**3:** All other terms, covenants and conditions of the Amended IGA , which are not amended or deleted hereby shall remain in full force and effect.

**IN WITNESS WHEREOF**, the VILLAGE and STATE have caused this Fourth Amendment to be signed by their respective 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 Illinois Department of Transportation**

By: \_\_\_\_\_  
Title:

ATTEST:

By: \_\_\_\_\_  
Title: