

DISTRICTS - ALL

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: William T. Lichter, Village Manager

DATE: May 24, 2004 (COW) (B of T) Date: June 3, 2004

TITLE: Annual Geotechnical Engineering/Construction Material Testing Service Contract

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

BACKGROUND/POLICY IMPLICATIONS:

This is a strategic partnership providing high quality services at cost efficient and effective rates.

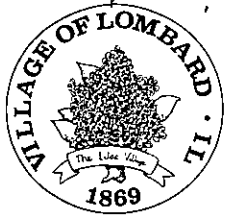
FISCAL IMPACT/FUNDING SOURCE:

Total Contract Amount (FY 04 & 05)
\$135,000/Various Project Funds for both fiscal years
(To date in FY 04 \$62,295.29 was obligated (\$75,000 budget), approximately \$57,000 will be paid out)

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X *Leonard J Flood* Date 5/26/04
Village Manager X *W. T. Lichter* Date 5/26/04

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: William T. Lichter, Village Manager
From: David A. Dratnol, P.E., Village Engineer *DD*
Date: May 24, 2004
Subject: Geotechnical Engineering & Construction Material Testing Services Contract

Testing Services Corporation of Carol Stream has performed commendably over the past year. It is recommended that the Village exercise its option to renew the current agreement for one more year. The service agreement has fulfilled its primary function of establishing continuity of service, simplifying contracting procedures and reducing Village staff time associated with contract document preparation and administration.

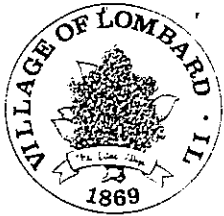
The total contract amount over the two-year period will be \$135,000. We anticipate that the remaining balance of approximately \$78,000 should be adequate for the upcoming fiscal year, barring any unforeseen environmental or extensive subsurface investigative projects or a change in the labor force agreement (refer to the Rider of the attached letter from TSC dated May 12, 2004).

Construction projects for the summer of 2004 are listed below:

	Project
1.	Special Assessment 218 (Grace and Fairfield)
2.	Lombard Hills – East (Phase V)
3.	North Broadway
4.	Highland Avenue STP
5.	Hammerschmidt Parking Lot
6.	Yorktown Watermain – Phase I
7.	Olde Towne – East Phase II Charlotte (St. Charles to Grove)
8.	Main Street LAPP
9.	Asphalt Patching and Paving Program
10.	Concrete Rehab Program

The proposed fee schedule for FY 05 is attached.

Please present this item to the President and the Board of Trustees for their review and approval at the next regular meeting on June 3, 2004. Upon approval, please return all paperwork to the Engineering Division for further processing.



RESOLUTION
R _____ 04

A RESOLUTION AUTHORIZING
AMENDMENT OF A PROFESSIONAL
SERVICES CONTRACT

WHEREAS, the Board of Trustees of the Village of Lombard on March 20, 2003 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 3rd day of June 2004.

Ayes: _____

Nays: _____

Absent: _____

Approved this 3rd day of June 2004.

William J. Mueller
Village President

ATTEST:

Barbara John
Deputy Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

THIS AGREEMENT made and entered into this 3rd day of June 2004, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **TESTING SERVICES CORPORATION** (the "CONSULTANT").

WHEREAS, on March 20, 2003 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 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 May 12, 2004 letter.

SECTION 2: The aforementioned contract shall be amended to show a contract sum not to exceed \$135,000.00.

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.

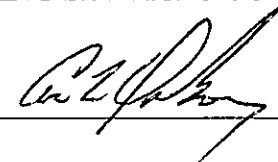
VILLAGE OF LOMBARD

By: _____
Village President

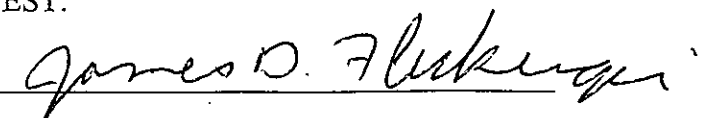
ATTEST:

By: _____
Village Clerk

TESTING SERVICES CORPORATION

By:  _____

ATTEST:

By:  _____



05-17-04 11:44 IN

TESTING SERVICE CORPORATION

Corporate Office:

360 S. Main Place, Carol Stream, IL 60188-2404
630.462.2600 • Fax 630.653.2988

Carol Stream, Illinois

May 12, 2004

Mr. David Dratnol, Village Engineer
Village of Lombard
1051 South Hammerschmidt Avenue
Lombard, Illinois 60148

RE: Revised 2004 Fee Schedule, Construction Materials Testing
Services, and Environmental Services Contract #M-04-01-G
Village of Lombard
TSC P.N. #31,316

Dear Mr. Dratnol:

Attached is Testing Service Corporation's fee schedule for Year 2 (2004 Season) for the above referenced contract. .

Please feel free to contact us at 630-784-4014 if we can be of further service.
Respectfully Submitted,

TESTING SERVICE CORPORATION

Allen L. DuBose
President

Prepared by,

James D. Flickinger
Director of Business Development

XC; Mr. Ray Schwab
Village of Lombard
1051 South Hammerschmidt Avenue
Lombard, Illinois 60148

2004 STAFF FEE TABLE

Included are staff rates for all anticipated personnel for the contract. A few items related to the Fee Schedule deserve clarification.

Engineering/Report Preparation Time: For geotechnical/drilling reports, anticipated charges for engineering services are clearly spelled in project specific proposals when requested. For CME services, engineering charges for summary report preparation are assessed at the Project Engineer's hourly rate, as stated in the Fee Schedule. Typically, these charges for engineering report preparation represent an additional 2-4% (dollar value) above the hourly technician rates. Reasonable incidental engineering contacts such as phone calls, occasional site visits and special attention to project details usually are not invoiced but rather are considered part of the overall project scope.

Incidental Items: Such items as secretarial services, draftsman and computer time are generally considered incidental to overhead in production CME services/reports. These are shown as line items on the Fee Schedule only for special projects and some Geotechnical Reports which require extensive use of such services.

Staff	Unit	Rate
Principal Engineer	Hour	170.00
Structural Engineer (S.E.)	Hour	155.00
Senior Professional Engineer (P.E.)	Hour	120.00
Project Engineer (E.I. or P.E.) & John Moky	Hour	85.00

CME - Field	Unit	Rate
IDOT QC/QA Level I Technician	Hour *	60.00
IDOT QC/QA Level II Technician	Hour *	67.75
Construction Materials Engineering (CME) Technician	Hour *	57.00
Caisson/Pile/Mass Grading Technician and Structural Steel Level II Technician	Hour*	60.50

*The time is portal-to-portal from the Carol Stream office. Increase hourly rate by 1.3 for over 8.0 hours per day, Saturday and/or Sunday work. Holiday work is 1.5 times standard rate. The minimum daily charge is three (3) hours. Includes secretary/computer time and 3 copies of final report. Engineering services for summary report preparation are invoiced at the Project Engineer's Hourly Rate.

Geotechnical Field/Other Support	Unit	Rate
Two Person Survey Crew	Hour	120.00
Two Person Coring Crew with Core Van	Hour	95.00
Flagperson/Traffic Control	Hour	50.00
Secretary	Hour	51.50
Draftsman/CADD	Hour	67.50

EQUIPMENT, LABORATORY & DRILLING FEE TABLE

Drilling Fees

Geotechnical - Field	Rate	Unit
Truck Mounted Drill Mobilization	230.00	Each
All-Terrain Vehicle (ATV) Mobilization	300.00	Each
Advance Bore Holes by Solid Auger, Hollowstem or Rotary 0-25'	8.00	Lineal ft.*
Advance Bore Holes by Solid Auger, Hollowstem or Rotary 25'- 50'	8.85	Lineal ft.*
Obtain Soil Samples by Split Spoon Method (ASTM D 1586-84)	10.95	Each
Obtain Soil Samples by Auger Methods	5.00	Each
Surcharge for Drilling with an ATV unit	1.50	Lineal Ft.
Rock Coring (NX)	30.00	Lineal Ft.
Rock Coring Setup	200.00	Each
Coring of Asphalt (4" D Core) - Diamond Bit Replacement	2.50	Inch
Coring of Concrete (4" D Core) - Diamond Bit Replacement	3.60	Inch
Coring of Reinforced Concrete (4" D Core) - Diamond Bit Replacement	4.75	Inch

*Assumes Normal drilling (Less than 60 blows per foot). Add 15% for hard drilling (More than 60 blows per foot).

Laboratory Fees

Compaction	Rate	Unit
Illinois or California Bearing Ratio (IBR/CBR)	175.00	Each
Illinois or California Bearing with supporting tests	450.00	Each
Standard Proctor 4" mold (ASTM D-698)	150.00	Each
Modified Proctor 4" mold (ASTM D-1557)	160.00	Each
Soils	Rate	Unit
Visual Classification, Includes QP (ASTM D-653,2487,2488)	3.50	Each
Moisture Content (ASTM D-2216)	5.50	Each
Unit Weight (ASTM D-2937)	6.00	Each
Unconfined Compressive Strength Qu (ASTM D-2166)	11.50	Each
Index Testing of Thin-Walled Tube/Jar (visual, moisture, unit weight, Qu)	25.00	Each
Sieve Analysis with #200 Wash	70.00	Each
Sieve Analysis with Hydrometer	110.00	Each
Liquid and Plastic Limits, Plasticity Index Atterberg Limits (ASTM D-4318)	60.00	Each
Organic Test - Loss on Ignition	32.50	Each
Organic Test - Wet Combustion (IDOT)	60.00	Each
Permeability:		
Constant Head ASTM D-2435	160.00	Each
Triaxial Method IEPA & ASTM D-5084	275.00	Each

Test for Corrosive Soils(Ductile Iron Pipe Research Institute): Moisture Determination	5.25	Each
Sulfide Determination	32.50	Each
Resistivity	32.50	Each
Oxidation-Reduction Potential	32.50	Each
Ph	25.00	Each
Complete Set	115.00	Each
Aggregates	Rate	Unit
Sieve Analysis - including finer than #200	70.00	Each
Specific Gravity & Absorption-Coarse (combined)	110.00	Each
PCC and Mortar	Rate	Unit
Concrete Cylinders (includes plastic Mold):		
Compressive Strength (ASTM C-39)	12.00	Each
Spare/Handling Charge	12.00	Each
Concrete Cores-Compressive Strength with Length Measurement	32.50	Each
Density Measurement	10.00	Each
Bituminous	Rate	Unit
Extraction for Asphalt with Sieve Analysis:		
Unwashed Sieve Analysis	150.00	Each
Washed Sieve Analysis	170.00	Each
Stability, Flow and Bulk Density (550) - Marshall (ASTM D-1559):		
Set of 3 Specimens	155.00	Each
With Percent Voids and Theoretical Maximum Density	225.00	Each
Bulk Density of Core Specimens (ASTM D-2726)	20.00	Each
Maximum Specific Gravity of Asphaltic Mix-Vacuum Pycnometer Method	65.00	Each
Compaction of Bituminous Mixture by Gyrotory Methods and Bulk Specific Gravity Test	165.00	Set of Two
Theoretical Maximum Specific Gravity of Paving Mixture	72.50	Each
Calibration of Ignition Oven for Asphalt Content by IDOT Methods	600.00	Each
Determination of Asphalt Content by Ignition Oven	77.50	Each
Determination of Asphalt Content by Ignition Oven- with Washed Gradation	152.00	Each

Equipment Fees

Equipment	Rate	Unit
Cone Penetrometer	N/C	Day
Nuclear Moisture/Density Gauge	N/C	Day
Miscellaneous	Rate	Unit
Mileage - light Vehicle	0.45	Mile
Sample Pick-up Services	50.00	Trip

RIDER
VILLAGE OF LOMBARD
PREVAILING WAGE

The Services performed by Testing Service Corporation (TSC) under this agreement have historically been considered professional services not subject to prevailing wage regulations under Federal or Illinois law. There are, however, currently efforts underway to include some or all of the services to be rendered under TSC's Proposal under the Illinois Prevailing Wage Acts.

Recently the Illinois Department of Labor (IDOL) has taken the position that Core Drilling/Soil Testing is a covered activity under the Illinois Prevailing Wage Act (IPWA). Based on limited information provided by IDOL to and reported by the Illinois Road and Transportation Builders Association (IRTBA), IDOL is only expanding the IPWA to include "drilling operations" conducted during the design phase. **Based on this limited information, we are assuming that the work done by the drill crew is subject to the IPWA and that all other services are excluded.** The unit prices provided in the attached fee schedule are meant to comply with the IPWA.

In the event (i) prevailing wage/union scale rates become applicable to other (e.g., work not done by the drill crew) services provided by TSC during the performance of this Agreement, and (ii) the prevailing wage/union scale rates are higher than those charged, client agrees that an equitable adjustment will be made to the rates quoted in this agreement to recognize the additional expense that TSC will be required to incur.

In the event that prevailing wage/union scale rates become applicable to TSC's Work which has not been completed for this project, this agreement may be terminated by either party upon seven days prior written notice. TSC shall be compensated by Client for all services performed up to and including the termination date, including reimbursable expenses. Client agrees that any cancellation/termination penalties contained elsewhere in the contract will be waived if the prevailing wage/union scale rates issue is the primary reason TSC elects to terminate this contract.

Drill Crew Prevailing Wage Surcharge	Rate	Unit
Prevailing Wage- 2 Person Drill Crew, Regular Time (8 or less hours per day)	65.00	Hour
Prevailing Wage- 2 Person Drill Crew, Overtime (more than 8 hours per day)	95.00	Hour

ENVIRONMENTAL ENGINEERING FEE SCHEDULE SERVICES

Included are staff rates for all anticipated environmental personnel for Year 2 (2004) contract #M-04-01-G.

Staff	Unit	Rate
Principal	Hour	170.00
Project Manager	Hour	95.00
Geologist/Environmental Scientist	Hour	80.00
Technician	Hour	60.00

Equipment	Unit	Rate
Photoionization Detector	Day	75.00
Spectrum Analyzer Lead Detector	Day	150.00
Steam Cleaner and Trailer	Day	125.00

Analytical Testing	Unit	Rate
Benzene, Toluene, Ethylbenzene, Xylenes (BTEX)	Per Sample	60.00
Polynuclear Aromatic Hydrocarbons (PNAs)	Per Sample	150.00
Metals	Per Sample	126.00
Volatile Organic Compounds (VOCs)	Per Sample	180.00
Asbestos	Per Sample	12.50

Direct expenses will be charged at cost.