

**RESOLUTION**  
**R\_\_\_\_\_09**

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

**WHEREAS**, the Board of Trustees of the Village of Lombard on April 5, 2007 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Testing Service Corporation, which was amended on January 17, 2008; 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 Service Corporation substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this 5th day of June 2008.

Ayes; \_\_\_\_\_

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

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

Approved 5th day of June 2008.

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

**ATTEST:**

\_\_\_\_\_  
**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 5th day of June 2008, by and between the **VILLAGE OF LOMBARD** (the "VILLAGE") and **TESTING SERVICE CORPORATION** (the "CONSULTANT").

**WHEREAS**, on April 5, 2007 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Geotechnical Engineering, Construction material Testing and Environmental 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 21, 2008 letter.

**SECTION 2:** The aforementioned contract shall be amended to show a contract sum not to exceed \$160,000 for Fiscal Year 2008 & 2009.

**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 **TESTING SERVICE CORPORATION**

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

ATTEST:

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