

**RESOLUTION
R 29-15**

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 Transmission Main 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 \$22,728.37, when combined with a previous amendment would increase, the total dollar amount of the contract by \$30,726.37.

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 16th day of April, 2015.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

Approved this 16th day of April, 2015.


Keith T. Giagnorio
Village President

ATTEST:



Sharon Kuderna
Village Clerk

Exhibit A



March 23, 2015

Ms. Ying Miao
Project Manager
Village of Lombard
1051 S. Hammerschmidt Avenue
Lombard, Illinois 60148-3926

Re: Appendix #3 (Contract Amendment #2) to Engineering Contract #WA 16-02
Supplement for Ongoing Processing of IEPA Low Interest Loan Application

Dear Ms. Miao:

Thomas Engineering Group, LLC (TEG) respectfully submits the enclosed proposal to the Village of Lombard for continued IEPA funding assistance services for the Lombard Transmission Main and Roosevelt Road Water Main Lining Projects.

TEG proposes to provide additional Design Engineering Services in accordance with the written Appendix #2 (Contract Amendment #1) dated September 4, 2014, and this Appendix. This Appendix is based on discussions held between the Village of Lombard Public Works Department and TEG regarding the implementation of the IEPA low interest loan, the IEPA's Public Water Supply Loan Program (PWSLP).

To date, TEG has completed the initial steps in the loan application process, including the development and submittal of a Planning Report, called a "Project Plan", the following documents:

1. Pre-Application for Loan Assistance – Lombard Transmission Main
2. Pre-Application for Loan Assistance – Phase I Route 38 Water Main Lining
3. Pre-Application for Loan Assistance – Phase II Route 38 Water Main Lining
4. Loan Application Form – Combined for all three (3) projects
5. Project Planning Submittal Checklist – signed by TEG
6. Copy of Executed Engineering Agreement for engineering services associated with loan assistance – to be provided by TEG
7. Executive Compensation Data Form (Five Officer Form)
8. Environmental Checklist

Based on discussions with IEPA's Infrastructure Financial Assistance Section, it is our understanding that the remaining work effort required to process the Village's IEPA low interest loan application will require additional work effort and fee beyond the original anticipated hours provided in Contract Amendment #1. Please refer to the next page for the additional work effort and fee that is anticipated to complete the loan application process. We kindly request your review and comment to this proposal.

Appendix #3 (Contract Amendment #2) to Engineering Contract #WA 16-02
 Supplemental Work Effort and Fee for Processing IEPA Low Interest Loan Application

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Anticipated Remaining Scope of Services for Ongoing Processing of IEPA Low Interest Loan Application:

Task	Hours	Amount (Hours x \$146.34/Hr)
Hold joint teleconference between all involved parties to discuss the remaining process in order to obtain a construction permit or an "authorization to construct", no permit required letter.	2	\$ 292.68
Following review and approval of the above described Report by the IEPA's Permits Section, Compliance Section, and Field Operations Staff, and receipt of the Project Summary document, TEG will need to address review comments and resubmit missing or revised information.	4	\$ 585.36
Advertise and host a public hearing, together with the Village, and await a brief public comment period.	8	\$ 1,170.72
Compile final plans and specifications for all three (3) construction contracts and submit to the IEPA in accordance with the Plans and Specifications Compliance with Loan Rules Checklist. Identify applicable contract language that is required for IEPA funded projects and coordinate the changes with all three (3) contracts.	16	\$ 2,341.44
Following a successful bidding event, TEG will prepare and submit the PWSLP Bid Certifications Form and associated information.	8	\$ 1,170.72
TOTALS:	38	\$ 5,560.92

PAID TO DATE	UNPAID INVOICE #14	RETAINAGE	WORK IN PROGRESS	TOTAL SPENT (A+B+C+D)	WORK REMAINING	EST. TOTAL
(A)	(B)	(C)	(D)	(E)	(F)	(G)
\$ 253,616.47	\$ 7,637.54	\$ 13,750.00	\$ 11,875.76	\$ 286,879.77	\$ 5,560.92	\$ 292,440.69

TOTAL ANTICIPATED FINAL FEE (CONTRACT WA 16-02): \$ 292,440.69
AMENDED CONTRACT AMOUNT: \$ 269,712.32
TOTAL REQUESTED SUPPLEMENT (DIFFERENCE): \$ 22,728.37

We look forward to completing this assignment and obtaining the desired loan funding for the Village's important water main projects. If you have any questions or require additional information, please call me at (847) 815-9500 or by e-mail at kevinv@thomas-engineering.com.

Sincerely,
 thomas engineering group, llc



Kevin C. VanDeWoestyne, P.E.
 Principal

cc: Mr. Thomas Gill, P.E., Thomas Engineering Group, LLC