

DISTRICT 5

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: Scott Niehaus, Village Manager

DATE: September 6, 2018 (COW) (B of T) **Date:** August 27, 2018

TITLE: North Broadway Force Main and Pump Station
Amendment 5 – Design Engineering

SUBMITTED BY: David Gorman, P.E., Assistant Director of Public Works *DGL*

BACKGROUND/POLICY IMPLICATIONS:

Amendment No. 5 is a net increase of \$785.90. The amendment is for additional work performed by ESI Consultants, LTD.

FISCAL IMPACT/FUNDING SOURCE:

Project #: SS-15-01
Original Contract Amount: \$164,312.15
Current Contract Amount: \$243,846.12
Amendment #5: \$785.90
Total Revised Contract Amount: \$244,632.02
PO #: 2018-00000451
Accounts: Water/Sewer Capital Reserve Fund
Account Number: 520.790.715.75420

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: Scott R. Niehaus, Village Manager
From: David Gorman, P.E., Asst. Director of Public Works *DRG*
Through: Carl Goldsmith, Public Works Director *g*
Date: August 22, 2018
Subject: North Broadway Force Main and Pump Station
Amendment No. #5

Attached is the proposed fifth and final amendment for design engineering services with ESI Consultants Ltd for a net increase of \$785.90. The amendment includes additional work to review pump station heater/air conditioner unit, calculations for sizing air/vacuum valves, and review modify/details for transducer/level system for pump station controls.

Please present this amendment to the President and Board Trustees for review on September 6, 2018. If approved, please return two signed copies to Public Works for further processing.

RESOLUTION
R _____

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 #5 to the contract between the Village of Lombard and ESI Consultant LTD. regarding the North Broadway Force Main and Pump Station 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 #5 attached hereto as Exhibit "A" would further increase the dollar amount of the contract by \$785.90, bringing the final total contract amount to \$244,632.02, from its original amount of \$164,312.15.

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 #5 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 #5 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 6th day of September, 2018, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 6th day of September, 2018.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk



ESI Consultants, Ltd.
Excellence, Service, Integrity

July 10, 2018

Ms. Ying Miao
~VIA EMAIL~
Village of Lombard
255 East Wilson Avenue
Lombard, IL 60148

Re: Invoice
N. Broadway Interim Pump Station and Force Main (SS-15-01)
ESI Project Number: 15-611

Dear Ms. Miao:

I am in receipt of your email stating that the requested amount from Invoice #26 exceeds the available funds remaining in the agreement. We had been requested by Sean Kelly in December, 2017 to invoice the effort associated with the valve vault and soils issues separately and so we did not subtract this amount from the contract amount when we invoiced thereafter. If the Village is now including this invoice (Invoice # 24) against the contract amount, then I agree that there is an overage of \$785.90. It is my understanding that the Village has completed the North Broadway Pump Station and Forcemain project and therefore will no longer require services from us. If this is the case, then Invoice #26 is our final invoice as noted in the invoice. As your email requested a formal request for an amendment to our agreement, please accept this letter as this request.

Sincerely,

ESI Consultants, Ltd.

A handwritten signature in black ink that reads "Anthony G. Malone". The signature is written in a cursive, slightly slanted style.

Anthony Malone
Vice President

Attachment

cc: file

A:\Billing\2018\06-2018\AM\Final\15-611 Lombard N. Broadway PS and FM\15-611 N. Broadway Interim Pump Station and Force Main Request for Addendum.doc