

**DISTRICT 1**

**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:** January 23, 2017 (COW) (B of T) **Date:** February 2, 2017

**TITLE:** IL Route 53 Storm Water Pump Station  
 Design Engineering Amendment #1

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

**BACKGROUND/POLICY IMPLICATIONS:**

Amendment No. 1 is a net increase of \$27,270.68. The amendment is for the additional work performed by Christopher B. Burke Engineering Ltd.

**FISCAL IMPACT/FUNDING SOURCE:**

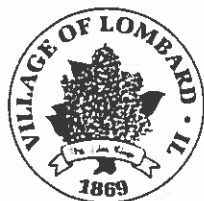
Project #: SS-12-01  
 Current Contract Amount: \$387,317.08  
 Amendment #1: \$27,270.68  
 Total Revised Contract Amount: \$414,587.76  
 PO #: 2016-00000583  
 Account: Water/Sewer Capital Reserve Fund (\$27,270.68)  
 Account Number: 520.790.715.75420

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 Niehaus, Village Manager  
From: David Gorman, P.E., Assistant Director of Public Works *DGZ*  
Through: Carl Goldsmith, Public Works Director *CJ*  
Date: January 23, 2017  
Subject: IL Route 53 Storm Water Pump Station  
Design Engineering Services - Amendment No. #1

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Attached please find amendment #1 in the amount of a net increase of \$27,270.68 for design engineering services with Christopher B. Burke Engineering Ltd (CBBEL), of Rosemont. The amendment is for the IL Route 53 Storm Water Pump Station project.

After rejection of the initial bids, CBBEL amended the contract documents (reducing the scope of the project) in preparation of receiving proposals from those contractors who submitted bids on the original project. CBBEL was also requested to reset some survey control points as the original control points were lost due to a hydrant repair performed by Village forces prior to the start of the project. After award as the project proceeded, difficulties were encountered with the existing sanitary sewer main that crossed IL Route 53. Again, CBBEL was asked to modify the plans to accommodate a redesign of the on-site underground utilities (sanitary sewer and water main). Lastly, due to modifications to the original design of the junction chamber, Staff agreed with the general contractor that changes to the structural details (sealed by a licensed structural engineer) were necessary to ensure proper construction of the proposed 10' X 10' junction chamber adjacent to the new wet well.

Attached is the letter from CBBEL that requests additional fee for the work performed. The fees are justified since this extra work was not included in the scope of the original agreement with CBBEL. However, \$10,700.00 of the requested amount is for additional design engineering services during construction and start-up of the station that had been anticipated as a possibility as part of the original scope of services. The budget for this work was absorbed by the ancillary tasks (initial redesign, survey work & field meetings) associated with the out of scope work items.

This amendment will be presented to the President and Board of Trustees for their review and approval at their regular meeting on February 2, 2017.

DG/RGS

attachment: Letter CBBEL dated January 5, 2016

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

**A RESOLUTION AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT INVOLVING AN INCREASE IN THE DOLLAR AMOUNT OF THE CONTRACT OF \$10,000 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 Christopher B. Burke Engineering LTD. regarding the IL Route 53 Storm Water 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 attached hereto as Exhibit "A" would increase the dollar amount of the contract by \$27,270.68, to a total the total dollar amount of \$414,587.76.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2017,  
pursuant to a roll call vote as follows:

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

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

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
**Keith Giagnorio**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Sharon Kuderna**  
**Village Clerk**



**CHRISTOPHER B. BURKE ENGINEERING, LTD.**

9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

January 5, 2017

Village of Lombard  
1051 S. Hammerschmidt  
Lombard, IL 60148

Attention: Mr. Ray Schwab

Subject: Additional Compensation – Engineering Fee  
IL Route 53 Storm Water Pump Station  
(CBBEL Project No. 12-0374)

Dear Ray:

Christopher B. Burke Engineering, Ltd. (CBBEL) is requesting additional compensation for professional engineering services related to the subject project. CBBEL has performed services outside of the original scope of services and has exceeded our Estimate of Fee and manhours for engineering consulting services during the design and construction phases of the project. The additional compensation requested is summarized below:

TASK	FEE
1. Additional Water Main Design on Phillips Ct.	\$8,011.42
2. Structural Design of 10' x 10' Gated Junction Chamber	\$8,559.26
3. Additional Consulting During Construction (Estimated not to exceed, Final total based on actual hours expended)	\$10,700.00
TOTAL	\$27,270.68

Please process a change order for the amount requested above at your earliest convenience.

Sincerely,

John P. Caruso, PE  
Head, Mechanical/Electrical Engineering Dept.

JPC/pjb

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