

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT
TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE VILLAGE OF DOWNERS GROVE
AND CHRISTOPHER B. BURKE ENGINEERING, LTD.**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois,
as follows:

1. That the form and substance of certain First Amendment (the "Amendment"), to an Agreement between the Village of Downers Grove (the "Village") and Christopher B. Burke Engineering Ltd. (the "Consultant"), for additional design and contaminated soil remediation services relative to Watershed Infrastructure Improvement Program (WIIP) projects: St. Joseph, North Branch Subwatersheds C (SW-033 - Sterling North) & E (SW-042 - Washington Park)., as set forth in the form of the Agreements submitted to this meeting with the recommendation of the Village Manager, are hereby approved.

2. That the Village Manager and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Amendment, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Amendment.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:

Attest: _____
Village Clerk

FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL ENGINEERING
SERVICES

The Agreement dated January 22, 2008 by and between Christopher B. Burke engineering, Ltd ("Consultant") and the Village of Downers Grove ("Village") is hereby amended as follows:

1. The Scope of Services shall be amended as reflected on the Summary of Out of Scope Terms dated November 12, 2008 and revised November 20, 2008 attached hereto and herein incorporated as Exhibit A to First Amendment to Agreement for Professional Engineering Services.
2. The not to exceed amount set forth in Section III A shall be increased from \$299,948.26 to \$386,728.26.
3. References to "Sterling North Park" in the attached Exhibit A shall mean the same as "St. Joseph Creek North, Subwatershed C".
4. References to "Washington Park" in the attached Exhibit A shall mean the same as "St. Joseph Creek North Subwatershed E".

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date indicated above.

CHRISTOPHER B. BURKE
ENGINEERING, LTD

VILLAGE OF DOWNERS GROVE

BY: _____

By: _____

TITLE: Christopher B. Burke - President VILLAGE MANAGER

DATE: _____

DATE: _____