

**VILLAGE OF DOWNERS GROVE**  
**REPORT FOR THE VILLAGE COUNCIL WORKSHOP**  
**JANUARY 27, 2009 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Contract Amendment: WIIP Projects: St. Joseph, North Branch Subwatershed E (SW-042 - Washington Park)	✓ Resolution Ordinance Motion Discussion Only	Nan Newlon Director of Public Works

**SYNOPSIS**

A resolution has been prepared to authorize a second amendment to the contract with Christopher B. Burke Engineering, Ltd. (CBBEL) in the amount of \$24,500 for the completion of final design changes requested by the Downers Grove Park District, relative to Watershed Infrastructure Improvement Program (WIIP) project: St. Joseph, North Branch Subwatershed E (SW-042 - Washington Park).

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan and Goals for 2008-2013 identified *Top Quality Village Infrastructure and Facilities*. A top priority policy action for this goal is *Watershed Infrastructure Improvement Plan: Funding and Implementation*.

**FISCAL IMPACT**

The Village entered into an agreement with CBBEL for an amount of \$299,948.26 for the preparation of final engineering plans and construction documents for the Washington Park and Sterling Park Improvements. The total amount budgeted for these two projects was \$400,000 in years 2008 and 2009. This agreement was amended to \$386,728.26 by Village Council action on January 6, 2009. This proposed amendment would bring the contract value to \$411,228.26.

**RECOMMENDATION**

Approval on the February 3, 2009 consent agenda.

**BACKGROUND**

On January 22, 2008, the Village entered into a contract with CBBEL for the design of the stormwater improvements to Washington Park and Sterling North Park. At the time the Village entered into this contract, the Village anticipated that it would be designing only stormwater improvements for these projects. On September 2, 2008, the Village entered into Intergovernmental Agreements (IGA's) with the Downers Grove Park District regarding improvements to Washington Park and Sterling North Park. The IGA's state that the Village is responsible for the design and construction of certain recreational improvements with an estimated cost of \$2,050,000 (\$1,300,000 for Washington Park and \$750,000 for Sterling North Park) in addition to the planned stormwater improvements. To meet the obligations of the IGA's, the original contract with CBBEL was amended to require CBBEL to design the recreational improvements. The first amendment to the contract was approved on December 16, 2008. Since that time, staff has been working with the Park District to complete the design of Washington Park. The Park District recently submitted their final review comments on the proposed recreational improvements. Staff did not anticipate receiving these comments. To fulfill the Village's obligations under the IGA, extra design work will be required which has led to the proposed second amendment to the contract. The amount of the second amendment represents approximately 6.5% of the estimated construction value of the additional amenities, which is below the 8-10% rule-of-thumb if these items were to be designed as a stand-alone project.

Approval of this amendment would allow for the timely completion of the design of this project as requested by the Park District. The final Washington Park engineering plans would be completed in early February and bids for construction would be advertised in late February.

**ATTACHMENTS**

Resolution

Amendment

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING EXECUTION OF A SECOND 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 Second 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) project: St. Joseph, North Branch Subwatershed 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

**SECOND 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 Items dated January 22, 2009 attached hereto and herein incorporated as Exhibit A to Second Amendment to Agreement for Professional Engineering Services.
  
2. The not to exceed amount set forth in Section III A shall be increased in the amount of \$24,500.00 from \$386,728.26 to \$411,228.26.

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: \_\_\_\_\_

VILLAGE MANAGER

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

# MEMORANDUM

January 22, 2009

TO: Mike Millette, PE – Assistant Director of Public Works, Downers Grove  
Jim Tock – Staff Engineer, Downers Grove

FROM: Darren Olson, PE

SUBJECT: Washington Park Stormwater Storage Basin  
Summary of Out of Scope Items  
(CBBEL Project 08-0013.00002)

The purpose of this memorandum is to summarize the additional items required to complete the 100% design drawings, specifications and bid documents for Washington Park. These items were not included or went beyond the scope that was anticipated in our November 20, 2008 memorandum. The additional items and associated fees are as follows:

- Structural Engineering
  - Additional work for revisions to stairs, washrooms, dugouts and extension of retaining walls - \$9,500
- Civil Engineering
  - Additional work for new layouts of stairs, washrooms, basketball court, bikerack, dugouts and retaining walls - \$3,500
  - Additional work for incorporation of new items into specifications and quantities - \$3,500
- Landscaping
  - Additional landscaping items including 3-foot playground fence, horseshoe pits and plantings above and beyond what was shown on IGA - \$2,500.
- Mechanical Engineering
  - Additional work for revisions to fountain base, fountain lighting, fountain spray, drinking fountains and site lighting - \$5,500

**Total Additional Fees for Washington Park:           \$24,500**

DTO

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

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520