

**VILLAGE OF DOWNERS GROVE**  
**REPORT FOR THE VILLAGE COUNCIL WORKSHOP**  
**AUGUST 11, 2009 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Contract Amendment: Phase III Engineering Services – Maple/55 <sup>th</sup> Water Main Replacement (WA-006)	✓ Resolution Ordinance Motion Discussion Only	Naneil Newlon, P.E. Director of Public Works

**SYNOPSIS**

A resolution has been prepared to authorize an amendment to the contract with Hampton, Lenzini, and Renwick, (HLR), Inc. for Phase III Engineering Services for the Maple/55<sup>th</sup> Water Main Replacement project (WA-006) in the amount of \$14,893.50.

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan and Goals for 2008-2013 identified *Top Quality Village Infrastructure and Facilities*. A supporting objective of this goal is *Improve Neighborhood Infrastructure, Curbs, Gutters, Streets, Sidewalks, Stormwater and Drainage System*.

**FISCAL IMPACT**

The FY09 Water Fund does not include funding for this change order amount, as the contract was originally approved and the work was anticipated to be completed in FY08. Staff proposes to pay for the change order amount with available funding in the Water Fund and liquidated damages that are being sought from the Contractor.

**RECOMMENDATION**

Approval on the August 18, 2009 consent agenda.

**BACKGROUND**

On August 19, 2008, the Village Council approved the execution of a professional services agreement with Hampton, Lenzini and Renwick, Inc. (HLR) of Elgin, Illinois, in the not-to-exceed amount of \$95,807.38 for Phase III Resident Engineering services for the Watermain Replacement at Maple Avenue and 55<sup>th</sup> Street. HLR's total contract value was based on 80 working days, which was specified in the construction contract. The completion of the project was delayed by a total of 23 days due to three primary factors:

- Unsuitable excavation encountered during the project,
- Contractor's lack of steady progress, and;
- Additional DuPage County road improvement requirements

The 23-day delay in project completion has resulted in additional resident engineering costs to the Village. The proposed amendment would increase the contract amount for resident engineering services with HLR by \$14,893.50, bringing the total contract amount to \$110,700.88. Staff is pursuing the collection of liquidated damages from the construction contractor to compensate the Village for additional expenses that are associated to their delay beyond the contracted number of working days.

**ATTACHMENTS**

Resolution  
Amendment  
Exhibit A to Amendment



**Hampton, Lenzini and Renwick, Inc.**  
 Civil Engineers • Structural Engineers • Land Surveyors  
 www.hlrengineering.com

May 18, 2009

Mr. Michael Millette, P.E.  
 Assistant Director of Public Works  
 Village of Downers Grove  
 5101 Walnut Avenue  
 Downers Grove, Illinois 60515

Re: Maple Avenue and 55th Street  
 Water Main Replacement

Dear Mr. Millette:

As we have discussed, HLR would like to request an amendment be made to the Phase III Engineering Services for Water Main Replacement, Maple Avenue and 55th Street agreement dated July 29, 2008, in the amount of \$14,893.50 (see enclosed schedule).

We feel this amendment is justified due to the additional time required by Archon Construction to complete the project. The following chart indicates the original and revised timeline for the project:

Project	Date	Calendar Days	Working Days
Started	9/29/08	81	58
Suspended	12/18/08		
Resumed	4/13/09	63	45
Projected Completion	6/15/09		
		144	103

The original project length was to be 4 months (120 calendar days or 80 working days). The improvements required an additional 24 calendar days or 23 working days.

If you have any questions regarding this matter, please call me at (847) 697-6700.

Very truly yours,

**HAMPTON, LENZINI AND RENWICK, INC.**

By:

Doug Paulus, P.E.  
 Vice President

DFP:dlh  
 Enclosure

P:\080268\docs\5-18-09 Amendment Request.doc

380 Shepard Drive  
 Elgin, Illinois 60123-7010  
 Tel. 847-697-6700  
 Fax 847-697-6753

3085 Stevenson Drive, Suite 201  
 Springfield, Illinois 62703  
 Tel. 217-546-3400  
 Fax 217-546-8116

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

**A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO A  
PROFESSIONAL ENGINEERING SERVICES AGREEMENT  
BETWEEN THE VILLAGE OF DOWNERS GROVE  
AND HAMPTON, LENZINI AND RENWICK, INC.**

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 a certain First Amendment (the “Amendment”), between the Village of Downers Grove (the “Village”) and Hampton, Lenzini, and Renwick, Inc. (“Consultant”), for professional engineering services related to the Maple and 55<sup>th</sup> Watermain Replacement Project (WA-006), as set forth in the form of the Amendment submitted to this meeting with the recommendation of the Village Manager, is 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 August 19, 2008 by and between Hampton, Lenzini and Renwick , Inc. (“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 letter dated May 18, 2009 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 \$95,807.38 to \$110,700.88.

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

HAMPTON, LENZINI AND RENWICK, INC.      VILLAGE OF DOWNERS GROVE

BY: \_\_\_\_\_

By: \_\_\_\_\_

TITLE: \_\_\_\_\_

VILLAGE MANAGER

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

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