

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
FEBRUARY 16, 2010 AGENDA**

| <b>SUBJECT:</b>  | <b>TYPE:</b>   | <b>SUBMITTED BY:</b>                            |
|--|--|---|
| Contract Amendment: FY 09<br>Geotechnical and Material Testing<br>Services | ✓ Resolution<br>Ordinance<br>Motion<br>Discussion Only | Naneil Newlon, P.E.<br>Director of Public Works |

**SYNOPSIS**

A resolution has been prepared to authorize an amendment to the contract with the Claude H. Hurley Company for Geotechnical and Material Testing Services for FY09 CIP projects. The proposed amendment of \$24,000 would increase the existing contract amount from \$135,000 to an amount of \$159,000.

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan and Goals 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**

There is no fiscal impact to the Village as a result of the proposed resolution. The FY09 budget included \$270,000 for Geotechnical Engineering and Materials Testing Services for 2009 CIP projects. This amount was divided equally between two firms, with Claude H. Hurley Company and SEECO Consultants, with the anticipation that each firm would perform work of similar quantity and complexity. However, the Claude H. Hurley Company was assigned to several larger and more complex projects which required more material testing and resulting cost. The proposed addition to this contract is \$24,000 which corresponds to a decrease of \$24,000 that was made to the contract with SEECO Consultants.

**RECOMMENDATION**

Approval on the March 2, 2010 active agenda.

**BACKGROUND**

The original contract for Geotechnical Engineering and Materials Testing Services was awarded on February 17, 2009. Due to the overall volume and complexity of the FY09 construction projects, staff recommended that two firms be selected to provide these services. The two firms selected were Claude H. Hurley and SEECO consultants. The not-to-exceed amount for each of the firms was \$135,000 and was based on a percentage of CIP project values with the expectation that the work would be divided equally between the two geotechnical and material testing companies for a total amount of \$270,000. The companies were assigned to specific projects in order to ensure continuity and understanding of the project parameters. The Claude H. Hurley Company was assigned to several larger and more complex projects which required more material testing and resulting cost. The proposed addition to this contract is \$24,000 which corresponds to a decrease of \$24,000 that was made to the contract with SEECO Consultants.

**ATTACHMENTS**

- Resolution
- Amendment

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

**A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE AND CLAUDE H. HURLEY COMPANY FOR MATERIAL TESTING SERVICES**

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 Amendment Agreement (the “Amendment”), between the Village of Downers Grove (the “Village”) and Claude H. Hurley Company (the “Proposer”), to perform Geotechnical Engineering and Materials Testing Services for FY09, 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 Agreement.

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

**AMENDMENT TO THE AGREEMENT BETWEEN  
THE VILLAGE OF DOWNERS GROVE AND  
CLAUDE H. HURLEY COMPANY FOR MATERIAL TESTING SERVICES**

The Village of Downers Grove, Illinois (the "Village") and Claude H. Hurley Company (the "Proposer") entered into an Agreement for Geotechnical Engineering and Material Testing Services for FY 09 on or about February 17, 2009. Pursuant to the terms stated therein, the parties desire to amend the contract under the following terms:

1. Section 5.2, Term of the Agreement shall be amended to extend the contract to April 1, 2010.
2. The total amount of the contract shall be increased from "not to exceed \$135,000" to "not to exceed \$159,000".
3. All other terms from the 2009 Agreement remain in full force and effect.

**VILLAGE OF DOWNERS GROVE**

**CLAUDE H. HURLEY COMPANY**

\_\_\_\_\_  
Ron Sandack, Mayor

Attest:

\_\_\_\_\_  
April Holden, Village Clerk

Date: \_\_\_\_\_

\_\_\_\_\_  
Attest:

\_\_\_\_\_  
Corporate Secretary

Date: \_\_\_\_\_