

ORIGINAL

RESOLUTION NUMBER R-2016-14

RESOLUTION APPROVING THE CONSTRUCTION ENGINEERING SERVICES AGREEMENT TO BE ENTERED INTO BY THE VILLAGE OF MAYWOOD AND CHRISTOPHER B. BURKE ENGINEERING, LTD. AND FOR THE APPROPRIATION OF VILLAGE FUNDS FOR THE PURPOSE OF PAYING FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE MAYWOOD TRAIN STATION PROJECT – MAIN STREET FROM FIFTH AVENUE TO FOURTH AVENUE, UNDER IDOT PROJECT NUMBER CMM-4003(277), STATE JOB NO. C-91-211-14, MFT SECTION NO. 13-00136-00-RR

WHEREAS, the President and Board of Trustees of the Village of Maywood, Illinois, a home rule Illinois municipal corporation, desire to participate in the Illinois Department of Transportation's ("IDOT") Congestion Mitigation & Air Quality Program ("CMAQ Program") for the purpose of funding a portion of the construction of a new Maywood Train Station and certain appurtenant improvements to Main Street between Fifth Avenue and Fourth Avenue, consisting of the train station platform improvements and parking facilities, all of which are located within the Village's corporate boundaries (the "Project"); and

WHEREAS, the State of Illinois, through IDOT, has agreed to participate and provide the funding for the actual construction costs associated with the Project through the CMAQ Program at a level of 80% of the actual construction cost, but not to exceed an amount equal to \$1,222,000.00, and the Village has agreed to pay 100% of the costs associated with the local share of the Project, which equals 20% of all related construction costs totaling less than \$1,527,500.00 and 100% of the costs in excess of the \$1,527,000.00 threshold for the Project; and

WHEREAS, the Village agrees to pay 100% of the construction engineering services costs related to the Project in accordance with the attached Construction Engineering Services Agreement to be entered into with Christopher B. Burke Engineering, Ltd. (the "CES Agreement"), a copy of which is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, the President and Board of Trustees of the Village of Maywood, Illinois agree to appropriate and authorize the expenditure of an amount equal to \$188,595.00 from the Village's St. Charles Tax Increment Fund Escrow No. 2, or general corporate funds, to pay the construction engineering services costs related to the Project improvements under IDOT Project Number CMM-4003(277), State Job No. C-91-211-14, MFT Section No. 13-00136-00-RR; and

WHEREAS, the President and Board of Trustees of the Village of Maywood have the authority to approve and enter into the attached CES Agreement (Exhibit "A") and to approve the expenditure of its St. Charles Tax Increment Fund Escrow No. 2, or general corporate funds, for the Project pursuant to its home rule powers and contracting authority provided by Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970, as well as the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*), and finds that entering into the CES Agreement is in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, ILLINOIS, PURSUANT TO ITS HOME RULE POWERS AS PROVIDED BY ARTICLE VII, SECTIONS 6 AND 10(a) OF THE ILLINOIS CONSTITUTION OF 1970 AND THE INTERGOVERNMENTAL COOPERATION ACT (5 ILCS 220/1 et seq.), AS FOLLOWS:

SECTION 1: Each paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: The President and Board of Trustees of the Village Maywood, Illinois approve of the attached Construction Engineering Services Agreement to be entered into with Christopher B. Burke Engineering, Ltd. (the "CES Agreement"), a copy of which is attached hereto as Exhibit "A" and made a part hereof. The President and Board of Trustees also agree to appropriate and authorize the expenditure of an amount equal to \$188,595.00 from the Village's St. Charles Tax Increment Fund Escrow No. 2, or general corporate funds, to pay the construction engineering services costs related to the Project improvements under Illinois Department of Transportation Project Number CMM-4003(277), State Job No. C-91-211-14, MFT Section No. 13-00136-00-RR. Further, the President and Board of Trustees authorize and direct the Village President and Clerk, or their designees, to execute the CES Agreement and to execute and deliver all other instruments and documents that are necessary to fulfill the Village's obligations under the CES Agreement.

ADOPTED this 9th day of June, 2016, pursuant to a roll call vote as follows:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, I. Brandon,
A. Dorris, M. Rogers, M. Lightford and ~~R. Rivers~~ *gr*

NAYS: None

ABSTAINS: None

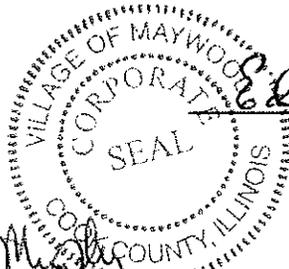
ABSENT: ~~None~~ Trustee R. RIVERS *gr*

APPROVED this 9th day of June, 2016, by the Village President of the Village of Maywood, and attested by the Village Clerk on the same day.

ATTEST:

Volunteers by John Murphy

VILLAGE CLERK *Deputy Clerk*



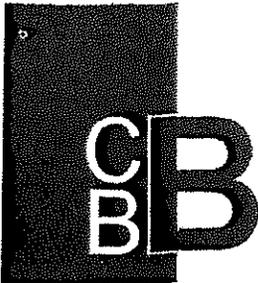
Edwenna Perkins

VILLAGE PRESIDENT

EXHIBIT "A"

**Christopher B. Burke Engineering, Ltd.
Construction Engineering Services Agreement**

(attached)



CHRISTOPHER B. BURKE ENGINEERING, LTD.

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

February 10, 2016

Village of Maywood
40 Madison Street
Maywood, IL 60153

Attention: Mr. David Myers, Assistant Village Manager

Subject: Proposal for Construction Engineering Services
Maywood Train Station – Union Pacific West Line (UP-W)

Dear Mr. Myers:

Christopher B. Burke Engineering, Ltd. (CBBEL) is pleased to submit our proposal to perform professional construction engineering services for the Village of Maywood. Included in this proposal is our Understanding of the Assignment, Scope of Services, and Estimate of Fee.

This proposal demonstrates our extensive and specialized experience that has made us a leader in these types of assignments.

Mr. W. Danlei Crosson, PE will be the point of contact for this proposal. Dan is very familiar with the project site and will be CBBEL's Project Manager for this project.

The material provided in this proposal represents our ability and eagerness to perform the required services for the Village. We trust that it will demonstrate our understanding of the project and our expertise to perform the upcoming assignment. The CBBEL project team looks forward to working with the Village and is committed to completing the work to your satisfaction and within the required time schedule.

UNDERSTANDING OF THE ASSIGNMENT

We understand the Village intends to move forward with the above referenced project designed by CBBEL. It is understood that the project will improve the Maywood train stop along Metra's Union Pacific West Line to a new warming shelter and new parking facilities. The project is located between Main Street and Union Pacific Railroad (UPRR) and between 3rd Avenue and 5th Avenue. The majority of the project scope is as follows: removal of existing bus shelter, construction of new warming shelter and portion of proposed platform, connection to existing platform, angled parking, installation of ADA parking facilities at the northeast corner of 5th Avenue and Main Street, drainage improvements and retaining wall installation. It is anticipated that within a year after completion of this project, UPRR will install a third main track and will complete the proposed platform. The project has received Federal Funds (CMAQ) and is being let through IDOT.

Resident/Business Notification and Access

CBBEL understands that providing a liaison to keep the residents informed of construction activities will be of the utmost importance to the success of the project. The Resident Engineer must be adept at communicating with residents affected by the construction as it pertains to the disruption of utility services (water, sewer, gas, etc.), daily access to driveways and on-street parking, road closures and detours, construction traffic and associated noise and dust, coordination of garbage pickup and mail delivery, re-routing of school bus routes (if required) and the conveyance of general information regarding construction activities and their impacts on the residents' daily life.

Traffic Control and Protection

Traffic control will need to be monitored on a regular basis to ensure that the traffic control devices are properly installed and operating properly. CBBEL shall perform the following:

- Notify the area residents and businesses prior to the placement of the detour.
- Perform one detailed daytime inspection per week and two detailed nighttime inspections per month. These inspections shall be recorded on BC 726 – Traffic Control Inspection Report (or a format acceptable to the Village) and delivered to the Public Works on a weekly basis.
- In addition, the Resident Engineer will drive through the jobsite daily and document the drive through in the project diary.

If major deficiencies are observed, the Resident Engineer will notify the contractor immediately and insure that the contractor takes the appropriate actions as outlined in the contract documents

Coordination with Utilities

On any project containing the utility installation, the existing utilities must be given special consideration. CBBEL has provided services on many projects requiring utility relocation and will assist the Village in any way possible to facilitate the installation.

Additionally, gas services are often problematic on projects. CBBEL will work with the contractor to identify any problem services prior to the pavement removal.

CBBEL will also review the proposed underground work and its proximity to any existing utilities prior to the start of those operations. We will work with the Village, contractor, and utility to provide a cost effective and timely solution if required.

Construction Issues

Pre-Construction:

1. Review the contractor's schedule for compliance with any milestones and/or restrictions found in the contract documents. CBBEL will review the schedule for constructability to insure that the work is being completed in a logical sequence.
2. Prepare all project files prior to the start of construction. This shall include reviewing all applicable construction inspectors' checklists found in IDOT's Construction Manual to anticipate any issues that may arise during construction.
3. Review the plans and specifications and identify any potential issues or conflicts that can be resolved prior to construction. This will assist in avoiding unnecessary delays and change orders.

Construction:

1. Prior to construction of curb and gutter, we will verify that the proposed gutter line has positive drainage.
2. Monitor and track the contractor's actual progress versus his schedule on a weekly basis to insure they will complete the work on-time. This will assist the Resident Engineer in anticipating any potential conflicts that could delay the work and work with the Contractor to expedite the completion of the project.

Funding and Documentation

Our Construction Engineering staff follows IDOT's guidelines for documentation and material inspection for all of our projects. This allows the Resident Engineer to provide necessary information regarding cost or schedule to the Village throughout construction. Following IDOT's guidelines also facilitates a timely project close-out.

SCOPE OF SERVICES

Task 1 – Construction Observation:

Task 1.0 – Pre-Construction

1. Prior to start of construction, coordinate with IDOT on project requirements.
2. Finalize any outstanding permitting and railroad agreements.
3. Coordination with Union Pacific Railroad and Metra prior to start of construction.

Task 1.1 – Shop Drawing Review

1. Check and approve, or reject and request resubmittal of, any submittals made by the contractor for compliance with the contract documents.
2. Shop Drawings and Contractor Submittals:
 - a. Record data received, maintain a file of drawings and submissions, and check construction for compliance with them.
 - b. Review Contractor's submittals for compliance with contract documents. Notify the Village of any deviations or substitutions. With the notification, provide the Village with a recommendation for acceptance or denial, and request direction from the Village regarding the deviation or substitution.

Task 1.2 – Observation

LAYOUT VERIFICATION AND/OR CONSTRUCTION LAYOUT

1. Verify initial geometric controls.
2. If the contractor is responsible for construction staking, perform periodic measurements to assure the contractor's construction staking and construction layout is accurate per plans.
3. Provide construction layout, if required.

CONSTRUCTION OBSERVATION

1. Observe the progress and quality of the executed work. Determine if the work is proceeding in accordance with the Contract Documents. CBBEL shall keep the Village informed of the progress of the work, guard the Village against defects and deficiencies in the work, and advise the Village of all observed deficiencies of the work and disapprove or reject all work failing to conform to the Contract Documents.
2. Provide extensive on-site observations of the work in progress and field checks of materials and equipment through a Resident Engineer and Inspector (if necessary), who shall:

- Serve as the Village's liaison with the contractor working principally through the contractor's field superintendent.
 - Be present whenever the contractor is performing work on-site, associated with the project.
 - Cooperate with the contractor in dealing with the various local agencies and utility companies having jurisdiction over the Project in order to complete service connections to public utilities and facilities.
 - Record names, addresses and telephone numbers of all contractors, subcontractors, and major material suppliers.
 - Attend all construction conferences. Arrange a schedule of weekly progress meetings and other job conferences as required. Maintain and circulate copies of records of the meetings.
 - Review contractor's progress on a weekly basis and update the progress schedule. Compare actual progress to the contractor's approved schedule. If the project falls 14 calendar days behind schedule, work with the contractor to determine the appropriate course of action to get back on schedule. The contractor is required to submit a revised schedule for approval prior to further payments being made.
 - Maintain orderly files of correspondence, reports of job meetings, shop drawings and other submissions, RFI responses, original contract documents including all addenda, change orders and additional drawings issued subsequent to the award of the contract.
 - Prepare any RFC's needed as construction proceeds. Once the contractor submits a proposal, assist the Village in their review and provide a recommendation.
3. Determine if the project has been completed in accordance with the contract documents and if the contractor has fulfilled all obligations.
 4. Except upon written instruction of the Village, the Resident Engineer or Inspector shall not authorize any deviation from the Contract Documents.
 5. Alert the Contractor's field superintendent when materials or equipment are being installed before approval of shop drawings or samples, where such are required, and advise the Village when it is necessary to disapprove work as failing to conform to the Contract Documents.
 6. Discuss the truck routes with the Contractor and monitor that the identified routes are being used.
 7. All CBBEL personnel and their sub-consultants will comply with the Village's current safety guidelines.

CONSTRUCTION DOCUMENTATION

1. Keep an inspector's daily report book and project diary in the Village's format, recording hours on the job site, weather conditions, general and specific observations, daily activities, quantities placed, inspections, decisions, and list of visiting officials, as outlined in IDOT's Construction Manual. Additionally, prepare photo documentation of construction to be submitted in both hard and digital formatting.
2. Prepare payment requisitions and change orders. Review applications for payment with the Contractor for compliance with established submission procedure and forward them with recommendations to the Village. Maintain a Change Management Plan logging all decisions and approved changes of scope and budget.
3. Schedule any material testing through the Village's Consultant at the frequency required by IDOT's QC/QA provisions. Also obtain and document all material inspection received from the Contractor as outlined in the Project Procedures Guide of IDOT's Construction Manual.
4. Prepare a monthly written update to the Village summarizing the Project status, costs and schedule.

5. Review and coordinate response to any RFI from the Contractor in a timely manner and maintain a separate file for each request.

Task 1.3 – Area Resident and Business Concerns

The Resident Engineer will be responsible for keeping the public aware of the construction activities, as required. This will include, but not limited to, notification of construction starting, detours and/or road closures, access limitations, and disruption of water, sewer, and gas service. The RE will also be available throughout the construction project to address any questions or concerns area residents and/or businesses may have. Our policy is to respond to all questions or concerns within one business day.

Task 1.4 – QA Material Testing

CBBEL will provide material inspection services through our sub-consultant Testing Service Corporation (TSC) of Carol Stream, IL. TSC will complete the Quality Assurance (QA) material testing as required at the site and QA testing at the plants.

Task 1.5 – QA Architectural Inspection

CBBEL will provide architectural inspection services through out sub-consultant FGM Architects of Oak Brook, IL. FGM designed the Warming Shelter and will complete the Quality Assurance (QA) as required.

Task 1.6 – Traffic Control Inspection

Perform barricade checks as outlined in Section 700: Work Zone Traffic Control of IDOT's Construction Manual. At a minimum, CBBEL shall perform the following:

- One detailed daytime inspection per week and two detailed nighttime inspections per month. These inspections shall be recorded on a format in accordance with Village policy or Form BC 726, Traffic Control Inspection Report.
- In addition, the Resident Engineer will drive through the jobsite daily and document the drive through in the project diary.
- If traffic control is in place during the proposed winter shutdown, two drive-throughs per week will be performed.

If major deficiencies are observed, the Resident Engineer will notify the contractor immediately and insure that the contractor takes the appropriate actions as outlined in the contract documents.

Task 1.7 – Post-Construction

1. Prior to final inspection, submit to the Contractor a list of observed items requiring correction and verify that each correction has been made.
2. Conduct final inspection with the Village and prepare a final list of items to be corrected.
3. Verify that all items on the final list have been corrected and make recommendations to the Village concerning acceptance.
4. Prepare final pay estimate and change order for the Village's approval.
5. Verify all necessary material inspection has been received and documented.
6. Submit the job box to the Village with all pertinent project information, including Record Drawings as indicated in the RFQ (see Task 7).

Task 1.8 – Record Drawings

CBBEL will maintain a set of working drawings showing changes in the work during construction. This will expedite the submittal of the record drawings to the Village. Approved record drawings will be submitted to the Village in required format no later than four weeks after the completion of construction.

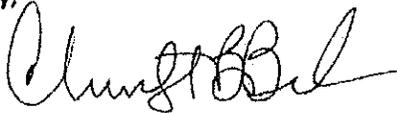
ESTIMATE OF FEE

Based on the above Scope of Services, our Estimate of Fee is detailed further in the attached CBBEL Work Effort.

We will bill you at the hourly rates specified on the attached Schedule of Charges and establish our contract in accordance with the attached General Terms and Conditions. Direct costs for blueprints, photocopying, mailing, overnight delivery, messenger services and report compilation are not included in the fee estimate. These General Terms and Conditions are expressly incorporated into and are an integral part of this contract for professional services. Please note that any requested meetings or additional services are not included in the preceding fee estimate and will be billed at the attached hourly rates.

Please sign and return one copy of this agreement as an indication of acceptance and notice to proceed. Please feel free to contact us anytime.

Sincerely,



Christopher B. Burke, PhD, PE, D.WRE, Dist.M.ASCE
President

Encl. CBBEL Work Effort
Schedule of Charges
General Terms and Conditions

THIS PROPOSAL, SCHEDULE OF CHARGES AND GENERAL TERMS AND CONDITIONS ACCEPTED FOR THE VILLAGE OF MAYWOOD.

BY: _____

TITLE: _____

DATE: _____

CBBEL WORK EFFORT
 Village of Maywood
 Maywood Train Station
 Union Pacific West Line (UP-W)

		Personnel & Hours					
	Rate	Project Manager	Engineer V	Engineer III	Total Hours	% of Hours	Total Cost
		\$225.00	\$185.00	\$134.00			
Task 1	Construction Observation				148	15.5%	\$ 23,620.00
Task 1.0	Pre Construction	8	60	80	20	2.1%	\$ 2,884.00
Task 1.1	Shop Drawing Review	0	4	16	624	65.5%	\$ 94,180.00
Task 1.2	Observation	4	200	420	10	1.1%	\$ 1,544.00
Task 1.3	Area Resident & Business Concerns	0	4	6	0	0.0%	\$ -
Task 1.4	QA Material Testing	0	0	0	0	0.0%	\$ -
Task 1.5	QA Architectural Inspection	0	0	0	10	1.1%	\$ 1,595.00
Task 1.6	Traffic Control Inspection	0	5	5	122	12.8%	\$ 18,570.00
Task 1.7	Post Construction	2	40	80	8	1.9%	\$ 3,002.00
Task 1.8	Record Drawings	2	8	8			
	Subtotal	16	321	615	952		
	% of Hours	1.7%	33.7%	64.6%			
	Total Cost	\$ 3,600.00	\$ 59,385.00	\$ 82,410.00	\$ 145,395.00		\$ 145,395.00
	Direct Costs						\$ 5,200.00
	Material Testing						\$ 20,000.00
	Architectural Inspection						\$ 18,000.00
	Total Cost						\$ 188,595.00

* Cost based upon a 80 working day duration.

** Vehicle usage at \$65/day.

