



# MANAGER'S MEMO ITEM

**NEXT  
ITEM**

**ITEM:** Stormwater Master Plan Update

---

**WORKSHOP DATE:** December 14, 2004

---

**PREPARED BY:** David H. Barber, P.E., Director of Public Works  
Michael D. Millette, P.E., Assistant Director of Public Works – Eng.

---

**PROPOSAL AMOUNT:** \$216,400                      **ACCOUNT:** 220.343.0000.5320

---

**BUDGET AMOUNT:** \$300,000

---

**PURPOSE:** To authorize the execution of a contract with Clark Dietz, Inc. in the amount of \$216,400 to develop a Stormwater Master Plan.

## **BACKGROUND:**

The Stormwater and Flood Plain Oversight Committee asked staff to seek a consultant to update the Village's Stormwater Master Plan, originally completed in 1959 and last revised in 1971. Any master plan, to be a valuable tool in managing a system, must be periodically reviewed and updated. Since it has not been updated in 33 years, our current Master Plan no longer serves a useful function. The storm sewer system has dramatically expanded as has the Village's impervious area; the County Stormwater Ordinance is now in effect along with new Federal Regulations; more severe rain events have occurred; and new management techniques have been developed.

To this end, staff developed a scope of work in conjunction with the Committee which will update our storm sewer atlases (transfer to GIS), produce computer models of the storm sewer system, analyze current maintenance needs, advise upon future capital projects, review regulatory impacts (including NPDES II), and analyze the results of the Citizen's survey. The document produced shall be a "living document" which Staff will have the ability to constantly update.

Qualification and Proposal submittals were sought from eighteen consultants. Eight companies responded. Their submittals were reviewed by ourselves and Jon Hall and ranked per this table:

Firm Name	Capability & Experience (33%)	Proposed Staff (33%)	Responsiveness to requirements (20%)	Appropriate Distribution of Work (10%)	Familiarity w/ D. G. (4%)	Composite Score
Clark Dietz	9.67	9.67	9.67	9.33	7.00	9.53
CBBurke Eng.	9.00	8.67	9.67	8.33	10.00	9.00
Burns & McDonnell	9.33	8.67	9.33	8.67	8.00	8.99
Strand Assoc.	8.33	9.00	8.33	8.33	2.67	8.33
V3 Infrastructure	8.00	8.33	8.67	8.33	6.00	8.20
Eng. Resource Assoc.	7.33	8.33	8.33	6.67	5.67	7.73
Eng. Enterprises	5.33	7.33	8.00	7.67	2.67	6.65
Bollinger Lach	4.33	6.33	8.00	7.00	7.67	6.13

Based upon these results, Clark Dietz, Inc. was determined to be the most qualified respondent. We negotiated a final scope and fee on November 11<sup>th</sup>. Subsequent negotiations with our Legal Staff were concluded on November 18, 2004.

**REFERENCE CHECKS:**

---

Staff checked references with the following three communities that had stormwater master plans developed by Clark Dietz, Inc:

- Peoria, IL
- Moline, IL
- St. Joseph, IL

In all three communities, Clark Dietz successfully completed master plans within the original budget and within the desired schedule. All three references provided favorable opinions of the final result.

**BUDGET IMPLICATIONS:**

<b>PROP. AMOUNT:</b> \$216,400.00	<b>ACCOUNT:</b> 220.343.0000.5320
<b>BUDGET AMOUNT:</b> \$300,000 (\$60K in FY04-05)	

An amount of \$60,000 was approved for a Stormwater Master Plan in the 2004-2005 budget, and an additional \$120,000 was included in each of the next two budget years according to the 2004-2005 future CIP projections. To complete the Master Plan as currently proposed, the 2005-2006 proposed budget amount would need to be increased by \$36,400 to \$156,400. The 2006-2007 proposed budget amount can then be reduced to zero. The overall savings from earlier projections will be \$83,600.

In evaluating proposals from all eight consultants, Village Staff compared the total staff-hours estimated by each firm. By eliminating the lowest and highest estimates (~1,600 and 6,000), the remaining six consultants' staff-hour average was very close to that the total staff-hour estimate of 2,138 negotiated with Clark Dietz. The majority of the consultants were relatively close to this average, which helps to confirm a proper understanding of the project scope by the consultants and an assurance that the appropriate level of service is being provided by Clark Dietz.

**ATTACHMENTS:**

---

Contract.

Attachment A: Final scope of work agreed upon by both parties.

Attachment B: Letter of understanding from Clark Dietz dated November 18, 2004.

**STAFF RECOMMENDATION:**

---

Staff recommends authorization and execution of a contract with Clark Dietz, Inc. for the Stormwater Master Plan Update in the amount of \$216,400.00.

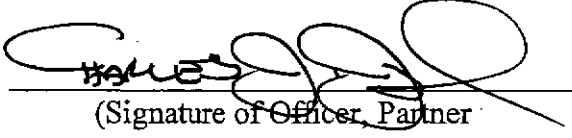
**REQUESTED COURSE OF ACTION:**

---

Place this agreement on the December 21, 2004 Active Agenda.

**IV. PROPOSAL/CONTRACT FORM**

**Entire Block Must Be Complete When Proposal is Submitted To Be Considered For Award**

<b>PROPOSER:</b>	
Clark Dietz, Inc.	
(Company Name)	
Date of Proposal <u>November 5, 2004</u>	<u>118 S. Clinton, Suite 600</u>
	(Street)
<u>312.648.0204</u>	<u>Chicago IL 60661-5767</u>
(Fax Number, if available)	(City) (State) (Zip)
Contact Name: <u>Charles J. Johnson</u>	<u>312.648.9900</u>
	(Phone Number)
<u>630.567.0396</u>	
(24-Hour Telephone)	
<b>ATTEST: If a Corporation</b>	(Signature of Officer, Partner Or Sole Proprietor)
<u>Charles Johnson</u>	Charles J. Johnson
(Signature)	(Print Name)
Treasurer	<u>November 5, 2004</u>
(Title)	(Date)

**ATTEST:**

**VILLAGE OF DOWNERS GROVE**

\_\_\_\_\_  
(Village Clerk Signature)  
  
\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Authorized Signature)  
  
\_\_\_\_\_  
(Title)  
  
\_\_\_\_\_  
(Date)

In compliance with the specifications, the undersigned offers and agrees, if this proposal is accepted within 90 calendar days from the date of opening, to furnish any or all of the services upon which prices are quoted; at the price set opposite each item, delivered at the designated point within the time specified above.

**THIS PROPOSAL, WHEN ACCEPTED AND SIGNED BY AN AUTHORIZED SIGNATORY OF THE VILLAGE OF DOWNERS GROVE SHALL BECOME A CONTRACT BINDING UPON BOTH THE PERSON, PARTNERSHIP OR CORPORATION, TO SUPPLY OR PERFORM AS SPECIFIED AND UPON THE VILLAGE TO ACCEPT THE PRODUCT OR SERVICE.**

PROPOSER'S CERTIFICATION

Proposer, Clark Dietz, Inc., hereby certifies that  
(Name of Proposer)

it is not barred from bidding on the contract for:

Village of Downers Grove Stormwater Master Plan Update, Project #17-03  
(Description of Contract)

as a result of a violation of either Section 33E-3 or 33E-4 of Article 33E of Chapter 38 of the Illinois Revised Statutes.

Proposer further certifies that it is not delinquent in the payment of any tax administered by the Department of Revenue, or that Proposer is contesting its liability for the tax delinquency or the amount of a tax delinquency in accordance with the procedures established by the appropriate Revenue Act. Proposer further certifies that if it owes any tax payment(s) to the Department of Revenue, Proposer has entered into an agreement with the Department of Revenue for the payment of all such taxes that are due, and Proposer is in compliance with the agreement.

BY: [Signature]  
Proposer's Authorized Agent

3 7 - 1 2 1 2 0 5

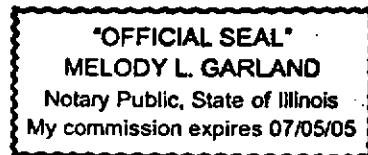
FEDERAL TAXPAYER IDENTIFICATION NUMBER

or \_\_\_\_\_  
Name

\_\_\_\_\_  
Social Security Number

Subscribed and sworn to before me this  
5th day of November, 2004.

Melody L. Garland  
Notary Public



## PART I SERVICES

### A. Project Description

Develop an update to the Client's Stormwater Master Plan. This work will include an evaluation of the Client's existing stormwater infrastructure, existing flood-prone areas, capital improvement program and maintenance program. Special consideration will be given for stormwater quality enhancement and wetland protection. Hydrologic and hydraulic models will be developed to assist in the identification of problem areas and to determine appropriate solutions.

Monthly meetings will be held with Client staff to provide updates on the project status and to receive feedback from key stakeholders.

### B. Scope

#### Task A - Data Gathering and Mapping

- Obtain GIS files from the Client and/or DuPage County.
- Obtain paper-based storm sewer atlases from Client. Use mapping to complete population of storm sewer layer in GIS. It is assumed that approximately 20% of the existing storm sewer system has already been added to the GIS database. *This task will be completed by our Subconsultant, Highland Geographic.*
- Obtain FEQ and XP-SWMM model data for areas within the Village that have already undergone County review. Summarize coverage areas already modeled.
- Complete GPS-based field survey of storm sewer structures not shown on storm sewer atlas. *Up to 100 structures (i.e. manholes, outfalls) will be surveyed as part of this task.*
- Meet with Client staff to discuss project needs and goals. As part of this meeting, obtain 1970 Stormwater Master Plan from Client. Review content and discuss with Client staff which projects were completed as recommended.
- Collect maintenance data on bridges, culverts, inlets, and storm sewers.
- Meet with Client maintenance and engineering staff to discuss known problem areas. Collect photos if available. Create Problem Area Map using GIS. Link photos (if available) to problem areas in the GIS database. Use the Client's recent CIP Project List (Matrix) to define current drainage-related "hot spots".
- Conduct streambank inventory. Work with Client staff to determine the reaches of open channel most vulnerable to erosion. *Up to 50% of total channel length, approximately 5.5 miles, will be part of this inventory.* Streambank inventory will consist of a uniform method to evaluate type and severity of channel erosion. A photographic log will be developed as part of this task.

- Collect and review Village and County stormwater rules and wetland rules. Also collect County and National Wetland Inventory wetland data. Develop summary of key differences between rules.
- Collect and review the Client's IEPA Notice of Intent (NOI) for their MS4 stormwater permit. Meet with Client staff to determine where progress has been made and where additional help is needed. Prepare a written summary of key findings.
- Collect information on the Client's existing cost-share program for private drainage improvements. Evaluate current program costs and discuss program effectiveness with Client staff.
- Collect responses from the Stormwater Questionnaire. Prior to analyzing results, meet with Client staff to filter out non-essential information generated by the surveys. Given a distribution of 16,000-18,000 and an assumed response rate of 30%, up to 5,000 completed surveys would be available. Careful attention will be given to streamline the process, focusing only on critical data, minimizing data entry costs, and sampling the survey data as opposed to cataloging every response.
- **PROGRESS MEETING #1.** Meet with Client staff to summarize the data collection process. Prepare a brief written meeting summary.

#### **Task B - Hydrologic and Hydraulic Modeling**

- Perform hydrologic and hydraulic modeling to define existing conditions. Modeling effort will be focused on critical sub-watersheds defined in the problem area analysis. This modeling will build on Full-Equations Modeling (FEQ) data collected during Task A. FEQ will be used to supplement current open channel models within portions of the Village and XP-SWMM will be used to analyze storm sewer areas to identify localized hydraulic restrictions. Existing DuPage County FEQ models will be used where appropriate to establish downstream hydraulic boundary conditions for receiving channels and sewer outfalls. *FEQ modeling will be performed by our Subconsultant, AOS Associates, Inc.*
- Work with Client staff to determine the most appropriate design rainfall events for specific uses in the hydrologic and hydraulic analyses. More than one rainfall event may be chosen, as separate components are sensitive to different design storms (for instance, 10-year for sewer system sizing, 100-year for bridge/culvert sizing). Open channel analysis with FEQ will utilize the historical series.
- Perform field reconnaissance to confirm physical characteristics of the Client's stormwater infrastructure as necessary to complete the modeling effort.
- Identify system weaknesses revealed in the updated hydraulic / hydrologic models. Summarize initial findings and submit to Client staff. **PROGRESS MEETING #2.** This meeting will also be used to summarize modeling methodology and recommended design storms.
- Provide Client staff with model software, files and training. FEQ software is Public Domain

and will therefore not require licensing. Two (2) XP-SWMM software licenses will be purchased and ownership transferred to the Client. The XP-SWMM licenses purchased will have a 500-node limit. Clark Dietz will schedule a 2-day on-site XP-SWMM training seminar, conducted by a professional XP-SWMM trainer. Software license and training costs are included in this Agreement.

#### **Task C – Evaluate Local / County Rules (Stormwater, Wetlands, MS4)**

- Review DuPage County and Village stormwater rules with respect to FEQ / XP-SWMM modeling results and water quality objectives in the Client's Notice of Intent.
- Identify loopholes and weaknesses in current Village stormwater rules. Create a brief written summary of recommendations to help enhance stormwater rules to reduce impacts of redevelopment while meeting the specific requirements of the Client's MS4 permit. Evaluate Best Management Practices (BMPs) that may be used in developing/redeveloping areas to reduce the potential for stormwater pollution.
- Evaluate the potential for employing groundwater recharge within the Village in order to promote stormwater infiltration in depressional and otherwise poorly-drained areas.
- Review current local stormwater permitting process. Work with Client staff to identify methods to streamline the review process. This effort will parallel the development of recommendations for changes to the Client's stormwater rules.
- Our subconsultant, Huff & Huff, will evaluate wetland resources within the Village limits. Existing wetlands within the Village limits will be evaluated to determine the condition and quality of each site and the potential maintenance activities or remediation efforts that would be needed to keep them functioning properly. *DuPage County Wetland Maps indicate that approximately fifty (50) wetlands are located within the Village of Downers Grove.* Key subtasks are as follows:
  - Qualitative assessment - collect information regarding the quality of existing wetlands, wildlife habitat, endangered species, plant communities, erosion problems, and external influences such as unapproved intrusions or dumping. Evaluation techniques will be consistent with those methodologies approved by the DuPage County Department of Environmental Concerns.
  - The data obtained during the qualitative assessment will be used to create a Village Watershed Database. The information in this database, such as endangered species lists for specific locations, will assist the Client in future permitting reviews.
  - Existing drainage problems for existing wetlands will be identified during the Problem Identification process (Task A) and the hydrologic/hydraulic modeling (Task B).
  - The assessment and inventory would be conducted during the growing season for best habitat assessment information. It is assumed that the project team will have full access to all wetlands to be investigated. Photos will be taken at each identified wetland and a photo log will be generated.

- Develop a Wetland Maintenance and Restoration Plan. This plan would provide recommended actions to restore existing wetlands, apply best management practices, and a proper maintenance schedule. A general guide for determining maintenance budgets will be included as part of this task.
- Collect information on wetland restoration sites and mitigation projects from the Village and/or County. Aerial photography will be used to determine the location of potential wetlands that have not yet been mapped. These areas will be field-verified. New or previously-unmapped wetlands will be illustrated on the aerial map for the Client's use and compiled into the Client's GIS database.
- Review current DuPage County wetland regulations and provide suggestions for additional regulations for the Client. Enhanced wetland regulations for the Client may allow for more control over projects that have the potential to impact wetlands. Coordination with the County and Corps of Engineers will most likely be required before any transfer of review authority can be completed.
- **PROGRESS MEETING #3.** Meet with Client staff to discuss the evaluation of local stormwater rules and wetland maintenance/enhancement recommendations. Receive feedback on preliminary recommendations. Prepare a brief written meeting summary.

#### **Task D – CIP / Maintenance Recommendations**

- Develop a stormwater system maintenance program. This program will be developed to meet the following needs:
  - Maintain inlet and sewer capacity for flood control
  - Address stormwater quality issues to satisfy MS4 permit
  - Enhance stream safety and by minimizing slopes, repairing erosion and failing retaining walls, and creating natural barriers to discourage entry into open channel areas
  - Ditch/stream maintenance (selective vegetation and debris removal)
  - Evaluate appropriate frequency for storm sewer televising, inspection, and jetting/flushing
- Develop a streambank stabilization / restoration program (Capital Improvement Program) to address structural and public safety issues. The following tasks will define the program:
  - Recommend specific streambank inventory procedures, classifying different types and severities of erosion
  - Develop concept-level schematics to restore channels to more natural and erosion-resistant cross sections
  - Review streambank stabilization policies for private vs. public property. Provide

recommendations for a consistent policy that addresses residents' needs while considering long-term impacts of channel modifications.

- Using the FEQ and XP-SWMM model results, provide a list of key system deficiencies. Develop system enhancement recommendations to meet the design storm(s) selected in Task B. Prepare a list of potential projects and rank them using a matrix of project attributes:
  - Key attributes will include those currently used by the Client in their CIP matrix (private property damage, future maintenance costs, duration on backlog list, number of properties impacted)
  - Additional attributes may be recommended, such as economic impact of potential damage, and potential project cost with respect to budget
- Identify easement requirements for recommended capital improvements and stream maintenance programs.
- Provide recommendations for flood-prone buildings. Recommendations may include consideration for property buy-out in areas experiencing chronic flooding problems.
- Include capital improvement recommendations from the Client's 2004-2005 and 2005-2006 CIP list.
- **PROGRESS MEETING #4.** Meet with Client staff to discuss maintenance and CIP recommendations and objectives. Finalize CIP prioritization matrix and prepare preliminary cost estimates for recommended improvements and maintenance programs.

#### **Task E – Stormwater Master Plan Documentation**

- Develop a draft Stormwater Master Plan. Reference the 1970 Master Plan and provide a transition from previous goals/objectives to those of today. Where possible, the structure of the 1970 document will be preserved in the interest of consistency. Key elements of the Master Plan will include:
  - Executive Summary
  - Revised Goals and Objectives - Meeting New Regulatory Environment
  - Problem Identification, Meeting Summaries, Photographs
  - FEQ and XP-SWMM Modeling Summary and Key Findings
  - Review of County/Village Stormwater Rules - Recommended Enhancements to Local Rules
  - NPDES MS4 Program Evaluation - Evaluation of Existing Program and Future Needs
  - Wetland Inventory and Maintenance Program

- Streambank Stabilization/Restoration and Maintenance Recommendations
- Updated Capital Improvement Program - Cost Estimates and Schedule for Completion
- Present draft report to Client staff (4 paper copies and 4 digital copies) for review. Meet with Client to discuss draft report and needed modifications
- Prepare final report (20 paper copies and 20 digital copies)
- Present Stormwater Master Plan update to the Village Board
- Provide ArcView GIS files to Village staff. File format will be provided in version 8 or 9, whichever version is currently being used by the Village

#### **Task F – Project Work Plan and Administration**

- Prepare Project Work Plan
- Monthly Project Administration (assume 12 months total)
- Attend monthly work sessions with Village staff. (Assume work sessions will begin in March 2005 and will continue through October 2005 - 8 meetings total)

#### ***Optional Services***

- *Clark Dietz will work with our Subconsultant, Highland Geographic, to develop 3-Dimensional (3-D) representation of flood-prone areas. This would be accomplished using contour data and water surface elevations as determined by the FEQ models. Up to six (6) individual flooding areas would be chosen to demonstrate this tool.*

#### **ELECTRONIC DATA FORMAT**

The Stormwater Master Plan document for this project will be provided to the Client in printed format on paper and electronically in Adobe® Portable Document Format (PDF).

Hydrologic and hydraulic model files (FEQ and XP-SWMM) used in the project modeling effort will be provided to the Client on CD format.

- a. Client will provide the following information to Clark Dietz in electronic format for use by Clark Dietz on this project:
  - 1) GIS data covering the entire Village. The GIS data shall include, at a minimum, geo-referenced aerial orthophotography, contour data, and any other data layer as requested by Clark Dietz. The GIS data shall be provided to Clark Dietz on CD format.
  - 2) Existing storm sewer mapping. It is understood that the Client has converted

approximately 20% of its storm sewer system to electronic format. The existing electronic storm sewer mapping shall be provided to Clark Dietz in AutoCAD format or as a layer/shape file in ArcView (GIS software).

- 3) Existing FEQ or XP-SWMM data files available to the Client. These files shall be provided to Clark Dietz on CD format.

**C. Schedule**

The Stormwater Master Plan Update will commence in December 2004, assuming a Notice to Proceed on or before January 1, 2005. The estimated project schedule for the key project tasks is listed below:

Task A – Data Gathering and Mapping:	January 2005 – March 2005
Task B – Hydrologic / Hydraulic Modeling:	February 2004 – May 2005
Task C – Evaluate Local / County Stormwater Rules:	April 2005 – June 2005
Task D – CIP / Maintenance Recommendations:	May 2005 – July 2005
Task E – Master Plan Document Preparation:	June 2005 – October 2005
Task F – Project Work Plan and Administration:	January 2005 – October 2005

**D. Assumptions/Conditions**

This agreement is subject to the following assumptions/conditions:

1. This agreement will be subject to the Terms and Conditions set forth in **Exhibit A, Request for Qualifications and Proposal, Stormwater Master Plan Update, Village of Downers Grove Public Works Department, Project # 17-03 (September 2004)**.
2. This agreement does not include the preparation of right-of-way or temporary construction easement drawings, descriptions or negotiation/acquisition services.
3. This agreement does not include geotechnical investigations.
4. State permits for this project will be obtained by the Client with information provided by Clark Dietz. All permit fees will be paid by the Client.
5. This agreement does not include contaminated site Phase I or Phase II environmental assessment investigations or remediation activities.
6. This agreement does not include cultural, historic, or archeological assessment investigations or remediation activities.

**PART II**  
**CLIENT'S RESPONSIBILITIES**

Client shall, at its expense, do the following in a timely manner so as not to delay the services:

**A. Information/Reports**

Provide Clark Dietz with reports, studies, site characterizations, regulatory decisions and similar information relating to the Services that Clark Dietz may rely upon without independent verification unless specifically identified as requiring such verification.

**B. Representative**

Designate a representative for the project who shall have the authority to transmit instructions, receive information, interpret and define Client's requirements and make decisions with respect to the Services. The Client representative for this Agreement will be Greg Kacvinsky.

**C. Decisions**

Provide all criteria and full information as to Client's requirements for the Services and make timely decisions on matters relating to the Services.

## SCHEDULE OF DIRECT LABOR RATES

CLARK DIETZ, INC.

January 1, 2004

<u>TITLE</u>	<u>HOURLY RATE RANGE</u>	
Project Director	38.00	60.00
Senior Project Manager, Engineer VI	32.00	45.00
Project Manager, Engineer V	27.00	40.00
Engineer IV	22.00	33.00
Engineer III	21.00	29.00
Engineer I & II	19.00	25.00
CADD Supervisor, Senior Designer	27.00	35.00
Technician IV	24.00	32.00
Technician III	19.00	29.00
Technician II	15.00	24.00
Technician I	9.00	20.00
Clerical	9.00	25.00

Notes:

This schedule covers most of our employees. Some changes in job titles and salaries may occur due to employee changes. Salary rates are subject to change on anniversary date of hire. The rates in this schedule will be reviewed and adjusted as necessary, but not sooner than six months after the date of this schedule. Rates are the actual salaries or wages paid to employees of Clark Dietz.

**SCHEDULE OF PROJECT RELATED EXPENSES**

**CLARK DIETZ INC.**

January 1, 2004

Vehicles		
Autos		\$0.375/mile
Field Vehicles		\$40.00/day or \$0.375/mile (per agreement)
Survey Van		\$50.00/day or \$0.50/mile (per agreement)
Robotic Survey Equipment		\$20.00/hour
CADD Usage		\$20.00/hour
Fax		\$1.50/page
Regular Format Copies* (8.5"x11" or 11"x17")		\$0.10/copy
Color Copies* (8.5"x11")		\$0.50/copy
Color Copies* (11"x17")		\$1.50/copy
Large Format Engineering Copies*		
Paper Copies		\$3.00/copy
Mylar Copies		\$24.00/copy
Bluelines	}	At Cost
Mylars		
Sepias		
Hotels & Motels	}	At Cost
Meals		
Postage, Federal Express & UPS		
Public Transportation		
Long Distance Telephone		
Film and Development		
Supplies		

Notes:

The rates in this schedule are subject to review and will be adjusted as necessary, but not sooner than six months after the date listed above. Certain rates listed with \* are for in-house runs. Larger quantities sent outside are billed at cost. All project related expenses and subconsultants will be billed at 110% of actual costs to cover handling and administrative expenses.

Engineering Services  
 Village of Downers Grove  
 Stormwater Master Plan Update

Clark Dietz, Inc.

Estimated Fee and Summary

Project Task	(A) LABOR HOURS	(B) TOTAL BILLING	(1) DIRECT EXPENSES	(2) OUTSIDE SERVICES	(F) TOTAL	(G) PERCENT OF TOTAL
A. DATA GATHERING AND MAPPING	610	\$47,520.00	\$2,851.20	\$14,000.00	\$64,371.20	29.75%
B. HYDROLOGIC / HYDRAULIC MODELING	404	\$33,370.00	\$2,002.20	\$12,000.00	\$47,372.20	21.89%
C. EVALUATE LOCAL / COUNTY RULES (STORMWATER, WETLANDS, MS4)	356	\$29,120.00	\$1,747.20	\$0.00	\$30,867.20	14.27%
D. RECOMMENDATIONS FOR MAINTENANCE, CIPs, PRIORITIZATION	390	\$35,520.00	\$2,131.20	\$0.00	\$37,651.20	17.40%
E. STORMWATER MASTER PLAN DOCUMENTATION	238	\$21,100.00	\$1,266.00	\$0.00	\$22,366.00	10.34%
F. PROJECT WORK PLAN AND ADMINISTRATION	140	\$12,960.00	\$777.60	\$0.00	\$13,737.60	6.35%
<b>GRAND TOTAL ITEMS A THRU F</b>	<b>2138</b>	<b>\$179,590.00</b>	<b>\$10,775.40</b>	<b>\$26,000.00</b>	<b>\$216,365.40</b>	<b>100.00%</b>

(1) - Direct expenses include mileage, copying charges, and miscellaneous project-related expenses

(2) - Task A: Highland Geographic (Subconsultant fee)

(2) - Task B: XP-SWMM Licenses (2) and on-site XP-SWMM training

Engineering Services  
Village of Downers Grove  
Stormwater Master Plan Update

FEE ESTIMATE

Project Task	AVERAGE HOURLY RATES (USING 3.00 MULTIPLIER)										Total Hours	Total Billing
	Project Manager	Streambank Engineer	Engineer III	Engineer II	Engineer I	GIS Tech	Survey Tech	Design Tech	Admin			
	\$100.00	\$125.00	\$75.00	\$80.00	\$70.00	\$65.00	\$80.00	\$60.00	\$60.00			
<b>A. DATA GATHERING AND MAPPING</b>												
1. Obtain GIS files from the Village and/or DuPage County.				6							6	\$480.00
2. Obtain paper-based storm sewer atlases from Village. Use mapping to complete population of storm sewer layer in GIS. It is assumed that approximately 20% of the existing storm sewer system has already been added to the GIS database. The majority of this task will be completed by our subconsultant, <i>Highland Geographic</i> .	4			8	120						132	\$9,440.00
3. Obtain FEO and XP-SWMM model data for areas within the Village that have already undergone County review. Summarize coverage areas already modeled.	2		15	8							25	\$2,040.00
4. Complete GPS-based field survey of storm sewer structures not shown on storm sewer atlas. Assume up to 100 structures (i.e. manholes, outfalls) will be surveyed as part of this task.	4				16	80	16				116	\$7,680.00
5. Meet with Village staff to discuss project needs and goals. As part of this meeting, obtain 1970 Stormwater Master Plan from Village. Review content and discuss with Village staff which projects were completed as recommended.	8	8		8							24	\$2,440.00
6. Collect maintenance data on bridges, culverts, inlets, and storm sewers.	2		15								18	\$1,400.00
7. Meet with Village maintenance and engineering staff to discuss known problem areas. Collect photos if available. Create Problem Area Map using GIS. Link photos to problem areas in GIS database. Use the Village's recent CIP Project List (Matrix) to define current drainage-related "hot spots".	6			12	20						40	\$3,160.00
8. Conduct streambank inventory. Work with Village staff to determine the reaches of open channel most vulnerable to erosion (assume about 50% of total channel length, 3.5 miles, will be part of this inventory). Streambank inventory will consist of a uniform method to evaluate type and severity of channel erosion. A photographic log will be developed as part of this task.	8	40									48	\$5,800.00
9. Collect and review Village and County stormwater rules and wetland rules. Also collect County and National Wetland Inventory wetland data. Develop summary of key differences between rules.	4		24	15						4	48	\$3,720.00
10. Collect and review the Village's IEPA Notice of Intent (NOI) for their MS4 stormwater permit. Meet with Village staff to determine where progress has been made and where additional help is needed. Prepare a written summary of key findings.	4			12							16	\$1,360.00
11. Collect information on the Village's existing cost-share program for private drainage improvements. Evaluate current program costs and discuss program effectiveness with Village staff.	2			6							8	\$680.00
12. Collect responses from the Stormwater Questionnaire. Prior to analyzing results, meet with Village staff to filter and non-essential information generated by the surveys. Given a distribution of 15,000-18,000 and an assumed response rate of 20%, up to 5,000 completed surveys would be available. Careful attention will be given to streamlining the process, focusing only on critical data, and minimizing data entry costs.	8			16						90	104	\$8,860.00
13. <b>PROGRESS MEETING #1</b> - Meet with Village staff to summarize the data collection process. Prepare a brief written meeting summary.	8			8							24	\$2,440.00
<b>Total Hours Section A.</b>	<b>62</b>	<b>56</b>	<b>56</b>	<b>100</b>	<b>166</b>	<b>80</b>	<b>16</b>	<b>84</b>	<b>84</b>	<b>610</b>		
<b>Total Billing Section A.</b>	<b>\$6,200.00</b>	<b>\$7,000.00</b>	<b>\$4,200.00</b>	<b>\$8,000.00</b>	<b>\$10,920.00</b>	<b>\$5,200.00</b>	<b>\$860.00</b>	<b>\$5,040.00</b>	<b>\$5,040.00</b>	<b>\$47,520.00</b>		
<b>Average Billing Rate Section A.</b>												<b>\$77.90</b>

Stormwater Master Plan Update

**AVERAGE HOURLY RATES (USING 3.00 MULTIPLIER)**

Project Manager	\$100.00	Streambank Engineer	\$125.00	Engineer III	\$75.00	Engineer III	\$80.00	Tech	\$70.00	GIS	\$65.00	Survey Tech	\$60.00	Design Tech	\$60.00	Admin		Total Hour		Total Billing
-----------------	----------	---------------------	----------	--------------	---------	--------------	---------	------	---------	-----	---------	-------------	---------	-------------	---------	-------	--	------------	--	---------------

Project Task

Project Task	32	10	96	96	96	2	236	Total Billing
<b>B. HYDROLOGIC / HYDRAULIC MODELING</b>								
1. Hydrologic and hydraulic modeling will be performed to define existing conditions. This modeling will build on Full-Equations Modeling (FEQ) data collected during Task A. FEQ will be used to supplement current open channel models within portions of the Village and XP-SVMM (or comparable model) will be used to analyze storm sewer areas to identify localized hydraulic restrictions. <ul style="list-style-type: none"> <li>Required FEQ modeling effort will be conducted by our subconsultant, AOS Associates.</li> <li>The modeling effort will address critical sub-watersheds within the Village limits that drain to the Village's network of sewers and open channels to develop planning-level data for the Village and to quantify the severity of selected drainage problems.</li> <li>Existing DuPage County FEQ models will be used where appropriate to establish downstream hydraulic boundary conditions for receiving channels and sewer outfalls.</li> </ul>	12	12	12	12	36	\$3,060.00		
3. Work with Village staff to determine the most appropriate design rainfall events for specific uses in the hydrologic and hydraulic analyses. More than one rainfall event may be chosen, as separate components are sensitive to different design storms (for instance, 10-year for sewer system sizing). Open channel analysis with FEQ will utilize the historical series.	12		16				44	\$3,680.00
4. Perform field reconnaissance to confirm physical characteristics of the Village's stormwater infrastructure as necessary to complete the FEQ modeling effort.	16		24				64	\$5,320.00
5. Identify system weaknesses revealed in the updated FEQ and XP-SVMM models. Summarize initial findings and submit to Village staff. <b>PROGRESS MEETING #2.</b> This meeting will also be used to summarize modeling methodology and recommended design storms.			12				24	\$1,960.00
6. Provide Village staff with model software, files and training. FEQ software is Public Domain and will therefore not require licensing. XP-SVMM software licenses can be obtained at a cost of approximately \$4,000 to \$5,000 per seat. Cost-effective training options for FEQ and XP-SVMM will be developed and provided to staff.								
7. <i>As an option to this proposal, Clerk Dietz will work with our subconsultant, Highland Geographic, to develop 3-D representation of flood-prone areas. This would be accomplished using contour data and water surface elevations as determined by the FEQ models. Up to six (6) individual flooding areas would be chosen to demonstrate this tool.</i>								
<b>Total Hours Section B.</b>	72	10	160	160	0	0	484	
<b>Total Billing Section B.</b>	\$7,200.00	\$1,250.00	\$12,000.00	\$12,000.00	\$0.00	\$0.00	\$120.00	\$33,370.00
<b>Average Billing Rate Section B.</b>								\$62.60

Stormwater Master Plan Update

**AVERAGE HOURLY RATES (USING 3.00 MULTIPLIER)**

Project Manager	\$100.00	Streambank Engineer	\$125.00	Engineer III	\$75.00	Engineer III	\$80.00	GIS Tech	\$70.00	Survey Tech	\$65.00	Design Tech	\$60.00	Admin		Total Hours		Total Billing	
-----------------	----------	---------------------	----------	--------------	---------	--------------	---------	----------	---------	-------------	---------	-------------	---------	-------	--	-------------	--	---------------	--

Project Task	12	4	8	16	28	40	20	40	0	40	48	0	32	32	24	12	8	8	52	4	116	184	0	0	0	0	0	356	\$5,200.00	\$3,000.00	\$8,700.00	\$14,720.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,120.00	\$51.80		
<b>C. EVALUATE LOCAL / COUNTY RULES (STORMWATER, WETLANDS, MS4)</b>																																								
1. Review DuPage County and Village stormwater rules with respect to FEQ modeling results and water quality objectives in the Village's Notice of Intent.																																								
2. Identify loopholes and weaknesses in current Village stormwater rules. Create a brief written summary of recommendations to help enhance stormwater rules to reduce impacts of redevelopment while meeting the specific requirements of the Village's MS4 permit. Evaluate Best Management Practices (BMPs) that may be used in developing/redeveloping areas to reduce the potential for stormwater pollution.																																								
2a. Evaluate the potential for employing groundwater recharge within the Village in order to promote stormwater infiltration in depressional and otherwise poorly-drained areas.																																								
3. Review current local stormwater permitting process. Work with Village staff to identify methods to streamline the review process. This effort will parallel the development of recommendations for changes to the Village's stormwater rules.																																								
4. Our subconsultant, Huff & Huff, will evaluate wetland resources within the Village limits. Existing wetlands within the Village limits will be evaluated to determine the condition and quality of each site and the potential maintenance activities or remediation efforts that would be needed to keep them functioning properly. <i>DuPage County Wetland Maps indicate that approximately 187,150 wetlands are located within the Village of Downers Grove.</i>																																								
• Qualitative assessment - collect information regarding the quality of existing wetlands, wildlife habitat, endangered species, plant communities, erosion problems, and external influences such as unapproved infusions or dumping. Evaluation techniques will be consistent with those methodologies approved by the DuPage County Department of Environmental Concerns.																																								
• The data obtained during the qualitative assessment will be used to create a Village Watershed Database. The information in this database, such as endangered species lists for specific locations, will assist the Village in future permitting reviews.																																								
• Existing drainage problems for existing wetlands will be identified during the Problem Identification process (Task A) and the FEQ modeling (Task B).																																								
• The assessment and inventory would be conducted during the growing season for best habitat assessment information. It is assumed that the project team will have full access to all wetlands to be investigated. Photos will be taken at each identified wetland and a photo log will be generated.																																								
5. Develop a Wetland Maintenance and Restoration Plan. This plan would provide recommended actions to restore existing wetlands, apply best management practices, and a proper maintenance schedule. A general guide for determining maintenance budgets will be included as part of this task.																																								
6. Collect information on wetland restoration sites and mitigation projects from the Village and/or County. Aerial photography will be used to determine the location of potential wetlands that have not yet been mapped. These areas will be field-verified. New or previously-unmapped wetlands will be illustrated on the aerial map for the Village's use and compiled into the Village's GIS database.																																								
7. Review current DuPage County wetland regulations and provide suggestions for additional regulations for the Village. Enhanced wetland regulations for the Village may allow for more control over projects that have the potential to impact wetlands. Coordination with the County and Corps of Engineers will most likely be required before any transfer of review authority can be completed.																																								
8. PROGRESS MEETING #3. Meet with Village staff to discuss the evaluation of local stormwater rules and wetland maintenance/enhancement recommendations. Receive feedback on preliminary recommendations. Prepare a brief written meeting summary.																																								

Total Hours Section C.	52	4	116	184	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	356	
Total Billing Section C.	\$5,200.00	\$3,000.00	\$8,700.00	\$14,720.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$28,120.00	
Average Billing Rate Section C.																																							\$51.80

Stormwater Master Plan Update

**AVERAGE HOURLY RATES (USING 3.00 MULTIPLIER)**

Project Manager	Streambank Engineer	GIS Engineer	Survey Tech	Design Tech	Admin	Total Billing
\$100.00	\$125.00	\$70.00	\$65.00	\$60.00	\$60.00	

Project Task	Project Manager	Streambank Engineer	GIS Engineer	Survey Tech	Design Tech	Admin	Total Billing	
<p><b>D. RECOMMENDATIONS FOR MAINTENANCE, CIPs, PRIORITIZATION</b></p> <p>1. Develop a stormwater system maintenance program. This program will be developed to meet the following needs:</p> <ul style="list-style-type: none"> <li>Maintain inlet and sewer capacity for flood control</li> <li>Address stormwater quality issues to satisfy MS4 permit</li> <li>Enhance stream safety and by minimizing slopes, repairing erosion and failing retaining walls, and creating natural barriers to discourage entry into open channel areas</li> <li>Ditch/stream maintenance (selective vegetation and debris removal)</li> <li>Evaluate appropriate frequency for storm sewer televising, inspection, and jetting/flushing</li> </ul> <p>2. Develop a streambank stabilization / restoration program (Capital Improvement Program) to address structural and public safety issues. The following tasks will define the program:</p> <ul style="list-style-type: none"> <li>Recommend specific streambank inventory procedures, classifying different types and severities of erosion.</li> <li>Develop concept-level schematics to restore channels to more natural and erosion-resistant cross sections.</li> <li>Review streambank stabilization policies for private vs. public property. Provide recommendations for a consistent policy that addresses residents' needs while considering long-term impacts of channel modifications.</li> </ul> <p>3. Using the FEQ and XP-SWMM model results, provide a list of key system deficiencies. Develop system enhancement recommendations to meet the design storm(s) selected in Task B. Prepare a list of potential projects and rank them using a matrix of project attributes:</p> <ul style="list-style-type: none"> <li>Key attributes will include those currently used by the Village in their CIP matrix (private property damage, future maintenance costs, duration on backlog list, number of properties impacted)</li> <li>Additional attributes may be recommended, such as economic impact of potential damage, and potential project cost with respect to budget</li> </ul> <p>4. Identify easement requirements for recommended capital improvements and stream maintenance programs.</p> <p>5. Provide recommendations for flood-prone buildings. Recommendations may include consideration for property buy-out in areas experiencing chronic flooding problems.</p> <p>6. Include capital improvement recommendations from the Village's 2004-2005 and 2005-2008 CIP list.</p> <p>7. <b>PROGRESS MEETING #4.</b> Meet with Village staff to discuss maintenance and CIP recommendations and objectives. Finalize CIP prioritization matrix and prepare preliminary cost estimates for recommended improvements and maintenance programs.</p>	32	24	64	120	0	0	\$11,320.00	
	16	24	40	80	0	0	0	\$7,800.00
	18	24	32	72	0	0	0	\$5,960.00
	4	0	0	0	0	0	0	\$0.00
	20	40	80	160	0	0	0	\$5,200.00
	6	6	6	6	6	6	6	\$480.00
	3	3	3	3	3	3	3	\$240.00
<p><b>Total Hours Section D,</b></p> <p><b>Total Billing Section D,</b></p> <p><b>Average Billing Rate Section D,</b></p>	96	56	214	390	0	0	\$35,520.00	
	\$9,600.00	\$7,000.00	\$17,120.00	\$0.00	\$0.00	\$0.00	\$91.08	

Stormwater Master Plan Update

**AVERAGE HOURLY RATES (USING 3.00 MULTIPLIER)**

Project	Streambank Engineer	III Engineer	III Engineer	GIS Tech	Survey Tech	Design Tech	Admin	Total Hours	Total Billing
Manager	\$125.00	\$75.00	\$80.00	\$70.00	\$85.00	\$80.00	\$60.00		

Project Task

**E. STORMWATER MASTER PLAN DOCUMENTATION**

- Develop a draft Stormwater Master Plan. Reference the 1970 Master Plan and provide a transition from previous goals/objectives to those of today. Where possible, the structure of the 1970 document will be preserved in the interest of consistency. Key elements of the Master Plan will include:
  - Executive Summary
  - Revised Goals and Objectives - Meeting New Regulatory Environment
  - Problem Identification, Meeting Summaries, Photographs
  - FEQ and XP-SWMM Modeling Summary and Key Findings
  - Review of County/Village Stormwater Rules - Recommended Enhancements to Local Rules
  - NPDES MS4 Program Evaluation - Evaluation of Existing Program and Future Needs
  - Wetland Inventory and Maintenance Program
  - Streambank Stabilization/Restoration and Maintenance Recommendations
  - Updated Capital Improvement Program - Cost Estimates and Schedule for Completion
- Present draft report to Village staff (4 paper copies and 4 digital copies) for review. Meet with Village to discuss draft report and needed modifications.
- Prepare final report (20 paper copies and 20 digital copies)
- Present Stormwater Master Plan update to the Village Board.
- Provide ArcView GIS files to Village staff. File format will be provided in version 8 or 9, whichever version is currently being used by the Village.

Project Task	Streambank Engineer	III Engineer	III Engineer	GIS Tech	Survey Tech	Design Tech	Admin	Total Hours	Total Billing
1. Develop a draft Stormwater Master Plan...	4	4	8	6	6	6	6	42	\$4,200.00
2. Present draft report to Village staff...	4	4	8	6	6	6	6	42	\$4,200.00
3. Prepare final report...	4	4	8	6	6	6	6	42	\$4,200.00
4. Present Stormwater Master Plan update...	4	4	8	6	6	6	6	42	\$4,200.00
5. Provide ArcView GIS files to Village staff...	4	4	8	6	6	6	6	42	\$4,200.00
<b>Total</b>	<b>20</b>	<b>20</b>	<b>40</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>30</b>	<b>238</b>	<b>\$23,800.00</b>

Total Hours Section E: 238  
 Total Billing Section E: \$23,800.00  
 Average Billing Rate Section E: \$99.58

Stormwater Master Plan Update

**AVERAGE HOURLY RATES (USING 3.00 MULTIPLIER)**

Project Manager	Streambank Engineer	GIS Tech	Survey Tech	Design Tech	Admin	Total Billing
\$100.00	\$125.00	\$70.00	\$65.00	\$60.00	\$60.00	

Project Task

Project Task	Project Manager	Streambank Engineer	GIS Tech	Survey Tech	Design Tech	Admin	Total Hours	Total Billing
1. Prepare Project Work Plan	18	4					20	\$1,920.00
2. Monthly Project Administration (assume 12 months total)	24				12		36	\$3,120.00
3. Attend monthly work sessions with Village staff. (Assume work sessions will begin in March 2005 and will continue through October 2005 - 8 meetings total)	60	24					84	\$7,920.00

F. PROJECT WORK PLAN AND ADMINISTRATION

Total Hours Section F.	100	0	0	0	0	0	12	140	\$12,960.00
Total Billing Section F.	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$720.00		\$92.57
Average Billing Rate Section F.									

ENGINEERING SERVICES - ITEMS A THRU F

GRAND TOTAL HOURS - ITEMS A THRU F	470	144	352	782	168	80	20	2138	\$179,590.00
GRAND TOTAL BILLING - ITEMS A THRU F	\$47,000.00	\$18,000.00	\$27,150.00	\$62,560.00	\$11,760.00	\$5,200.00	\$1,200.00		\$84.00
GRAND TOTAL AVERAGE BILLING RATE - ITEMS A THRU F									

Clark Dietz

November 18, 2004

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

Dear Mr. Millette:

Confirming my conversation of today with your Ann Marie Perez. Referring to Downers Grove's Indemnity and Hold Harmless Agreement, Item #10.1:

- Downers Grove has agreed to strike reference to the Structural Work Act since it has been repealed.
- Downers Grove has agreed to add the words "Willful and Negligent" to the last line of the Indemnity paragraph so it will read "by the willful and negligent Acts or omissions ... etc."
- We have executed and attached your revised insurance requirements Item #15.

Thank you for the opportunity to amend our offering and we look forward to working on your stormwater requirements.

Sincerely,

Clark Dietz, Inc.



Charles J. Johnson  
Chief Executive Officer

Z:\WP\Document\Genera\BethM\cjj\2004\letter mike millette 111804.doc

**Chuck Johnson**

**From:** Perez, Ann Marie [aperez@downers.us]  
**Sent:** Thursday, November 18, 2004 3:31 PM  
**To:** 'chuckj@clark-dietz.com'  
**Subject:** new insurance requirements

**15. INSURANCE REQUIREMENTS**

15.1 Prior to starting the work, Contractor and any Subcontractors shall procure, maintain and pay for such insurance as will protect against claims for bodily injury of death, or for damage to property, including loss of use, which may arise out of operations by the Contractor or Subcontractor or any Sub-Sub Contractor or by anyone employed by any of them, or by anyone for whose acts any of them may be liable. Such insurance shall not be less than the greater of coverages and limits of liability specified below or any coverages and limits of liability specified in the Contract Documents or coverages and limits required by law unless otherwise agreed to by the Village.

Workers Compensation	\$500,000	Statutory
Employers Liability	\$1,000,000	Each Accident
	\$1,000,000	Disease Policy Limit
	\$1,000,000	Disease Each Employee
Comprehensive General Liability	\$2,000,000	Each Occurrence
	\$2,000,000	Aggregate
		<i>(Applicable on a Per Project Basis)</i>
Commercial Automobile Liability	\$1,000,000	Each Accident
Professional Errors & Omissions (pursuant to 15.9 below)	\$2,000,000	Each Claim Annual Aggregate
Umbrella Liability	\$ 5,000,000	

15.2 Commercial General Liability Insurance required under this paragraph shall be written on an occurrence form and shall include coverage for Products/Completed Operations, Personal Injury with Employment Exclusion (if any) deleted, Blanket XCU and Blanket Contractual Liability insurance applicable to defense and indemnity obligations and other contractual indemnity assumed under the Contract Documents. The limit must be on a "Per Project Basis"

15.3 Comprehensive Automobile Liability Insurance required under this paragraph shall include coverage for all owned, hired and non-owned automobiles.

15.4 Workers Compensation coverage shall include a waiver of subrogation against the Village of Downers Grove.

11/18/2004

15.5 Comprehensive General Liability, Employers Liability and Commercial Automobile Liability Insurance may be arranged under single policies for full minimum limits required, or by a combination of underlying policies with the balance provided by Umbrella and/or Excess Liability policies.

15.6 Contractor and all Subcontractors shall have their respective Comprehensive General Liability (including products/completed operations coverage), Employers Liability, Commercial Automobile Liability, and Umbrella/Excess Liability policies endorsed to add the "Village of Downers, its officers, officials, employees and volunteers" as "additional insureds" with respect to liability arising out of operations performed; claims for bodily injury or death brought against Village of Downers Grove by any Contractor or Subcontractor employees, or the employees of Subcontractor's subcontractors of any tier, however caused, related to the performance of operations under the Contract Documents. Such insurance afforded to the Village of Downers Grove shall be endorsed to provide that the insurance provided under each policy shall be **Primary and Non-Contributory**.

15.7 Contractor and all Subcontractors shall maintain in effect all insurance coverages required by the Contract Documents at their sole expense and with insurance carriers licensed to do business in the State of Illinois and having a current A. M. Best rating of no less than A- VIII. In the event that the Contractor or any Subcontractor fails to procure or maintain any insured required by the Contract Documents, the Village of Downers Grove may, at its option, purchase such coverage and deduct the cost thereof from any monies due to the Contractor or Subcontractor, or withhold funds in an amount sufficient to protect the Village of Downers Grove, or terminate this Agreement pursuant to its terms.

15.8 All insurance policies shall contain a provision that coverages and limits afforded hereunder shall not be canceled, materially changed, non-renewed or restrictive modifications added, without thirty (30) days prior written notice to the Village of Downers Grove. Renewal certificates shall be provided to the Village of Downers Grove not less than five (5) prior to the expiration date of any of the required policies. All Certificates of Insurance shall be in a form acceptable to Village of Downers Grove and shall provide satisfactory evidence of compliance with all insurance requirements. The Village of Downers Grove shall not be obligated to review such certificates or other evidence of insurance, or to advise Contractor or Subcontractor of any deficiencies in such documents, and receipt thereof shall not relieve the Contractor or Subcontractor from, nor be deemed a waiver the right to enforce the terms of the obligations hereunder. The Village of Downers Grove shall have the right to examine any policy required and evidenced on the Certificate of Insurance.

15.9 If the Work under the Contract Documents includes design, consultation, or any other professional services, Contractor or the Subcontractor shall procure, maintain, and pay for Professional Errors and Omissions insurance with limits of not less than \$2,000,000 per claim and \$2,000,000 annual aggregate. If such insurance is written on a claim made basis, the retrospective date shall be prior to the start of the Work under the Contract Documents. Contractor and all Subcontractors agree to maintain such coverage for three (3) years after final acceptance of the Project by the Owner or such longer period as the Contract Documents may require. Renewal policies during this period shall maintain the same retroactive date.

15.10 Any deductibles or self-insured retentions shall be the sole responsibility of the Insured. At the option of the Municipality, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the Municipality, its officers, officials, employees and volunteers; or the Proposer shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

15.11 Are you willing to comply with the Village's preceding insurance requirements within 13 days of the award of the contract? YES

11/18/2004

INSURER'S NAME XL Insurance  
 AGENT Holmes Murphy Paula Dixon  
 Street Address 506 N. GLEN PARK PLACE  
 City, State, Zip Code PEORIA, IL, 61614  
 Telephone Number (309) - (683-1065)

PROPOSER'S CERTIFICATION

Proposer, Clark Dietz, Inc, hereby certifies that  
 (Name of Proposer)

it is not barred from bidding on the contract for:

SEWER/WATER MAINS R/W # 17-03  
 (Description of Contract)

as a result of a violation of either Section 33E-3 or 33E-4 of Article 33E of Chapter 38 of the Illinois Revised Statutes.

Proposer further certifies that it is not delinquent in the payment of any tax administered by the Department of Revenue, or that Proposer is contesting its liability for the tax delinquency or the amount of a tax delinquency in accordance with the procedures established by the appropriate Revenue Act. Proposer further certifies that if it owes any tax payment(s) to the Department of Revenue, Proposer has entered into an agreement with the Department of Revenue for the payment of all such taxes that are due, and Proposer is in compliance with the agreement.

BY: [Signature]  
 Proposer's Authorized Agent

11/18/2004