

**VILLAGE OF DOWNERS GROVE**  
**REPORT FOR THE VILLAGE COUNCIL MEETING**  
**FEBRUARY 19, 2013 AGENDA**

<b>SUBJECT:</b>	<b>TYPE:</b>	<b>SUBMITTED BY:</b>
Contract Amendment: Maple Avenue Water Tower Rehabilitation (WP-005)	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Motion <input type="checkbox"/> Discussion Only	Nan Newlon, P.E. Director of Public Works

**SYNOPSIS**

A resolution has been prepared to authorize an amendment to the contract with Tank Industry Consultants, Inc. (TIC) in the amount of \$28,473 for the completion of on site observation for the Maple Avenue Water Tower Rehabilitation project (WP-005).

**STRATEGIC PLAN ALIGNMENT**

The goals for 2011 to 2018 include *Top Quality Infrastructure*.

**FISCAL IMPACT**

Staff recommends the use of the available fund balance in the Water Fund to complete the additional scope of work included in this contract. The change order would increase the total project cost by 2.75% from \$1,033,632 to \$1,062,105.

**RECOMMENDATION**

Approval on the February 19, 2013 consent agenda.

**BACKGROUND**

In 2011, the Village entered into a contract with Tank Industry Consultants for design and construction observation for the Maple Avenue Water Tower Rehabilitation project. The drought conditions of last summer delayed the start of the project and high winds and rain lengthened the construction time frame in the fall for this project. As a result, additional on-site observation time was needed to provide the optimal level of oversight and quality control. Staff and TIC originally expected 13-15 weeks of construction observation, but their resident observer has been on site for 16.5 weeks to date. Approval of this amendment would allow for continued construction oversight by TIC for another six weeks, in addition to performance of the 11 month warranty evaluation. The Maple Avenue Water Tower Rehabilitation project is expected to be completed in the spring once weather conditions allow.

**ATTACHMENTS**

Resolution  
Amendment

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

**A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT  
FOR PROFESSIONAL ENGINEERING AND INSPECTION SERVICES  
BETWEEN THE VILLAGE OF DOWNERS GROVE  
AND TANK INDUSTRY CONSULTANTS**

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 (the “Agreement”), between the Village of Downers Grove (the “Village”) and Tank Industry Consultants (“Consultant”), for professional engineering and inspection services for the Maple Avenue elevated tank rehabilitation project, as set forth in the form of the Agreement 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 Agreement, 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

FIRST AMENDMENT TO AGREEMENT FOR  
PROFESSIONAL ENGINEERING AND INSPECTION SERVICES

The Agreement dated December 6, 2011 by and between Tank Industry Consultants ("Consultant") and the Village of Downers Grove ("Village") for professional engineering and inspection services for the Maple Avenue elevated tank rehabilitation is hereby amended as follows:

1. The Scope of Services shall be amended as reflected on the in the Consultant's letter dated January 17, 2013, which is attached hereto and incorporated herein as Exhibit A.
2. The amount of the Agreement shall be increased by \$28,473.00, the itemization of which is shown on Exhibit A (from \$79,421.35 to \$107,894.35).

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

TANK INDUSTRY CONSULTANTS

VILLAGE OF DOWNERS GROVE

BY: 

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

TITLE: Manager/Principal

VILLAGE MANAGER

DATE: 2.14.13

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

**TIC**  
**TANK**  
**INDUSTRY**  
**CONSULTANTS**

7740 West New York Street  
Indianapolis, Indiana 46214  
317 / 271-3100 - Phone  
317 / 271-3300 - FAX

Bolingbrook, Illinois  
630 / 226-0745

Pittsburgh, Pennsylvania  
412 / 262-1586

El Paso, Texas  
915 / 790-0790

Houston, Texas  
281 / 367-3511

January 17, 2013

Mr. Stan Balicki  
Assistant Director of Public Works  
Village of Downers Grove  
5101 Walnut Avenue  
Downers Grove, Illinois 60515

RE: Professional Services associated with the Rehabilitation of the  
1,500,000 Gallon Maple Avenue Water Storage Tank  
TIC Project Number 11.270.H313.005

Dear Mr. Balicki:

As we discussed, the weather, the drought, the tight site location, antenna issues, and the late access to the tank has delayed progress on the rehabilitation of the Maple Tank. The project is taking more time than expected, has required more contract administration than expected, and our field observer has worked more hours than expected. There was \$79,422.00 allowed in the original Tank Industry Consultants purchase order. We had expected 13 to 15 weeks of construction observation, and our resident observer has been on-site for 16.5 weeks to date. Our weekly cost estimate has turned out to be accurate, but the project is taking more time than expected. The status to date is:

Purchase Order Amount	\$79,422.00
Evaluation	\$ 2,645.00
Specifications	\$10,950.00
Bid Assistance	\$ 1,250.00
Contract Administration	\$ 6,327.28
Resident Observation	\$58,249.07
Invoiced to Date	\$79,421.35
Amount Remaining on PO	\$ .65

In accordance with our email exchanges of November 26 through December 6, we stayed on site to observe the work being performed. A summary of the costs incurred, but not invoiced yet includes:

**December 2, 2013 through December 8, 2012:**

Project Manager (Mike Doolittle)	2 hrs @ \$105.00	\$210.00
Clerical (Pam Fox)	.5 hr @ \$51.50	\$25.75
Field Tech (Ed Bottorf)	5 hrs @ 59.00	\$295.00
Overtime	7.75 hrs @ 89.00	\$689.75
7 days per diem @ \$115.00	\$805.00	
Total	\$2,025.50	

**December 9 through December 29, 2012:**

Project Manager ( Mike Doolittle)	2.25 hrs @ \$105.00	\$236.25
Field Superintendent (Rich Racy & Ernest Hause)	2.25 hrs @ \$98	\$220.50
Clerical (Pam Fox)	.25 hr @ \$51.50	\$12.81
Field Tech (Ed Bottorf)	46 hrs @ 59.00	\$2,714.00
Mileage: 25 @ \$.555		\$13.87
10 days per diem @ \$115.00		\$1,150.00
Total:		\$4,347.43
Add week ending December 8:		\$2,025.50
Total to date:		\$6,372.93

We estimate the remaining work and observation fees will be as follows:

Two weeks to finish the interior wet and observe the holiday testing in 2012	\$ 6,372.93
Two weeks to coat the interior dry area	\$ 4,000.00
2 ½ to 3 weeks to apply the intermediate and finish coat to the exterior (based on good weather, and Contractor has re-installed the containment prior to our arrival)	\$12,000.00
One week for the logo (two coats)	\$ 4,000.00
First Anniversary Evaluation	\$ 2,100.00

Note – there may be rework because of the cellular antenna modifications required.

Estimated Fees Required to Complete Project \$28,473.00

I believe the \$28,473 requested is a high estimate, but ultimately, the required funding will be fully dependant on the Contractor and the weather.

You asked for some specific reasons why the funds estimated were not sufficient for our services performed. The following are my comments.

- As you are aware, the project was expected to begin in late July 2012 when the weather is usually favorable for painting. As thoroughly discussed at the preconstruction meeting, the Contractor was very concerned about weather that would significantly slow the progress of the work at the site moving in if the project were delayed until later in the fall.

- The notice to proceed was carefully drafted by Downers Grove, and agreed to by the Contractor to take into account the expected poor weather conditions. If you remember, the Contractor brought up that due to the drought he had employees off work and wanted to get them working. He brought up that extra effort to work around the tank draining being delayed, as well as expected poor weather and wind later in the fall, would affect his production and ultimately his profit margin. In an effort to keep his employees busy and working, as well as the nature of this type of business, he was willing to accommodate the problems for his bid price.
- The Contract Administration cost was increased due to the drought issues, site issues due to complaints in the area, unexpected issues concerning the cellular antenna coordination, and then near the end, due to the heating change order.
- Even with the additional contract administration efforts and other issues, Tank Industry Consultants was able to manage the Villages site observation funds to provide the required site observation for 1½ to 3½ more than the estimated number of weeks.

Services performed in 2013 will be in accordance with the rate structure in effect at that time. A copy of the new rate structure is attached.

We look forward to continuing our work with you on this project. Please advise how you would like for us to proceed.

If you have any questions or comments, please contact me.

Yours truly,

Tank Industry Consultants



Michael Doolittle  
Project Manager

**Tank Industry Consultants**  
7740 West New York Street  
Indianapolis, Indiana 46214

**Professional Services**  
**2013 Rate Structure**  
Effective January 1, 2013 through December 31, 2013

**Long-Term Resident Observation**

Technician (travel and on-job time)	\$61.00 per hour
Overtime Premium (over 40 hrs/week)	\$31.00 per hour
Minimum 32 hours per week	
Per Diem	\$118.50 per day

**Spot Observation**

Technician (travel and on-job time)	\$85.00 per hour
Overtime Premium (over 8 hrs/day)	\$42.50 per hour
Per Diem	\$138.00 per day with lodging \$50.00 per day without lodging
Support Staff (Minimum 1 hr @ Sr. PE Rate)	Hourly Rates Shown Below

**Engineering and Support Staff**

Field Services Manager/Contract Administrator	\$103.00 per hour
Field Superintendent/NACE Certified Technician	\$101.00 per hour
Overtime Premium (over 40 hrs/week)	\$50.50 per hour
Minimum 32 hours per week	
Project Manager	\$108.00 per hour
Engineer - E.I.	\$93.75 per hour
Professional Engineer	\$132.50 per hour
Licensed Senior Professional Engineer	\$196.25 per hour
Licensed Principal Engineer	\$223.00 per hour
Licensed Senior Principal Engineer	\$257.50 per hour
Safety Director	\$134.00 per hour
Clerical	\$53.00 per hour

**Direct Expenses**

- A charge of \$10.50 per hour is added for every office hour worked to cover copying, fax, mail, telephone, long distance, paging, cell phone, trucks, field equipment, and other miscellaneous costs.

**Mileage**

- \$0.76 per mile per vehicle from nearest office  
Indianapolis, IN • Bolingbrook, IL • Pittsburgh, PA • Houston, TX • El Paso, TX

**Reimbursable Expenses**

- Travel by public transportation at cost, plus 10%.
- All other reimbursable expenses (not otherwise listed on this rate structure) at cost plus 10%.

**Subcontract Laboratory Analysis (Fees are doubled for rush service)**

- Total Lead in Samples by Atomic Absorption Spectroscopy \$120.75 per sample
- Total Metals (Cadmium, Chromium & Lead) in Samples by Atomic Absorption Spectroscopy \$248.85 per sample
- Leachable Lead in Samples by Toxicity Characteristic Leaching Procedure \$509.25 per sample