

RESOLUTION NO. 18-21

**AUTHORIZING THE APPROVAL OF SUPPLEMENTAL AGREEMENT NO. 3
TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MORTON GROVE-NILES WATER
COMMISSION AND STANLEY CONSULTANTS, INC. FOR ENGINEERING SERVICES FOR
THE DESIGN OF WATER TRANSMISSION MAINS AND FACILITY IMPROVEMENTS**

WHEREAS, in 2017, the Morton Grove-Niles Water Commission ("MGNWC" or "Commission") was established by the Village of Morton Grove, a home rule Illinois municipal corporation ("Morton Grove"), and the President and Board of Trustees of the Village of Niles, a home rule Illinois municipal corporation ("Niles") by the adoption of ordinances pursuant to Division 135 of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-135-1, *et seq.*) ("Division 135"). The establishing ordinances are Morton Grove Ordinance 17-5, which was adopted on March 13, 2017, and Niles Ordinance No. 2017-19, which was adopted on March 14, 2017. In order to accomplish the objectives set forth in the above-referenced Ordinances, Morton Grove and Niles also approved under those same Ordinances an intergovernmental agreement entitled, "Intergovernmental Agreement For The Establishment And Operation Of The Morton Grove-Niles Water Commission And For The Purchase And Sale Of Water To The Commission For Commission Use And To Commission Wholesale Water Customers" (the "IGA"), to provide for the governance and operation of the MGNWC and to create the Board of Commissioners of the Morton Grove-Niles Water Commission ("MGNWC Board") to govern the MGNWC; and

WHEREAS, on July 7, 2017 the MGNWC Board approved and on August 3, 2017 the MGNWC Chair and Clerk signed and entered into a "Professional Services Agreement For Engineering Services For Design Of Water Transmission Mains And Facility Improvements for the Morton Grove-Niles Water Commission (Morton Grove-Niles Water Commission And Stanley Consultants, Inc.)" (the "August 3, 2017 Agreement") whereby Stanley Consultants, Inc. agreed to provide professional consulting and engineering services to prepare final designs and specifications for transmission mains, a pump station, a booster station, a standpipe and other facilities to connect the Niles and Morton Grove water systems to the Evanston Connection Point near the intersection of Emerson Street and McCormick Boulevard, inclusive of plans for roadway restoration, erosion control, and traffic control; assist in acquiring all necessary permits for MGNWC; and other services required for the completion of the design work (the "Design Services"), as further defined in the August 3, 2017 Agreement; and

WHEREAS, the MGNWC has requested and Stanley Consultants, Inc. has agreed to provide additional and supplemental services that were not included in the August 3, 2017 Agreement in exchange for payment of the professional fees and in accordance with the terms of Supplemental Agreement No. 3 attached hereto as **Exhibit A. Agreement**; and

WHEREAS, the Board of Commissioners of the Morton Grove-Niles Water Commission has the authority to enter into Supplemental Agreement No. 3 pursuant to Article VII, Section 10 of the 1970 Constitution of the State of Illinois, the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1, *et seq.*) and the Illinois Municipal Code (65 ILCS 5/1, *et seq.*, including 65 ILCS 5/11-135-1, *et seq.*), and find that entering into the Agreement is in the best interests of MGNWC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE MORTON GROVE-NILES WATER COMMISSION, COOK COUNTY, ILLINOIS, AS FOLLOWS:

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

Exhibit A
SUPPLEMENTAL AGREEMENT NO. 3
TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE MORTON GROVE-NILES WATER
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(attached)

6. Design Confirmation: Present alternatives to Commission for comment and approval.
7. Relocation Approval Assistance: Submit permit applications and prepare needed exhibits for Evanston and MWRDGC approval.
8. Easement Acquisitions Assistance: Determine easement requirements and coordinate easement acquisitions and submittals. Provide title documents, easement survey documents, and easement negotiation assistance.
9. Property Acquisitions Assistance: Provide assistance with the purchase of private property, if required.
10. 90% Design Documents: Redesign the Intermediate Pump Station as needed to accommodate the new location. This work may include architectural revision of the building exterior; provision of public bathrooms within the pump station building, site plans, natural gas supply, electrical power supply, storm water management; transmission main extension to the site; pavement restoration, utility restorations, handicap ramps, sidewalks and erosion control design for new route. Conduct QA/QC review. Submit plans for review by Commission and Evanston.
11. 100% Bidding Documents: Make requested design revisions. Prepare opinion of probable cost for the proposed improvements.
12. Permits: Amend IEPA permit plans. Assist with the acquisition of permits from Evanston, Cook County, IDOT, MWRDGC, USCOE, IDNR, IHPA and USF&W as needed, for the revised location.

Schedule. Consultant is scheduled to complete the scope of work is 45 days after approval of Supplemental Agreement No. 3.

Compensation. Commission shall compensate Consultant for a not to exceed time and materials amount of **\$300,734**

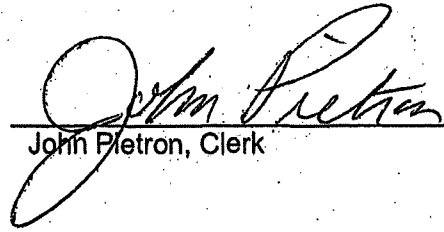
For the purposes of managing these costs we will increase the allowable amounts in the existing tasks. Work previously completed on this portion of the project in advance of written approval will be transferred to Package A (Stanley), Package B (ATI), Package D (Strand), Package F (Stanley and Knight) and Package M (Robinson):

Relocation of Intermediate Pump Station & Extension of Transmission Mains

A.1 Project Management and Meetings	\$ 4,296
A.14 Pump Station Alternatives Development	\$ 5,226
A.14 Preliminary Designs & Exhibits	\$ 5,226
A.14 Relocation Approval Assistance (Evanston)	\$ 5,226
A.14 Project Development Report Updates	\$ 5,225
B.2 Contract 1 Permitting Assistance	\$ 2,900
B.9 Contract 1 90% mods needed for Relocation	\$29,625
B.10 Contract 1 100% mods needed for Relocation	\$ 2,700
B.16 Conformed Documents	\$ 2,620

Attest:

Lawrence Thomas



John Pietron, Clerk