

RESOLUTION NO. 18-54

**AUTHORIZING THE APPROVAL OF SUPPLEMENTAL AGREEMENT NO. 5
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”); 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 primarily to address concerns in Evanston and Skokie and to include additional improvements at the water receiving reservoirs in both communities 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. 5 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. 1 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.

SECTION 2: The Board of Commissioners of the Morton Grove-Niles Water Commission (“MGNWC Board”) authorize the approval of the economic terms and the attached form of Supplemental Agreement No. 5 between the Morton Grove-Niles Water Commission and Stanley Consultants, Inc., attached hereto as **Exhibit A**. The MGNWC Board authorize and direct the Chair, or his designee, and the Clerk to execute the final version of Supplemental Agreement No. 5, which may contain certain non-substantive and non-financial modifications that are approved by the Village Manager of Niles and the Village Administrator of

Morton Grove, and to execute and deliver all other instruments and documents and pay all costs that are necessary to fulfill MGNWC'S obligations under the Agreement.

SECTION 3: This Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 4th day of October 2018, pursuant to a roll call vote as follows:

AYES: John Pietron, Mark Fowler, and Steven Vinezeano
NAYS: None
ABSENT: None

PASSED by the Board of Commissioners of the Morton Grove-Niles Water Commission, Cook County, Illinois on a roll call vote at a Regular Meeting thereof held on the 4th day of October 2018, and approved by the Chair, and attested by the Clerk on the same day.



Steven Vinezeano, Chair

ATTEST:



John Pietron, Clerk

Exhibit A
SUPPLEMENTAL AGREEMENT NO. 5
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
(attached)



**MORTON GROVE – NILES WATER COMMISSION
WATER SUPPLY FACILITIES PROFESSIONAL SERVICES AGREEMENT
SUPPLEMENTAL AGREEMENT NO. 5
ENGINEERING DESIGN SERVICES DURING CONSTRUCTION**

This Supplemental Agreement (SA) is made and entered into 10/14/18, 2018, by and between STANLEY CONSULTANTS, INC. (Consultant) and MORTON GROVE-NILES WATER COMMISSION (Commission) under the terms and conditions of their existing Professional Services Agreement dated August 3, 2017, for Consultant to provide modified and additional services to the Commission. The background for this request is as follows:

Background

The Stanley Consultants and its subconsultants have monitored and accounted for project costs during the course of the Project as shown on the attached spreadsheet. The original Agreement together with Supplemental Agreements 1, 2, and 3 covered costs anticipated during the design phase of the project.

Supplemental Agreement 4 covers Engineering Design Services During Construction. Due to the ongoing services needed primarily to address concerns in Evanston and Skokie and the addition of work on the inlets to the community reservoirs, the Consultants have exceeded the budgeted monthly expenses and anticipate that by August 2019 the Engineering Design During Construction portion of the work may exceed the currently authorized design engineering budget by \$277,582.

The Engineering Design Services During Construction modifications and additions being requested in this Supplemental Agreement 5 are as follows:

Scope Change No. 5-1: Provide Additional Engineering Design Services During Construction

Due to the ongoing services needed primarily to address concerns in Evanston and Skokie, but also issues in other portions of the work, the Consultants have exceeded the budgeted monthly expenses and anticipate that by August 2019 the Engineering Design Services During Construction portion of the work will exceed the currently authorized budget.

Additionally, the Commission has requested modifications at the reservoirs in both communities that will result in development of the documents needed for Construction Contract 11.

General Ongoing Items: The following is a listing of some of the major items that have developed to date;

1. Evanston permit issues related to the construction of the Intermediate Pump Station and response to neighborhood concerns and potential legal actions. Added efforts to improve

- communication with citizens impacted by construction.
2. Skokie permit issues and design modifications needed to address Skokie construction concerns.
 3. IDOT permit traffic control issues.
 4. Additional assistance with lead service line replacement issues.
 5. Assistance with redesign due to unforeseen and unknown conditions including:
 - a. NGPL gas line found at shallower depth than anticipated.
 - b. Previously unknown IDOT storm sewer at Oakton and Caldwell.
 - c. Previously unknown Nicor gas pipeline on Niles Center Road.
 - d. Previously unknown coal gas pipeline in Skokie.
 - e. Anchor and connection work to existing HDPE pipe at Niles Terrace/Caldwell.
 - f. Redesign of Jarvis pavement from the cul-de-sac to Oak Park Avenue so as not disturb Coke's driveway.
 - g. Investigation of alternative layout and design on Howard.
 - h. Investigation of redesign along Vapor Lane to avoid Com Ed power lines.
 - i. Realignment through Police Station to avoid future garage.
 - j. Assistance with IDOT permit changes and NRI permitting.
 - k. Preparation of bid documents needed for the disposal of non-hazardous wastes generated from work on Contracts 2 and 3.
 6. Addition of calibration chambers for all meters.
 7. Coordination with all Contracts to maintain consistency for hydrants, air release valves and vaults, valves, and fiber optic conduit.
 8. Coordination with Commission and multiple contractors for control valve replacement.
 9. Review proposed pipeline plans and other utility plans for potential conflicts with the new Transmission Main.
 10. Preparation for transmission system startup with limited pumping capacity.
 11. Permit assistance with the Cook County Forest Preserve District.

Community Reservoirs Inlet Improvements: Additional reservoir work includes creation of the Contract 11 bid package to replace the reservoir flow control valves together with other site Improvements at the Niles Main Station, Morton Grove South Station, and Morton Grove North Station. This new scope expands work already completed pursuant to Supplemental Agreement Item No. 2-4 which provided for the development of plans and specifications for the replacement of the reservoir flow control valves at the Niles Main Station Reservoirs and the Morton Grove South Reservoir. During the progression of that work, the replacement of the valve at Morton Grove's north station was added to the scope. Morton Grove requested additional work be considered, designed, and bid as alternates to provide a better functioning fill operation with the new supply configuration. This Supplemental Agreement Item provides additional engineering services to redesign some of the valve replacement configurations, prepare alternative designs for two control valves, and package all improvements into a single bid package that allows for costs to be distributed to the two Village's if necessary,

Specific Service Items include:

1. Perform topographical survey of Morton Grove's North and South Station.
2. Perform four additional soil borings, two at the north station and two at the South Station and prepare a geotechnical report.

3. Revise Niles Main Station Pumping Station No. 2 control valve replacement piping design to reflect changes made to discharge piping configuration.
4. Revise Niles Main Station Building B piping design to provide more flexibility to modify scope after bidding and adjust project cost based on available fees.
5. Develop Alternative for replacement of South Station control valve with new control valve in exterior valve vault with accompanying climate control and access features.
6. Develop Alternative for replacement of North Station North Reservoir control valve with new control valve in exterior valve vault with accompanying climate control and access features.
7. Add meters and calibration vaults to North Station.
8. Compile previous designs and above items into a single bid package with unit price and alternative bid configuration.

Scope of Services Summary

1. Project Management & Meetings: Provide project management and attend meetings with Commission and Villages.
2. Design Confirmation: Present alternatives to Commission for comment and approval.
3. 90% Design Documents: Design valve replacement work for the affected reservoirs inclusive of SCADA interconnections. Conduct QA/QC review. Submit and review plans with Commission.
4. 100% Bidding Documents: Make requested design revisions. Prepare opinion of probable cost for the proposed improvements.
5. Permits and Easements: Amend IEPA permit plans.

Schedule. The Project schedule is not modified by the addition of this work.

Compensation. The total estimated additional funding needed for all of the items noted above is \$277,582. The total design contract amount, \$5,849,534 is increased by \$277,582 to a new total of \$6,127,119.

Summary of Changes for Project Through Supplemental Agreement 5

1. The original total cost of the contract was \$4,459,313.
2. With the approval of Supplemental Agreement 1, the total cost of the contract was \$4,543,683, an increase of \$84,370.
3. With the approval of Supplemental Agreement 2, the total cost of the contract will be \$4,754,085, an increase of \$210,402.
4. With the approval of Supplemental Agreement 3, the total cost of the contract will be \$5,054,819, an increase of \$300,734.
5. With the approval of Supplemental Agreement 4, the total cost of the contract will be \$5,849,534, an increase of \$794,715.
6. If the proposal above is accepted, the total cost of this contract is increased by \$277,582 from \$5,849,534 to \$6,127,116.

Attachments. The following is attached to this Supplemental Agreement:

1. Engineering Design Services During Construction Supplemental Agreement 5 Budget Computations Spreadsheet.

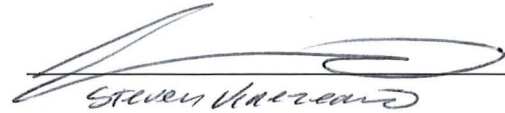
IN WITNESS WHEREOF, the Parties have caused this Supplemental Agreement to be executed on the date first above written.

STANLEY CONSULTANTS, INC.



Jeff Decoteau

MORTON GROVE-NILES WATER
COMMISSION



Attest:



Lawrence Thomas



		12/7/17	1/25/18	2/1/18	2/1/18		7/22/17	7/29/17	9/2/17	9/30/17	10/28/17	12/2/17	12/30/17
	Original Design Engineering Budget	SA #1	SA #2	SA #3	SA #4 Design Engineering During Construction	Original Budget Plus SA #s 1 to 4	1	2	3	4	5	6	7
Design Engineering													
SUB01 Applied	\$ 661,920	\$ -	\$ 10,800	\$ 37,845	\$ -	\$ 710,565	\$142,093		\$ 177,395	\$132,363	\$142,551	\$ 35,526	\$ 15,744
SUB02 Clorba	\$ 550,872	\$ -	\$ 75,120	\$ -	\$ -	\$ 625,992	\$130,865	\$ 67,153	\$ 156,479	\$107,210	\$ 89,094	\$ -	\$ -
SUB03 Strand	\$ 689,091	\$ 17,560	\$ 41,700	\$ 38,186	\$ -	\$ 786,537	\$ 85,095	\$118,557	\$ 200,736	\$ 99,730	\$110,236	\$ 31,357	\$ 25,579
SUB04 Robinson Pkg E	\$ 273,496	\$ -	\$ 18,000	\$ -	\$ -	\$ 291,496	\$ 48,538	\$ 77,298	\$ 41,482	\$ 59,965	\$ 43,091	\$ -	\$ 29,880
SUB04 Robinson Pkg M.2	\$ 704,330	\$ 17,500	\$ 7,610	\$ 53,485	\$ -	\$ 782,925	\$213,574	\$255,692	\$ 88,048	\$ 51,366	\$ 13,875	\$ -	\$ 393
SUB04 Robinson Pkg M.4	\$ 59,160	\$ 44,450	\$ -	\$ 42,100	\$ -	\$ 145,710	\$ 35	\$ 25,300	\$ 8,060	\$ 27,500	\$ 19,160	\$ -	\$ -
SUB05 Knight	\$ 182,616	\$ -	\$ 2,880	\$ 21,692	\$ -	\$ 208,988	\$ 38,601	\$ 64,459	\$ 38,739	\$ 39,882	\$ -	\$ -	\$ -
SUB05 Knight	\$ 40,410	\$ -	\$ -	\$ -	\$ -	\$ 40,410							
SUB06 Santacruz	\$ 83,100	\$ -	\$ (5,913)	\$ -	\$ -	\$ 77,188					\$ 2,313	\$ 2,875	\$ 66,000
SUB07 Compro	\$ 8,600	\$ -	\$ -	\$ -	\$ -	\$ 8,600					\$ 8,600	\$ -	\$ -
SUB08 TCIC	\$ -	\$ -	\$ 750	\$ -	\$ -	\$ 750							
Expenses	\$ 4,500	\$ -	\$ -	\$ 2,070	\$ -	\$ 6,570							
Design Engineering During Construction													
SUB1A AppFed	\$ -	\$ -	\$ -	\$ -	\$ 99,390	\$ 99,390							
SUB2A Clorba	\$ -	\$ -	\$ -	\$ -	\$ 99,100	\$ 99,100							
SUB3A Strand	\$ -	\$ -	\$ -	\$ -	\$ 102,000	\$ 102,000							
SUB4A Robinson	\$ -	\$ -	\$ -	\$ -	\$ 67,102	\$ 67,102							
SUB5A Knight	\$ -	\$ -	\$ -	\$ -	\$ 71,100	\$ 71,100							
Stanley	\$ 1,201,218	\$ 4,860	\$ 59,655	\$ 105,356	\$ 356,023	\$ 1,727,112	\$120,203	\$ 40,900	\$ 384,748	\$277,029	\$156,837	\$ 99,999	\$ 70,942
Expenses	\$ -	\$ -	\$ -	\$ -	\$ 2,280	\$ 2,280							
Full Amount	\$ 4,459,313	\$ 84,370	\$ 210,402	\$ 300,734	\$ 794,715	\$ 5,849,534	\$779,003	\$584,899	\$ 1,121,407	\$793,902	\$625,638	\$169,758	\$208,539

1/27/18	3/3/18	3/31/18	4/28/18	6/2/18	6/30/18	7/28/18											
8	9	10	11	12	13	14	Balance Remaining In Each Package	Funding Transfers	Transfer to:	Balances After Transfers	Additional Project Funding	Average amount per month per month from July 2018 thru Feb 2019	Average amount per month from Mar 2018 thru Aug 2019	Record Drawing Budgets	Total Amount Required To Complete Project		
\$ 6,360	\$ 10,643	\$ 8,071	\$ 15,388	\$ 12,655	\$ 3,978	\$ 6,687	\$ 1,112	\$ (1,112)	SUB 1A	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
\$ 59,461		\$ 3,274	\$ 4,877	\$ 1,116	\$ -		\$ 6,463	\$ (6,463)	SCI	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
\$ 32,087	\$ 41,411	\$ 36,369	\$ 4,036	\$ -	\$ -		\$ 1,344	\$ (1,344)	SUB 3A	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
							\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
							\$ 98,202	\$ (61,775)	SCI & SUB 4A	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
							\$ 42,100	\$ (23,555)	SCI	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
							\$ 25,308	\$ (25,308)	SCI	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
							\$ 40,410	\$ (40,410)	SCI	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
\$ 6,000							\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
	\$ 750						\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
							\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
		\$ 12,984	\$ 19,037	\$ 2,916	\$ 19,639	\$ 7,436	\$ 37,378	\$ 1,112		\$ 38,490	\$ -	\$ 11,400	\$ 5,700	\$ 16,200	\$ 130,200		
		\$ 5,574	\$ 11,827	\$ 4,533	\$ -		\$ 77,166	\$ -		\$ 77,166	\$ -	\$ 6,000	\$ 3,000	\$ 16,900	\$ 82,900		
	\$ 5,558	\$ 25,030	\$ 26,475	\$ 29,191	\$ 14,239		\$ 1,508	\$ 1,344		\$ 2,852	\$ 62,130	\$ 6,000	\$ 3,000	\$ 16,600	\$ 144,730		
		\$ 2,990	\$ -	\$ -			\$ 64,112	\$ 30,000		\$ 94,112	\$ 40,000	\$ 4,000	\$ 2,000	\$ 10,000	\$ 94,000		
							\$ 71,100	\$ -		\$ 71,100	\$ -	\$ 4,000	\$ 2,000	\$ 12,500	\$ 56,500		
\$147,144	\$129,255	\$ 68,443	\$ 86,266	\$ 51,115	\$ 17,426		\$ 74,617	\$ 127,511		\$ 202,128	\$ -	\$ 20,000	\$ 10,000	\$ 35,100	\$ 255,100		
\$251,053	\$186,867	\$160,494	\$170,895	\$101,526	\$195,584	\$ 14,122	\$ 485,848	\$ 159,967		\$ 485,848	\$ 102,130	\$ 51,400	\$ 25,700	\$ 107,300	\$ 763,430		

