 <p>CITY OF ST. CHARLES ILLINOIS • 1834</p>	<b>AGENDA ITEM EXECUTIVE SUMMARY</b>		Agenda Item number: *5.L
	Title:	<b>Recommendation to Approve a Resolution Authorizing a Contract Amendment with HR Green for Stormwater Design Services</b>	
	Presenter:	<b>Chris Gottlieb</b>	
<b>Meeting:</b> Government Services Committee		<b>Date:</b> November 27, 2023	
<b>Proposed Cost:</b> \$ 69,033		<b>Budgeted Amount:</b> \$0	<b>Not Budgeted:</b> <input checked="" type="checkbox"/>
<b>TIF District:</b> None			
<b>Executive Summary</b> (if not budgeted, please explain):			
<p>The City has contracted HR Green to perform the design of three stormwater improvements related to both State Street Creek and 7<sup>th</sup> Avenue Creek. Conflicts with existing utilities as well as multiple supplemental design requirements by the Illinois Department of Transportation have caused significant delays and additional costs that could not be reasonably foreseen at the time of contract issuance. The attached amendment request from HR Green provides specific details regarding out of scope work. These issues have now been resolved and no additional amendments will be required to complete these projects.</p> <p>The amendment request is for \$52,033 in addition to a previous amendment of \$17,000 Costs for this increase will be covered by transferring unencumbered design funds from another capital project.</p>			
<b>Attachments</b> (please list):			
*Formal amendment request from HR Green *Change Order			
<b>Recommendation/Suggested Action</b> (briefly explain):			
Recommendation to approve a Resolution Authorizing a Contract Amendment with HR Green for Stormwater Design Services in the amount of \$69,033.			



**HR GREEN, INC.  
PROFESSIONAL SERVICES AGREEMENT AMENDMENT  
HR GREEN PROJECT#: 180372**

THIS AMENDMENT, made this 20<sup>th</sup> day of October, 2023 by and between, City of St. Charles, Illinois, the CLIENT, and HR GREEN, INC. (hereafter "COMPANY"), for professional services concerning:

- Design Engineering Services ENG 2022-26 for the “Riverside Ave. Culvert Replacement, Indiana and 14<sup>th</sup> Street Storm Sewer, and 12<sup>th</sup> and Dean Street Drainage Study Project”,

hereby amends the original Professional Services Agreement awarded June 6, 2022 (City PO#11637).

The CLIENT and COMPANY agree to amend the Scope of Services of the original Professional Services Agreement as follows:

Riverside Ave., Culvert Replacement

- As requested by the CLIENT, three (3) alternates were evaluated for the Riverside culvert improvements. Additional H&H analysis was required for each alternate for feasibility analysis. The alternative analysis was presented to the CLIENT and the Illinois Department of Transportation (IDOT) for review at the pre-application meeting. As part of the alternative analysis, significant coordination was necessary with the CLIENT and Park District for the trail relocation. The level of effort required for the alternative analysis and trail relocation was not included or anticipated in the original Professional Services Agreement.
- During design, IDOT required a new detour plan and to coordinate the plan with the adjacent City of Geneva project. Significant effort was required to coordinate with CLIENT, IDOT and City of Geneva in regard to the detour plan and attend the detour committee meeting at IDOT. IDOT also required a detour plan and staged construction plan be prepared for the trail relocation. Three separate staged construction plans were prepared for IDOT review. The original plan did not include preparing a detour plan or staged construction for the project and instead utilizing a previously IDOT approved detour plan.
- As requested by the Client, several changes were necessitated to a previously designed watermain. This required revisions to the water main alignment and other associated improvements.
- A permit was previously issued by the Illinois Department of Natural Resources – Office of Water Resources (DNR-OWR). It was assumed that IDNR-OWR will re-issue the permit based on prior permits. However, the final scope required significant relocation of the culvert and channel and changes to the original permit plans. IDNR-OWR required additional information including permitting justification for fence along the culvert.
- Additional coordination with IDOT Hydraulics and Permit department was required for culvert hydraulics and structural design.
- There are three parcels that requires dedication of a ROW to IDOT as part of permit approval from IDOT. The CLIENT has requested COMPANY to complete title search and prepare Plat of Highways for submittal to IDOT.
- The project has been significantly delayed due to items outside of COMPANY control.



Additional efforts has been required related to project administration and coordination with CLIENT, City of Geneva, IDOT, and Park District as well as utility coordination.

Indiana and 14<sup>th</sup> Street Storm Sewer

- COMPANY prepared storm sewer design based on original scope. The CLIENT requested a redesign of the storm sewer due to other impacts from other ongoing projects which were in conflict with the proposed design. COMPANY relocated its design to accommodate City's water and sewer project and coordinated with City's consultant.

In consideration for these services, the CLIENT AGREES to adjust the payment for services performed by COMPANY on the following basis:

- Per current rate schedule with a maximum fee to be increased by Fifty Two Thousand and Thirty Three Dollars (\$52,033.00).

The total authorized compensation after this Amendment, including the original Professional Services Agreement and all previous Amendments, is Two Hundred Sixty Two Thousand Six Hundred Ninety Dollars (\$262,690.00).

THIS AMENDMENT is subject to all provisions of the original Professional Services Agreement.

THIS AMENDMENT, together with the original Professional Services Agreement and all previous amendments represents the entire and integrated AGREEMENT between the CLIENT and COMPANY.

THIS AMENDMENT executed the day and year written above.

CITY OF ST. CHARLES, IL

HR GREEN, INC.

By: Christopher Gottlieb  
Public Works Manager - Engineering  
City of St. Charles, IL

By: Ajay Jain, PE, CFM  
Vice President  
Water Resources Practice Leader

**BUDGET AMENDMENT SUPPORTING DOCUMENT**  
**RIVERSIDE AVENUE CULVERT REPLACEMENT; 14TH & INDIANA STORM SEWER; 12TH AND DEAN DRAINAGE STUDY**

7th Avenue Creek Culvert Replacement under IL Route 25 Project											
										Budget Spent as of 9/22/2023	
										Earned Value from below	
										Earned Value Over/ (Under)	
										\$185,778	
										\$134,980.47	
										(\$50,797.48)	
Task#	Task Descriptions	Hours	Labor Fee	RES	MSET	Reimb.	Total FEE	Percent Complete	Earned Value	AMENDMENT REQUEST	Notes
2.1	Data Collection and Field Investigations	18	\$3,490.00	\$0.00	\$0.00	\$109.00	\$3,599.00		\$3,599.00	\$0.00	
1	Kickoff Meeting with Client (virtual)	3	\$680.00				\$680.00	100%	\$680.00	\$0.00	
2	Geotechnical Investigations/CCDD Certifications	4	\$796.00				\$796.00	100%	\$796.00	\$0.00	
3	Data Processing, Data Review and Project Set Up	5	\$818.00				\$818.00	100%	\$818.00	\$0.00	
4	Field Reconnaissance	6	\$1,196.00	\$0		\$109.00	\$1,305.00	100%	\$1,305.00	\$0.00	
2.2	Preliminary Engineering Design (30%)	92	\$16,736.00	\$3,500.00	\$0.00	\$0.00	\$20,236.00		\$20,236.00	\$12,234.75	
1	Stream Alignment Layout	16	\$2,906.00				\$2,906.00	100%	\$2,906.00	\$12,234.75	Three (3) alternates were evaluated for the culvert improvements. Please refer to IDOT meeting minutes dated August 22, 2022. The original scope did not anticipate alternative analysis and maintaining existing culvert. Additional H&H analysis was required for each alternate for feasibility analysis.
2	Fox River Trail Alignment Layout	10	\$1,860.00				\$1,860.00	100%	\$1,860.00	\$0.00	Significant coordination with CITY and Park District was necessary to coordinate trail relocation. The level of effort required was not anticipated. Included in above Task 1.
3	Culvert Hydraulic Analysis and Hydraulic Report	48	\$8,154.00				\$8,154.00	100%	\$8,154.00	\$0.00	
4	Utility Coordination	8	\$1,412.00				\$1,412.00	100%	\$1,412.00	\$0.00	
5	Preliminary Permit and Regulatory Coordination	10	\$2,404.00	\$3,500			\$5,904.00	100%	\$5,904.00	\$0.00	
2.2	Contract Plans and Specifications (60%, 90%, 100%)	521	\$94,707.41	\$0.00	\$0.00	\$0.00	\$94,707.41		\$86,067.67	\$20,331.74	
1	Cover	2	\$310.00				\$310.00	100%	\$310.00	\$0.00	
2	General Notes	4	\$620.00				\$620.00	100%	\$620.00	\$0.00	
3	Overall Plan with Sheet Index	10	\$1,636.00				\$1,636.00	100%	\$1,636.00	\$0.00	
4	Typical Existing and Proposed Cross Sections	14	\$2,256.00				\$2,256.00	100%	\$2,256.00	\$0.00	
5	Summary of Quantities	4	\$663.00				\$663.00	100%	\$663.00	\$0.00	
6	Existing Conditions Plan	11	\$1,748.00				\$1,748.00	100%	\$1,748.00	\$0.00	
7	Temporary Erosion Control Plan and SWPPP	16	\$2,522.00				\$2,522.00	100%	\$2,522.00	\$0.00	
8	Tree Removal/Preservation Plan	16	\$2,522.00				\$2,522.00	100%	\$2,522.00	\$0.00	
9	Removal Plan	11	\$3,272.00				\$3,272.00	100%	\$3,272.00	\$0.00	
10	Maintenance of Traffic/Detour Plan	14	\$2,256.00				\$2,256.00	100%	\$2,256.00	\$11,692.00	Significant effort was required to coordinate with City, IDOT and Geneva in regard to the detour plans. The scope assumed using previously approved detour plan. IDOT also required a detour for pedestrian traffic for the trail. In addition to the detour plan, IDOT and Park District required staged construction to accommodate pedestrian traffic to remain open. The staging plan was not included in the scope. Three separate staged construction plans were prepared for IDOT review.
11	Plan and Profile (7 <sup>th</sup> Avenue Creek)	28	\$4,596.00				\$4,596.00	100%	\$4,596.00	\$0.00	
12	Plan and Profile (Riverside Avenue)	20	\$3,444.00				\$3,444.00	100%	\$3,444.00	\$0.00	
13	Plan and Profile (Fox River Trail)	20	\$3,444.00				\$3,444.00	100%	\$3,444.00	\$0.00	
14	Restoration Plan	16	\$2,652.00				\$2,652.00	100%	\$2,652.00	\$0.00	
15	Standard Construction Details	12	\$2,032.00				\$2,032.00	100%	\$2,032.00	\$0.00	
16	Cross sections	32	\$5,304.00				\$5,304.00	100%	\$5,304.00	\$0.00	
17	Structural Sheets	76	\$13,088.00				\$13,088.00	100%	\$13,088.00	\$0.00	
18	Technical Specifications and Bid Documents	38	\$7,526.00				\$7,526.00	100%	\$7,526.00	\$0.00	
19	EOPC	30	\$5,200.00				\$5,200.00	85%	\$4,420.00	\$780.00	
20	Contract Plans and Specifications (90%)	134	\$22,781.85				\$22,781.85	70%	\$15,947.30	\$6,834.56	Several changes were necessitated to a previously designed watermain due to revisions requested by the City. This required revisions to the water main alignment and other associated improvements.
21	Contract Plans and Specifications (100%)	40	\$6,834.56				\$6,834.56	85%	\$5,809.37	\$1,025.18	
2.3	Regulatory Permits	108	\$17,080.00	\$0.00	\$0.00	\$0.00	\$17,080.00		\$15,261.00	\$9,891.00	
1	ACOE Permits	30	\$4,368.00				\$4,368.00	100%	\$4,368.00	\$0.00	
2	USFWS Section 7 Review	2	\$328.00				\$328.00	100%	\$328.00	\$0.00	
3	KDSWCD SESC Submittal	4	\$656.00				\$656.00	100%	\$656.00	\$0.00	
4	IDNR-OWR Floodway	16	\$2,408.00				\$2,408.00	100%	\$2,408.00	\$5,934.60	A permit was previously issued by IDNR. It was assumed that IDNR-OWR will re-issue the permit based on prior permits. However, the final scope required significant relocation of the culvert and channel and changes to the original permit plans. IDNR-OWR required additional information including permitting justification for fence along the culvert.
5	IDNR EcoCAT	2	\$328.00				\$328.00	100%	\$328.00	\$0.00	
6	Stormwater Permit	6	\$922.00				\$922.00	100%	\$922.00	\$0.00	
7	IEPA ILR10 NOI	5	\$727.00				\$727.00	0%	\$0.00	\$0.00	
8	IEPA Water and Sewer Permits	20	\$2,966.00				\$2,966.00	100%	\$2,966.00	\$0.00	
8	SWPPP	5	\$727.00				\$727.00	0%	\$0.00	\$0.00	
9	IDOT Submittal/Coordination	14	\$2,720.00				\$2,720.00	90%	\$2,448.00	\$3,956.40	Additional coordination with IDOT Hydraulics and Permit department was required for culvert hydraulics and structural design.
10	FDPKC Submittal/Coordination	4	\$930.00				\$930.00	90%	\$837.00	\$0.00	
2.4	Progress Meetings	17	\$3,745.00	\$0.00	\$0.00	\$109.00	\$3,854.00		\$3,787.70		
1	30% review meeting with City (virtual)	4	\$878.00				\$878.00	100%	\$878.00	\$0.00	
2	60% review meeting with City (virtual)	4	\$878.00				\$878.00	100%	\$878.00	\$0.00	
3	90% review meeting with City (virtual)	3	\$663.00				\$663.00	90%	\$596.70	\$0.00	
4	IDOT meetings (1) - Detour Committee	6	\$1,326.00			\$109.00	\$1,435.00	100%	\$1,435.00	\$0.00	
2.5	Quality Assurance/Quality Control	19	\$4,443.00				\$4,443.00	90%	\$3,998.70	\$11,959.50	The project has been significantly delayed due to items outside of HR Green control. Additional Project Administration and Coordination and QA/QC was required for this is a new task. Scope includes title search and obtaining title commitments + preparing plat of highway for ROW dedication. These services were not included in the original scope.
2.6	Project Administration	10	\$2,256.00				\$2,256.00	90%	\$2,030.40		
2.7	Survey Services	0	\$0.00				\$0.00	0%	\$0.00	\$7,267.00	
<b>TOTAL FOR PROJECT</b>		<b>785</b>	<b>\$142,457.41</b>	<b>\$3,500.00</b>	<b>\$0.00</b>	<b>\$218.00</b>	<b>\$146,175.41</b>		<b>\$134,980.47</b>	<b>\$61,683.99</b>	
										<b>Previous Amendments</b>	
										<b>Requested This Amendment</b>	<b>\$44,683.99</b>

**BUDGET AMENDMENT SUPPORTING DOCUMENT**  
**RIVERSIDE AVENUE CULVERT REPLACEMENT; 14TH & INDIANA STORM SEWER; 12TH AND DEAN DRAINAGE STUDY**

State Street Creek - Indiana Street and 14th Street											
									Budget Spent as of 9/22/2023	\$39,085	
									Earned Value from below	\$25,582	
									Earned Value Over/ (Under)	(\$13,503.17)	
Task#	Task Descriptions	Hours	Labor Fee	RES	MSET	Reimb.	Total FEE	Percent Complete	Earned Value	AMENDMENT REQUEST	Notes
2.1	Data Collection and Field Investigations	31	\$4,841.00	\$0.00	\$0.00	\$109.00	\$4,950.00		\$4,950.00	\$0.00	
1	Surveying Services	24	\$3,627.00				\$3,627.00	100%	\$3,627.00	\$0.00	
2	Geotechnical Investigations/CCDD Certifications	1	\$198.00				\$198.00	100%	\$198.00	\$0.00	
3	Data Processing, Data Review and Project Set Up	4	\$620.00				\$620.00	100%	\$620.00	\$0.00	
4	Field Reconnaissance	2	\$396.00	\$0		\$109.00	\$505.00	100%	\$505.00	\$0.00	
2.2	Contract Plans and Specifications (60%, 90%, 100%)	105	\$18,013.01	\$0.00	\$0.00	\$0.00	\$18,013.01		\$16,514.81	\$7,348.91	
1	Cover	1	\$155.00				\$155.00	100%	\$155.00	\$0.00	
2	General Notes	2	\$310.00				\$310.00	100%	\$310.00	\$0.00	
3	Overall Plan with Sheet Index	5	\$775.00				\$775.00	100%	\$775.00	\$0.00	
4	Typical Existing and Proposed Cross Sections	5	\$818.00				\$818.00	100%	\$818.00	\$0.00	
5	Summary of Quantities	1	\$155.00				\$155.00	80%	\$124.00	\$0.00	
6	Existing Conditions Plan	7	\$1,128.00				\$1,128.00	100%	\$1,128.00	\$0.00	
7	Temporary Erosion Control Plan and SWPPP	7	\$465.00				\$465.00	90%	\$418.50	\$0.00	
8	Removal Plan/Utility Coordination	7	\$465.00				\$465.00	90%	\$418.50	\$0.00	
9	Maintenance of Traffic	2	\$353.00				\$353.00	90%	\$317.70	\$0.00	
10	Plan and Profile sheets	36	\$5,752.00				\$5,752.00	90%	\$5,176.80	\$5,425.82	The project had to be redesigned per coordination with City and City's Consultant (Fehr Grahm). The storm sewer was relocated to accommodate City's water and sewer project requiring redesign of the storm sewer plan and profile sheets.
11	Restoration Plan	5	\$818.00				\$818.00	90%	\$736.20	\$0.00	
12	Standard Construction Details	2	\$353.00				\$353.00	90%	\$317.70	\$0.00	
13	Technical Specifications and Bid Documents	2	\$396.00				\$396.00	90%	\$356.40	\$0.00	
14	EOPC	6	\$1,016.00				\$1,016.00	90%	\$914.40	\$0.00	
15	Contract Plans and Specifications (90%)	24	\$3,887.70				\$3,887.70	90%	\$3,498.93	\$1,923.09	The project had to be redesigned per coordination with city and Fehr Grahm. The storm sewer was relocated to accommodate City's water and sewer project requiring redesign of the contract plans and specifications.
16	Contract Plans and Specifications (100%)	7	\$1,166.31				\$1,166.31	90%	\$1,049.68	\$0.00	
2.3	Regulatory Permits	16	\$2,626.00	\$0.00	\$0.00	\$0.00	\$2,626.00		\$2,396.20	\$0.00	
1	IDNR EcoCAT	2	\$328.00				\$328.00	100%	\$328.00	\$0.00	
2	Stormwater Permit	14	\$2,298.00				\$2,298.00	90%	\$2,068.20	\$0.00	
2.4	Progress Meetings	4	\$930.00	\$0.00	\$0.00	\$0.00	\$930.00		\$465.00	\$0.00	
1	60% review meeting with City (virtual)	2	\$465.00				\$465.00	100%	\$465.00	\$0.00	
2	90% review meeting with City (virtual)	2	\$465.00				\$465.00	0%	\$0.00	\$0.00	
2.5	Quality Assurance/Quality Control	3	\$732.00				\$732.00	90%	\$658.80	\$0.00	
2.6	Project Administration	3	\$663.00				\$663.00	90%	\$596.70	\$0.00	
<b>TOTAL FOR PROJECT</b>		<b>162</b>	<b>\$27,805.01</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$109.00</b>	<b>\$27,914.01</b>		<b>\$25,581.51</b>	<b>\$7,348.91</b>	
										Previous Amendments	\$0.00
										Requested This Amendment	\$7,348.91

State Street Creek - Dean Street and 12th Street											
									Budget Spent as of 9/22/2023	\$22,648.54	
									Earned Value from below	\$19,567.00	
									Earned Value Over/ (Under)	(\$3,081.54)	
Task#	Task Descriptions	Hours	Labor Fee	RES	MSET	Reimb.	Total FEE	Percent Complete	Earned Value	AMENDMENT REQUEST	Notes
2.1	Data Collection and Field Investigations	30	\$4,794.00	\$0.00	\$0.00	\$109.00	\$4,903.00		\$4,903.00		
1	Surveying Services	24	\$3,624.00				\$3,624.00	100%	\$3,624.00		
2	Field Reconnaissance	6	\$1,170.00	\$0		\$109.00	\$1,279.00	100%	\$1,279.00		
2.2	Hydrology and Hydraulic Analysis	48	\$7,376.00	\$0.00	\$0.00	\$0.00	\$7,376.00		\$7,376.00		
1	Hydrology and Hydraulic Analysis	32	\$5,000.00				\$5,000.00	100%	\$5,000.00		
2	Exhibits	10	\$1,454.00				\$1,454.00	100%	\$1,454.00		
3	EOPC	6	\$922.00				\$922.00	100%	\$922.00		
2.3	Preliminary Design	40	\$6,344.00	\$0.00	\$0.00	\$0.00	\$6,344.00		\$6,344.00		
1	30% Concept Plans	40	\$6,344.00				\$6,344.00	100%	\$6,344.00		
2.4	Quality Assurance/Quality Control	2	\$482.00				\$482.00	100%	\$482.00		
2.5	Project Administration	2	\$462.00				\$462.00	100%	\$462.00		
<b>TOTAL FOR PROJECT</b>		<b>122</b>	<b>\$19,458.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$109.00</b>	<b>\$19,567.00</b>		<b>\$19,567.00</b>		
										Previous Amendments	\$0.00
										Requested This Amendment	\$0.00

<b>TOTAL OF ALL PROJECTS</b>		<b>1069</b>	<b>\$189,720.42</b>	<b>\$3,500.00</b>	<b>\$0.00</b>	<b>\$436.00</b>	<b>\$193,656.42</b>		<b>\$180,128.98</b>		
										Previous Amendments	\$17,000.00
										Requested This Amendment (TOTAL)	\$52,033.00

**City of St Charles CHANGE ORDER: Design Engineering Services ENG2022-26**

**Contract # PO# 116137**

This document is incorporated into the above contract as an amendment to the Contract between the City and the Contractor/Professional Service Provider commencing on the date the last party signs this document. Any change to the character, form, quality, extent, or cost of the Service/Project shall be in writing and approved on this form.

**1. This Change Order is required due to** (check all that apply):

- Changed / Unforeseen Condition
- Errors and Omissions
- Change in Scope
- Renewal / Extension of Services
- \_\_\_\_\_

**2. The effect of this change is** (check all that apply):


- Total Cost is increased by \$ 69,033
- Extension of \_\_\_\_\_ (calendar / work) days
- Material is increased by \$ \_\_\_\_\_
- Extension of Completion Date from \_\_\_\_\_ to \_\_\_\_\_
- Emergency Change, not to exceed \$ \_\_\_\_\_
- \_\_\_\_\_

**3. Attachments Supporting Change Order** (check all that apply)

- Contractor's Proposal
- other: \_\_\_\_\_
- Description of Change (include Drawing if applicable)

Change in Price		Change in Completion (days / calendar date)	
Original Price <i>(reference Agreement cover page)</i>	\$ <u>193,657</u>	<b>a</b>	Original: #days until completion / calendar date for completion <i>(reference date of Work May Proceed)</i> _____
Current Price resulting from Prior Change Orders <i>(reference prior Change Order line d)</i>	\$ <u>193,657</u>	<b>b</b>	Current Completion resulting from Prior Change Orders: <i>(reference prior Change Order line d)</i> _____
Net Increase/decrease of this Change Order <i>(reference above #2)</i>	\$ <u>69,033</u>	<b>c</b>	Net increase/decrease of days for this Change Order <i>(reference above #2)</i> _____
New Price inclusive of this Change Order* <i>d=(b+c)</i>	\$ <u>262,690</u>	<b>d</b>	New Time of Completion inclusive of this Change Order <i>d=(b+c)</i> _____
Cumulative Price change since execution* <i>e=(d-a)</i>	\$ <u>69,033</u>	<b>e</b>	Cumulative Time of completion since execution (expressed as total days)** <i>e=(d-a)</i> _____
*if the total price (d) exceeds \$25,000, and has not been approved by council, council approval is required. *If the cumulative price change (e) exceeds 10% or \$25,000, or exceeds an approved contingency, council approval is required.		**if the cumulative change in days of completion exceeds the contracted dates for completion, are Liquidated Damages applicable? <b>Yes/ No</b>	

All parties hereby acknowledge and agree this Change Order is inclusive of all known changes to scope, compensation and work schedule on behalf of the undersigned and Contractor's supplier, subcontractor, consultant, and agent necessary to complete the Project/Service. All parties hereby acknowledge that this Change Order is incorporated into the previously executed Contract by the signature of the parties below.

City Project Manager  Date 11/14/23

Contractor/Professional Service Provider \_\_\_\_\_ Date 11/14/23