

RESOLUTION R-116-17

**A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT #2 TO  
AGREEMENT #C 36927 WITH PRIMERA ENGINEERS, LTD. FOR DESIGN  
SERVICES-DOWNTOWN STREETSCAPE PHASE I**

**WHEREAS**, the City and the Engineer entered into City Agreement #C 36927 (Exhibit A-2d Amend.) (hereinafter "Agreement") on December 28, 2016, to provide design and construction management services for streetscape improvements of public infrastructure to Front Street between West Street and Cross Street for Streetscape Plan Phase I; and

**WHEREAS**, the Agreement was amended on June 5, 2017 via Amendment #1; and

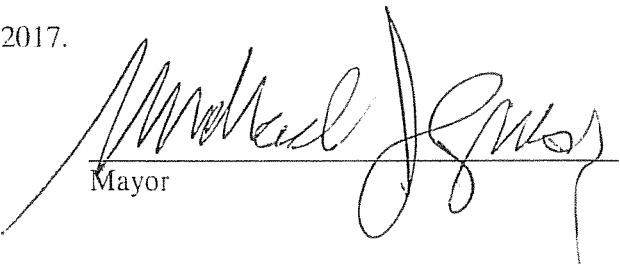
**WHEREAS**, the City received a proposal dated October 30, 2017, a copy of which is attached hereto and incorporated herein as if fully set forth as Exhibit 1, from the Engineer for additional services that are outside the scope of the Agreement as amended by Amendment #1; and

**WHEREAS**, it is determined by the City that the proposal received from the Engineer for additional services meets the City's needs for the design and construction management services for streetscape improvements of public infrastructure to Front Street between West Street and Cross Street for Streetscape Plan Phase I; and

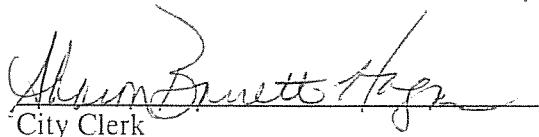
**WHEREAS**, it is necessary for the City to enter into a second amendment to the Agreement with the Engineer for the purpose of providing the additional services to the City.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Wheaton, Illinois that the Mayor is hereby authorized to execute and the City Clerk is hereby directed to attest to Amendment #2 to the Agreement between the City of Wheaton and Primera Engineers, Ltd. for Design Services-Downtown Streetscape Phase I, said amendment being attached hereto and incorporated herein as fully set forth as Exhibit 2.

ADOPTED this 6<sup>th</sup> day of November 2017.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Roll Call Vote

Ayes: Councilman Rutledge  
Councilman Scalzo  
Councilman Suess  
Councilman Prendiville  
Mayor Gresk  
Councilman Scalzo

Nays: Councilman Barbier  
Councilwoman Fitch  
Absent: None

Motion Carried



October 30, 2017

Mr. John Duguay  
Assistant City Manager  
City of Wheaton  
City of Wheaton  
303 W. Wesley St.  
Wheaton, IL 60187

Re: Wheaton Downtown Streetscape – Phase I: Supplement #2 (Martin Plaza north side)

Dear Mr. Duguay

As we discovered and discussed, the existing right-of-way south of Front Street and west of Main Street (where the existing and proposed Martin Plaza is located) is mostly owned by the Union Pacific Railroad (UPRR) and that there are UPRR and Illinois Commerce Commission (ICC) regulation that prevent the proposed Martin Plaza to currently be constructed in the south location as previously designed. The Primera Team (including Design Workshop) have reviewed the potential of designing Martin Plaza on the north side of Front Street where it was shown in previous schematics prepared for the City by Design Workshop. The following are the changes in scope of work from the original and supplement #1 contract:

#### **MARTIN PLAZA DESIGN REVISIONS**

The design of Martin Plaza at the southwest corner of Front Street and Main Street was in the supplement #1 scope and after the discussions with the City of Wheaton, the design team will revise one (1) Schematic Design (SD) and present to the City's Planning Council on November 13<sup>th</sup>. The design package for the north side plaza option includes:

1. An illustrative plan at 1"=20'
2. Material selection/imagery
3. (1) Illustrative elevation
4. Grading investigation
5. Revised lighting calculations and investigation

After presentation to the Council on November 13<sup>th</sup> and the Council's input and feedback, the Design Team will continue with only one scheme through construction documents and construction administration.

#### **Assumptions:**

- Assumes cost evaluation is done by CCS.
- No perspective views or photo simulations are included.
- No large scale water feature design is included in this fee proposal. We include coordination only of small scale design-build water or art feature by others.
- Wayfinding signage location and type is included in the original contract.

ERIC S. J. Weller, S.E., P.E.  
Certified Master Engineer  
# 612-696-0910 | F 312-606-0415

Primer<sup>o</sup>  
SUPPLEMENTAL COMPENSATION

Front Street Supplement #2  
10/30/2017 • 2 of 2

The Design Team will provide the described supplemental scope of work and services for a lump sum fee as outlined below with a detailed CECS attached.

**Breakdown of fee by Scope of Work - Base**

Revised Schematic Design and Design Development - Martin Plaza north side	\$ 12,520.00
Construction Documents 75% - Martin Plaza north side	\$ 9,880.00
Construction Documents 100% - Martin Plaza north side	\$ 6,450.00
Total of Supplement #2 - Base	\$ 28,850.00

**Breakdown of fee by Scope of Work - Alternate**

Bidding and Negotiation - Martin Plaza north side	\$ 3,690.00*
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\* The bidding/coordination required for bid allowance of plaza is contingent on the team receiving clear direction by 12/4 latest.

We will take this fee out contingent on the team receiving clear direction by 12/4 latest. Otherwise it will be applied.

We appreciate the opportunity to be of continual service to you on this project. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Robert J. Deming, PE, LEED Green Associate  
Vice President/Civil Group Manager  
Primer<sup>o</sup> Engineers, Ltd.

Attachment(s): COST ESTIMATE OF CONSULTANT SERVICES

Cc: CMD, DHK, DSS, DW

**Wheaton**  
**CHICAGO**  
**ILLINOIS**

**COST ESTIMATE OF CONSULTANT  
SERVICES**



**AMENDMENT #2 OF AGREEMENT #C 36927**

**Agreement between the CITY of WHEATON, ILLINOIS  
and PRIMERA ENGINEERS, LTD.,  
for DESIGN SERVICES-DOWNTOWN STREETSCAPE PHASE I**

This Amendment to City Agreement #C 36927, a copy of which is attached hereto and incorporated herein as fully set forth as Exhibit A - 2d Amend., is entered into as of this 6<sup>th</sup> day of November 2017 by and between the CITY OF WHEATON, an Illinois municipal corporation ("City"), 303 West Wesley Street, Wheaton, IL 60187, and PRIMERA ENGINEERS, LTD., ("Engineer"), 650 Warrenville Road, Suite 200, Lisle, IL 60532.

**WHEREAS**, the City and the Engineer entered into City Agreement #C 36927 (Exhibit A-2d Amend.) (hereinafter "Agreement") on December 28, 2016, to provide design and construction management services for streetscape improvements of public infrastructure to Front Street between West Street and Cross Street for Streetscape Plan Phase I; and

**WHEREAS**, the City and the Engineer amended the Agreement via Amendment 1, a copy of which is attached hereto and incorporated herein as if fully set forth as Exhibit B-2d Amend.; and

**WHEREAS**, the City received a proposal dated October 30, 2017, a copy of which is attached hereto and incorporated herein as if fully set forth as Exhibit C-2d Amend., from the Engineer for additional services that are outside the scope of the Agreement as amended by Amendment #1; and

**WHEREAS**, it is determined by the City that the proposal received from the Engineer for additional services meets the City's needs for the design and construction management services for streetscape improvements of public infrastructure to Front Street between West Street and Cross Street for Streetscape Plan Phase I; and

**WHEREAS**, it is necessary for the City to enter into a second amendment to the Agreement with the Engineer for the purpose of providing the additional services to the City.

**NOW, THEREFORE**, in consideration of the agreements contained in this instrument and such other sufficient considerations, the Agreement between the City and the Engineer which was executed by the parties on December 28, 2016, and subsequently amended on June 5, 2017 is hereby further amended by mutual agreement as follows:

1. The services of the original Agreement as previously amended are further changed as follows:  
The Engineer hereby agrees to perform the additional services described in its proposal dated October 30, 2017, which is attached hereto and incorporated herein as fully set forth as Exhibit C-2d Amend.
2. This Amendment #2 adds \$32,540.00 to the Agreement and the maximum total payable under the entire Agreement including all amendments, is changed from the previously amended maximum amount of \$637,741.60 to \$670,281.60, as reflected in the Change Order #2, a copy of which is attached hereto and incorporated herein as Exhibit D-2d Amend.

3. All provisions of the Agreement, as hereby and previously amended, except those provisions specifically changed by this or prior Amendments, shall remain in full force and effect.

**CITY OF WHEATON**

By:

Title:

Date: 11/6/17

Attest:

Shawn Bennett Hagan  
Title: City Clerk

Date: 11/6/17

**PRIMERA ENGINEERS, LTD.**

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

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Attest:

\_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_