

# COUNTY OF KANE

Christopher J. Lauzen  
Kane County Board Chairman



Kane County Government Center  
719 South Batavia Avenue  
Geneva, IL 60134  
P: (630) 232-5930  
F: (630) 232-9188  
[clauzen@kanecoboard.org](mailto:clauzen@kanecoboard.org)  
[www.countyofkane.org](http://www.countyofkane.org)

## DOCUMENT VET SHEET

for  
Christopher J. Lauzen  
Chairman, Kane County Board

Name of Document: Amendment #3 to Phase II Engineering Resolution No.: 13- 293

Agreement with CMT for Plank Road Realignment

Kane Co. Section #10-00095-00-SP

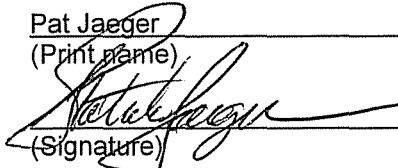
Submitted by: Linda Haines

Dept. Head Signature: 

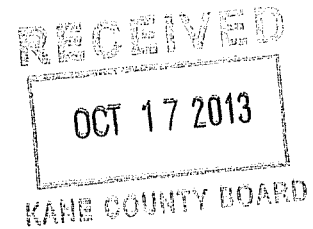
Date Submitted: September 3, 2013

Dept. Head Sign-off Date: 10-16-13

Examined by: Pat Jaeger  
(Print name)

  
(Signature)

09-04-13  
(Date)



Post on the Web: YES  NO  Atty. Initials SKJ

Comments:

Chairman signed: YES  NO  10/21/2013  
(Date)

Document returned to: J. Cunningham for sig + seal.  
(Name/Department)

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 13 - 293

**APPROVING AMENDMENT NO. 3 TO A PHASE II ENGINEERING SERVICES AGREEMENT  
WITH CRAWFORD, MURPHY & TILLY, INC. FOR PLANK ROAD REALIGNMENT  
KANE COUNTY SECTION NO. 10-00095-00-FP**

WHEREAS, pursuant to Resolution No. 10-241, the Kane County Board appropriated Three Hundred Ninety Seven Thousand Four Hundred Forty One and 52/100 Dollars (\$397,441.52) (hereinafter the "appropriation") and entered into an Agreement with Crawford, Murphy & Tilly, Inc for Phase II Engineering services (hereinafter "Agreement") for the proposed Kane County Highway No. 22 (Plank Road) realignment (hereinafter referred to as the "Project"); and

WHEREAS, pursuant to Resolutions No. 12-144 and No. 12-325, the Kane County Board amended the Agreement for a total appropriation for the Project not to exceed Five Hundred Seventeen Thousand Six Hundred Eighty Two and 77/100 Dollars (\$517,682.77) for additional engineering services not anticipated in the original scope of work; and

WHEREAS, it is in the County's best interest to extend the upper limit of the appropriation by an additional Seventeen Thousand Two Hundred Ninety Four and 79/100 Dollars (\$17,294.79) from \$517,682.77 to \$534,977.56 and to enter into an Amendment No. 3 to the Agreement with Crawford Murphy & Tilly, Inc for the Project (a copy of which is on file with the County Clerk's Office).

NOW, THEREFORE, BE IT RESOLVED by the Kane County Board that the Chairman thereof is hereby authorized to execute an Amendment No. 3 to the Phase II Engineering services agreement with Crawford, Murphy & Tilly, Inc. for the Project.

BE IT FURTHER RESOLVED that the Kane County Board appropriate the additional sum of Seventeen Thousand Two Hundred Ninety Four and 79/100 Dollars (\$17,294.79) from Transportation Sales Tax Fund #305, Line Item #50140 (Engineering), P.O. #2010-1869 for a total appropriation for the Project not to exceed Five Hundred Thirty Four Thousand Nine Hundred Seventy Seven and 56/100 Dollars (\$534,977.56) to pay for said Phase II Engineering services for the Project.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
305.520.527.50140	Engineering	Yes	Yes	

Passed by the Kane County Board on October 8, 2013.



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John A. Cunningham  
Clerk, County Board  
Kane County, Illinois

\_\_\_\_\_  
Christopher J. Lauzen  
Chairman, County Board  
Kane County, Illinois

Vote:  
Yes            24  
No              -  
Voice          -  
Abstentions -

10PLNKREALGNCMTAMND#3.4LH

**AMENDMENT #3 TO AN AGREEMENT  
BETWEEN THE COUNTY OF KANE & CRAWFORD MURPHY & TILLY INC. FOR  
PHASE II ENGINEERING SERVICES OF  
THE PLANK ROAD REALIGNMENT  
KANE COUNTY SECTION NO. 10-00095-00-FP**

**PURCHASE ORDER # 2013-XXX**

This Amendment No. 3 made this 8<sup>th</sup> day of October 2013 between COUNTY OF KANE, a body corporate and politic of the State of Illinois (hereinafter referred to as the "COUNTY"), and CRAWFORD MURPHY & TILLY CONSULTANTS, INC.), a Delaware corporation authorized to do business in the State of Illinois and an Illinois licensed professional engineering firm, with offices at 550 North Commons Drive, Suite 116, Aurora, Illinois 60504 (hereinafter referred to as the "CONSULTANT").

**R E C I T A L S**

WHEREAS, pursuant to Kane County Resolution No. 10-241, the COUNTY and the CONSULTANT entered into an agreement for Phase II design services for the Plank Road Realignment (herein after referred to as the "Agreement"); and

WHEREAS, pursuant to Kane County Resolution No. 12-144, the COUNTY and the CONSULTANT entered into Amendment No.1 to the Agreement to extend the upper limit of the compensation therefor by an additional Twenty Three Thousand three Hundred Eighty One and 64/100 Dollars (\$23,381.64); for a total cost of Four Hundred Twenty Thousand Eight Hundred Twenty Three and 16/100 Dollars (\$420,823.16); and

WHEREAS, pursuant to Kane County Resolution No. 13-144, the COUNTY and the CONSULTANT entered into Amendment No.2 to the Agreement to extend the upper limit of the compensation therefor by an additional Ninety Six Thousand Eight Hundred Fifty Nine and 61/100 (\$96,859.61); for a total cost of Four Hundred Twenty Thousand Eight Hundred Twenty Three and 16/100 Dollars (\$517,682.77); and

WHEREAS, additional services at a cost of Seventeen Thousand Two Hundred Ninety Four and 79/100 (\$17,294.79) are required for the Plank Road Realignment that were not anticipated in the original scope of work for the Agreement or any subsequent amendment thereto; and

WHEREAS it is in the County's best interest to modify the upper limit of the Agreement by an additional Seventeen Thousand Two Hundred Ninety Four and 79/100 (\$17,294.79) from \$517,682.77 to \$534,977.56 for the services set forth in Amendment No. 3; and

NOW, THEREFORE, in consideration of the premises, the mutual covenants, and agreements herein set forth, and the understandings of each party with the other, the COUNTY and the CONSULTANT does hereby mutually agree as follows:

1.0 RECITALS INCORPORATED

- 1.1. The foregoing recitals are incorporated into this Amendment No. 3 as though fully set forth herein.

2.0 AGREEMENT REMAINS IN EFFECT

2.1 The previous Agreement and Amendment No.1 and No.2 thereof remain in full force and effect except to the extent that the provisions of this Amendment No.3 conflict with the previous Agreement and Amendment No.1 and 2, in which case the provisions of this Amendment No. 3 shall control.

3.0 SCOPE OF SERVICES

3.1 Additional engineering services to provided by the CONSULTANT under the terms of this Amendment No. 3 shall be according to the specifications as set forth in Exhibit "A" hereof, which exhibit is incorporated into and made a part hereof.

4.0 COMPENSATION

4.1 Compensation for the additional engineering services not included in the Agreement and Amendment #1 and 2 shall be increased by (\$17,294.79 based upon the scope of work described in Exhibit "A" which is attached hereto and made a part hereof.

4.2 Total payments to the CONSULTANT under the terms of the Agreement, Amendment #1, #2, and Amendment #3 shall not exceed\$534,977.56.

5.0 PROJECT SCHEDULE

5.1. The date of termination of the Agreement shall be November 31, 2014 unless otherwise extended by agreement of the COUNSULTANT and the Kane County Engineer.

Save these provisions of Amendment No. 3, all other terms and conditions of the Agreement and Amendment No1 remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the COUNTY and the CONSULTANT set their hands and seals as of the date written above:

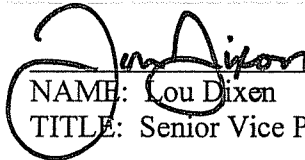
COUNTY OF KANE

CRAWFORD MURPHY & TILLY, INC.



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Christopher J. Lauzen , Chairman  
Kane County Board

ATTEST:



\_\_\_\_\_  
NAME: Lou Dixon  
TITLE: Senior Vice President

ATTEST:

\_\_\_\_\_  
John A. Cunningham  
Kane County Clerk

\_\_\_\_\_  
NAME Kevin D. Nelson  
TITLE: Senior Manager, Highway & Bridge Services