RESOLUTION R 47-09

A RESOLUTION AUTHORIZING A CHANGE ORDER INVOLVING AN INCREASE IN THE DOLLAR AMOUNT OF THE CONTRACT OF \$10,000 OR MORE

WHEREAS, pursuant to Illinois Compiled Statutes, Chapter 720, Section 5/33E-9, units of local government are required to make specific findings prior to authorizing any change order relative to a contract which would increase or decrease the dollar amount of the contract by \$10,000 or more, or would extend or shorten the time in which the contract is to be completed by thirty days or more; and

WHEREAS, staff has presented and recommended the proposed Change Order No. 6 to the contract between the Village of Lombard and John Neri Construction Co., Inc. regarding Westmore-Meyers Road Underground Utility project, as attached hereto as Exhibit "A" and made part hereof, to the Corporate Authorities of the Village of Lombard; and

WHEREAS, said change order attached hereto as Exhibit "A" would decrease the dollar amount of the contract by \$1,280.58.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That after reviewing the explanation of staff as to the necessity of and reasons for the change order attached hereto as Exhibit "A", the President and Board of Trustees find as follows:

- A That the circumstances which necessitated said change order were not reasonably foreseeable at the time the contract was entered into.
- B. That the basis of the change order was not within the contemplation of the contract when the contract was signed.
- C. That it is in the best interests of the Village of Lombard to approve the change order in its proposed form.
- D. That to the extent that it may have been necessary to go to bid relative to the work contemplated by said change order, bidding is hereby specifically waived as to the change order work.

SECTION 2: That having made the findings set forth in Section 1 above, the President and Board of Trustees hereby approve the change order attached hereto as Exhibit "A", and direct and authorize the Village President and Village Clerk to execute said change order on behalf of the Village.

Adopted this <u>18</u> day of <u>December</u>	_, 2008
Ayes: Trustees Gron, Tross, Moreau, Fitzpatrick and Soderstrom	
Nays: None	
Absent: Trustee O'Brien	
Approved this 18 day of December	, 2008
William J. Mueller Village President	
Brigitte O'Brien Village Clerk	
APPROVAL AS TO FORM:	
Thomas P. Bayer Village Attorney	

VILLAGE OF LOMBARD CHANGE ORDER

TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS: CURRENT CONTRACT AMOUNT: ([1]+[2]) PROPOSED CHANGE ORDER: (PENDING APPROVAL) PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4]) NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) TIME EXTENSION OR REDUCTION: TOTAL CONTRACT TIME: (PENDING APPROVAL) BUDGET ESTIMATE: ENGINEER'S ESTIMATE: RECOMMENDED FOR ACCEPTANCE: Resident Engineer Date Approved By: Contractor Approved By: Contractor Approved By: Village Manager Date Approved By: Village Manager Date Approved By: Village President Date I/V 20/05 Approved By: Village President Date 1/V 20/05 Approved By:	PROJECT NAME	Westmore-Meyers Road Underground Utility Project PROJECT NO.	.: <u>s</u>	T-06-03A
CONTRACTOR: John Neri Construction Co., Inc. DATE: 11/13/2008 DESCRIPTION OF CHANGE ORDER: See attachment for explanation of changes ORIGINAL CONTRACT AMOUNT: [1] \$1,589,281.2 TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS: [2] \$1,099,782.7 CURRENT CONTRACT AMOUNT: ([1]+[2]) [3] \$2,689,064.0 PROPOSED CHANGE ORDER: (PENDING APPROVAL) PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4]) [5] \$2,687,783.4 NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$1,098,502.18 TIME EXTENSION OR REDUCTION: N/A BUDGET ESTIMATE: ENGINEER'S ESTIMATE: RECOMMENDED FOR ACCEPTANCE: PROPOSED REVISED CONTRACT TIME: (PENDING APPROVAL) ([2]+[4]) \$1,098,502.18 TIME EXTENSION OR REDUCTION: N/A BUDGET ESTIMATE: RECOMMENDED FOR ACCEPTANCE: Date Approved By: Village Manager Da Approved By: Village Manager Da Approved By: Village Engineer Date Village Engineer Date Approved By: Village President Date II // (A)	LOCATION:		DER:6	
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Date / Village Clerk / Date	Director of Public		Duen	
		Village Clerk		Date
Accountant Date Approved By:	Accountant			
President of BOLI Date		President of BOLI		Date
It is understood that as part of this change order that the Contractor agrees that all bonds, permits, insurance and guarantees are	it is understood that	as part of this change order that the Contractor carroes that all boards		

Ī	Westmons-Mayors Road Underground Utility Project		C.O. # 6				10/1/2008	
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Grand Total-

-61,280,58

JOHN NERI CONSTRUCTION CO., INC. SEWER AND WATER CONTRACTOR 770 FACTORY ROAD ADDISON, IL 60101

July 18, 2008

Mr. Paul F Kuehnlenz Village of Lombard 1051 S. Hammerschmidt Ave. Lombard, Illinois 60148

Route: Westmore Report #:

Section:

County:

DuPage

Authorization:

CONTRACT NO.

Force account bill for: Replaced shrubs as directed.

					Total Ho	urs	•			Tm	turance	.,	Payroll	, Ee	rnings	•	
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to to of a sylon additives										\$	2.37						
Total Labor												\$	26.02				
- ART METON												\$	297.48				

I hereby certify that the above statement is a copy of that portion of the payroll which applies to the above stated work and that the rates show for taxes and insurance are actual costs.

Signed _

John Nerl Construction Co., Inc. President

Total on following page.

Equipment Expense

F-150 Pick-up Sub-Total

17 16 18 0 0

Total Hours

Rate 13.82

Amount 27.64

Material Used

Shemin Invoice SubTotal Material 15% Markup Total Material Used

Quantity Source <u>Unit</u> Shemin 1 Ea. 47.02

<u>Amount</u> 47.02 47.02 7.05 54.07

AFFIDAVIT

This is to certify that the material entered on this force account bill which was taken from stock is shown at our cost.

John Neri Construction

TOTAL LABOR: TOTAL EQUIPMENT EXPENSE: TOTAL MATERIALS:

TOTAL

Bond 0.75% Plus 10% of Bond Total Bill

297:48

\$ 27.64 54.07

379.19

0.00 0.00

379.19

Resident