

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 18 day of December, 2008

Ayes: Trustees Gron, Tross, Moreau, Fitzpatrick and Soderstrom

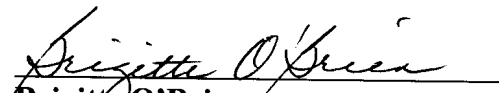
Nays: None

Absent: Trustee O'Brien

Approved this 18 day of December, 2008


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Westmore-Meyers Road Underground Utility Project PROJECT NO.: ST-06-03A
 LOCATION: Westmore Meyers Road Between St. Charles Road and Madison. CHANGE ORDER: 6
 CONTRACTOR: John Neri Construction Co., Inc. DATE: 11/13/2008
 DESCRIPTION OF CHANGE ORDER: See attachment for explanation of changes

ORIGINAL CONTRACT AMOUNT:	[1] <u>\$1,589,281.25</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] <u>\$1,099,782.76</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] <u>\$2,689,064.01</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4] <u>(\$1,280.58)</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] <u>\$2,687,783.43</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$1,098,502.18
 TIME EXTENSION OR REDUCTION: N/A
 TOTAL CONTRACT TIME: (PENDING APPROVAL) N/A
 BUDGET ESTIMATE: _____
 ENGINEER'S ESTIMATE: _____

RECOMMENDED FOR ACCEPTANCE:

[Signature] 11/19/08
 Resident Engineer Date
[Signature] 11/19/08
 Contractor Date
[Signature] 11/20/08
 Village Engineer Date
[Signature] 11/21/08
 Director of Public Works Date

Approved By: _____
 Director of Finance Date

Approved By: _____
 (<\$10K or 25%) Village Manager Date

Approved By: [Signature] 11/13/08
 (>\$10K or 25%) Village President Date

Attest: [Signature] 11/18/08
 Village Clerk Date

Accountant _____ Date Approved By: _____
 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 hereby extended to incorporate this Change Order.

NO	ITEM	CURRENT QUAN	UNIT	UNIT PRICE	REVISED QUAN	DIFFERENCE	AMOUNT	DESCRIPTION
Item #1: Force account items. Shrub Replacement as Directed by Village of Lombard.								
	FLA038	0.00	L.S.	\$378.19	1.00	1.00	\$378.19	REPLACEMENT OF SHRUBS AT DIRECTION OF VILLAGE OF LOMBARD
							Summary Price =	\$378.19
Item #2: Final Balancing of Pay Item Quantities.								
	BITUMINOUS DRIVEWAY PAVEMENT, 6"	160.00	60.70	\$54.00	119.28	(30.72)	-\$7,450.72	REPLACEMENT OF SHRUBS AT DIRECTION OF VILLAGE OF LOMBARD
							Summary Price =	-\$1,698.77
Grand Total=								-\$1,280.58

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

July 18, 2008

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

Route: Westmore
Report #:

Section:

County:

DuPage

Authorization:

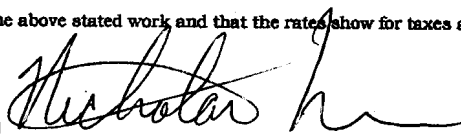
CONTRACT NO.

Force account bill for: Replaced shrubs as directed.

	16	17	18	S.T.	Total Hours		Rate	Insurance Amount	Payroll Amount	Earnings to date	F.U.T.	S.U.T.
					O.T.	D.T.						
<u>July-08</u>												
Norberto Luna (Laborer)	2	0	0	2	0	0	\$ 34.75	\$ 69.50	\$ 69.50	\$ -	\$ -	\$ -
Juan Morales (Laborer)	2	0	0	2	0	0	\$ 34.75	\$ 69.50	\$ 69.50	\$ -	\$ -	\$ -
Subtotals, Labor								\$ 139.00	\$ 139.00	\$ -	\$ -	\$ -
*Laborers Pension & Welfare Funds				4	Hrs. @	\$ 15.52			\$ 62.08			
*Operator Pension & Welfare Funds				0	Hrs. @	\$ 20.53			\$ -			
*Truck Drivers Pension & Welfare Funds				0	Hrs. @	\$ 11.35			\$ -			
Subtotals, Labor									\$ 201.08			
Plus 35% of Subtotal									\$ 70.38			
Subtotals, Labor									\$ 271.46			
Plus: Workman's Compensation Ins.				7.00	% OF	\$ 139.00		\$ 9.73				
Public Liability and Property Damage Ins., excluding payroll of Truck Drivers				2.37	% OF	\$ 139.00		\$ 3.29				
**Federal Unemployment Tax				0.80	% OF	\$ -		\$ -				
***State Unemployment Tax				6.80	% OF	\$ -		\$ -				
Federal Social Security Tax				7.65	% OF	\$ 139.00		\$ 10.63				
Total Payroll Additives								\$ 23.66				
Plus 10% of Payroll Additives								\$ 2.37				
Total Labor									\$ 26.02			
									\$ 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 Neri Construction Co., Inc. President

Total on following page.

Equipment Expense

	16	17	18	<u>Total Hours</u>	<u>Rate</u>	<u>Amount</u>
F-150 Pick-up	2	0	0	2	\$ 13.82	\$ 27.64
Sub-Total						<u>\$ 27.64</u>

Material Used

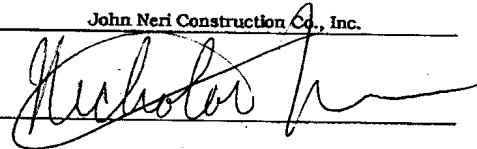
	<u>Source</u>	<u>Quantity</u>	<u>Unit</u>	<u>Price</u>	<u>Amount</u>
Shemin Invoice	Shemin	1	Ea.	\$ 47.02	\$ 47.02
SubTotal Material					\$ 47.02
15% Markup					\$ 7.05
Total Material Used					<u>\$ 54.07</u>

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 Co., Inc.

By



TOTAL LABOR:	\$ 297.48
TOTAL EQUIPMENT EXPENSE:	\$ 27.64
TOTAL MATERIALS:	\$ 54.07
TOTAL	\$ 379.19
Bond 0.75%	0.00
Plus 10% of Bond	0.00
Total Bill	<u>\$ 379.19</u>


Resident