

DISTRICTS ALL

**VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION**
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) _____ Waiver of First Requested
Recommendations of Boards, Commissions & Committees (Green)
Other Business (Pink) _____

X

PRESIDENT AND BOARD OF TRUSTEES

TO:

David A. Huliseberg - Village Manager

FROM:

October 8, 2008 (B of T) Date: October 16, 2008

DATE:

Water Transmission Main for the South Booster Station
Change Order No. 1 - Time Extension, Traffic Control, Utility Interference

TITLE:

DMR SUBMITTED BY: David A. Dratmol, P.E., Village Engineer

BACKGROUND/POLICY IMPLICATIONS:

Requesting an extension of contract time (60 days) to account for delays in obtaining DuPage County Permits and avoidance of unexpected utility interference, and an increase in the total contract amount by \$8,891.94 to compensate the contractor for fulfilling unexpected DuPage County Highway Permitting conditions, such as additional traffic control and a construction delay.

FISCAL IMPACT/FUNDING SOURCE:

THIS CHANGE ORDER: \$8,891.94.00 INCREASE
TOTAL REVISED CONTRACT: \$1,312,748.34
P.O. No.: 061477
HTE Project No.: 0707
Public Works Project Number: WA-07-01A

Review (as necessary):

Village Attorney X _____
Finance Director X _____
Village Manager X _____
Date _____
Date _____
Date _____

NOTE:

All materials must be submitted to and approved by the Village
Manager's Office by 12:00 noon, Wednesday, prior to the Agenda
Distribution.



Interoffice Memo

To: David A. Huliseberg, AICP, ICMA-CM
Through: Carl Goldsmith, Director of Public Works
From: David A. Dratnol, P.E., Village Engineer
Date: October 8, 2008
Subject: Water Transmission Main for the South Booster Station Project
Change Order No. 1 - Time Extension, Additional Traffic Control, Utility Interference.

Legistar: 080625

Attached please find three copies of Change Order No. 1 representing an increase of sixty (60) days to the contract completion date and \$8,891.94 to the contract amount for the Water Transmission Main for the South Booster Station Project. This change order represents construction time lost between the issuance of the Notice to Proceed and issuance of the DuPage County Highway Permit, additional traffic control signage requirements as conditions of the DuPage County Highway Permit, and construction time lost due to unexpected utility crossings within the construction zone.

Background:

On May 15, 2008, the Village Board awarded the Water Transmission Main for the South Booster Station contract to the lowest, responsive bidder, Neri Brothers Construction, Inc. The contract requires substantial completion of the project within 77 calendar days from the date the Notice to Proceed is issued and total completion of the project within the following 14 calendar days. In accordance with the contract, the Notice to Proceed was issued on June 29, 2008 and the contractor proceeded to fulfill their contract obligations, to include submission of an acceptable construction schedule commencing on August 4, 2008. However, the DuPage County Highway Department withheld issuance of the Highway Permit until August 12, 2008, requiring the contractor to revise his original construction schedule to August 28, 2008 and re-mobilize his material and personnel. In essence, the contractor was not able to proceed with work until fifty-eight (58) days after the Notice to Proceed was issued. Furthermore, the DuPage County Highway Permit required additional traffic control devices and field modified the traffic plan after implementation by creating two distinctive construction zones. These imposed conditions increased the lump sum traffic control contract price by 13%.

Within the first few days of construction, a fiber optic utility cable was located within the water main trench. Though the utility was marked by UTILE, avoidance required lowering the water main elevation by hand and digging the trench beyond the scope of the project. The contractor has requested an extension of two (2) calendar days to the contract for production time lost due to interference with the fiber optic utility. Based upon the time delays experienced, an extension of sixty (60) calendar days, requiring project completion by November 26, 2008, is being requested.

In addition to the 13% increase in traffic control costs (\$8,190.00), the contractor discovered an unmarked storm sewer blocking the water main trench, causing a one hour delay in construction while DuPage County made a determination to remove the utility. An increase of \$8,891.94 in the total contract price is being requested.

These items will be reviewed for recommendation to the Village Board by the Public Works Committee at their October 14, 2008 meeting. If recommend for approval by the Public Works

Committee, please present this change order to the President and Board of Trustees for approval at the October 16, 2008 meeting. Upon approval, please return two (2) signed copies to Public Works Engineering for further processing and send one (1) copy to Records.

cc: Public Works Committee
File: WA-07-01A

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING AN EXTENSION IN THE TIME OF THE CONTRACT
BY THIRTY (30) DAYS 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. 1 to the contract between the Village of Lombard and Neri Brothers Construction, Inc. regarding the Water Transmission Main for the South Booster Station 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 extend the time amount of the contract by sixty (60) days; and

WHEREAS, said change order attached hereto as Exhibit "A" would increase the dollar amount of the contract by \$8,891.94.

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 _____ day of _____, 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

William J. Mueller
Village President

ATTEST:

Britte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Water Transmission Main for the South Booster
 PROJECT NO.: WA-07-01A
 LOCATION: Westmore-Meyers Road
 CONTRACTOR: Nel Brothers Construction, Inc.
 DATE: 9/16/2008
 CHANGE ORDER: 1

DESCRIPTION OF CHANGE ORDER: Extension of Contract Time for Completion and additional costs associated with permit requirements.

ORIGINAL CONTRACT AMOUNT:	[1]	\$1,303,856.40
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	\$0.00
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	\$1,303,856.40
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	\$8,891.94
PROPOSED REVISED CONTRACT AMOUNT: ([3]+[4])	[5]	\$1,312,748.34

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])

\$8,891.94

TIME EXTENSION OR REDUCTION:

60 days

TOTAL CONTRACT TIME: (PENDING APPROVAL)

151 days

BUDGET ESTIMATE:

\$1,632,757.20

ENGINEER'S ESTIMATE:

\$1,508,450.00

RECOMMENDED FOR ACCEPTANCE:

Approved By: _____ Date _____
 Resident Engineer

Approved By: _____ Date _____
 Village Engineer

Approved By: _____ Date _____
 Village Engineer

Approved By: _____ Date _____
 Director of Public Works

Approved By: _____ Date _____
 Asst. Director of Finance

Approved By: _____ Date _____
 Deputy Village Clerk

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.

later Transmission Main for the South Booster

C.O. # 1

9/16/2008

No.	Item	Current Quantity	Unit	Unit Price	Revised Quantity	DIFFERENCES		Description
						Quantity	Price	
70101700	Trial Cont. & Protection	1.0	LS	\$62,250.00	1.13	0.13	\$8,190.00	Additional Signage Imposed by DuPage County Hwy Permit Conditions
N/A	Unexpected Utility Delays	0.0	Hour	\$701.94	1.0	1.0	\$701.94	Unmarked utility encountered. DuPage County shut down Project on 9/19/08

TOTAL AMOUNT= \$8,891.94

NERI BROTHERS CONSTRUCTION, INC.
 1523 INDUSTRIAL DR., UNIT 6C
 ITASCA, IL 60143

DATE: September 30, 2008

PAGE 1 OF 1

PROJECT: Water Transmission Main for the South Booster Station - #WA-07-01A

DATE OF THE WORK: Various through 9-26-08

REPORT NO.: 1

DESCRIPTION:
 Traffic control extras which includes the change in the traffic control plan per the County's revisions, extra time for the message boards, the set up/take down of the traffic control from 16th to 14th streets and for the extra traffic control devices on 22nd street for the turn lane closure.

LABOR	TOTAL HOURS	SI	DI	RATE	INSURANCE	PAYROLL
	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT
(1a) SUBTOTAL LABOR				0.00	0.00	0.00
LABORERS FRINGES	0	0	0	15.44	0.00	0.00
OPERATORS FRINGES	0	0	0	18.63	0.00	0.00
TEAMSTER FRINGES	0	0	0	11.04	0.00	0.00
(2) SUBTOTAL LABOR					0.00	0.00
PLUS 35% OF (2)					0.00	0.00
SUBTOTAL LABOR					0.00	0.00
ADDITIVES					0.00	0.00
WORKMENS COMPENSATION INS. 25.05% OF INS AMOUNT (1a)					0.00	0.00
LIABILITY & PROPERTY DAMAGE INS. 9.62% OF INS. AMOUNT (1b)					0.00	0.00
FEDERAL UNEMPLOYMENT TAX 0.8% OF PAYROLL AMOUNT (1a)					0.00	0.00
STATE UNEMPLOYMENT TAX 7.2% OF PAYROLL AMOUNT(1a)					0.00	0.00
FEDERAL SOCIAL SECURITY TAX 7.65% OF PAYROLL AMOUNT(1a)					0.00	0.00
SUBTOTAL ADDITIVES					0.00	0.00
PLUS 10% OF ADDITIVES					0.00	0.00
SUB-TOTAL LABOR =>					0.00	0.00

EQUIPMENT	HOURS	RATES	AMOUNT
n/a			0.00
SUB-TOTAL EQUIPMENT =>			0.00
MATERIALS			0.00
n/a			0.00
SUB-TOTAL MATERIAL =>			0.00
SUBCONTRACTORS			8,190.00
Traffic Services, Inc.			8,190.00
SUB-TOTAL SUBCONTRACTOR =>			8,190.00

SUMMARY:

SUB-TOTAL LABOR	0.00
SUB-TOTAL EQUIPMENT	0.00
SUB-TOTAL MATERIAL	0.00
SUB-TOTAL SUBCONTRACTOR	8,190.00
TOTAL INVOICE AMOUNT =>	\$8,190.00

NERI BROTHERS CONSTRUCTION, INC.
 1523 INDUSTRIAL DR., UNIT 6C
 ITASCA, IL 60143

DATE: September 30, 2008

PAGE 1 OF 1

PROJECT: Water Transmission Main for the South Booster Station - #WA-07-01A

REPORT NO.: 4

DATE OF THE WORK: September 19, 2008

DESCRIPTION: Down time to find out what the second storm sewer line at station 104+85 +/-, was for. DuPage County determined the line was abandoned.

FORCE ACCOUNT INVOICE

TO: Village of Lombard

255 E. Wilson Avenue

Lombard, IL 60148

LABOR	SI	OT	DI	INSURANCE	PAYROLL
TOTAL HOURS	RATE	AMOUNT	AMOUNT	AMOUNT	AMOUNT

Foreman, G. Guzzo	1	42.00	42.00	42.00	42.00
Laborer, J. Moya	1	35.10	35.10	35.10	35.10
Laborer, A. Romero	1	34.75	34.75	34.75	34.75
Laborer, T. Rathano	1	34.75	34.75	34.75	34.75
Operator, F. Fini	1	43.35	43.35	43.35	43.35
Operator, J. Nemeth	1	43.90	43.90	43.90	43.90
(1a) SUBTOTAL LABOR			233.85	233.85	233.85

LABORERS FRINGES	4	15.44		61.76	
OPERATORS FRINGES	2	18.63		37.26	
TEAMSTER FRINGES	0	11.04		0.00	
(2) SUBTOTAL LABOR				332.87	332.87
PLUS 35% OF (2)				116.50	
SUBTOTAL LABOR				449.37	449.37

ADDITIONS				58.58	
WORKMENS COMPENSATION INS. 25.05% OF INS AMOUNT (1a)				22.50	
LIABILITY & PROPERTY DAMAGE INS. 9.62% OF INS. AMOUNT (1b)				0.00	
FEDERAL UNEMPLOYMENT TAX 0.8% OF PAYROLL AMOUNT (1a)				0.00	
STATE UNEMPLOYMENT TAX 7.2% OF PAYROLL AMOUNT (1a)				17.89	
FEDERAL SOCIAL SECURITY TAX 7.65% OF PAYROLL AMOUNT (1a)				98.97	
SUBTOTAL ADDITIVES				98.97	98.97

PLUS 10% OF ADDITIVES				9.90	
SUB-TOTAL LABOR =>				558.24	558.24

EQUIPMENT	HOURS	RATES	AMOUNT
Service Truck w/Tools	1	18.19	18.19
Cat 325 Backhoe	1	89.73	89.73
Cat IT28G Loader	1	35.78	35.78

SUB-TOTAL EQUIPMENT => \$143.70

MATERIALS n/a

SUB-TOTAL MATERIAL => \$0.00

SUBCONTRACTORS n/a

SUB-TOTAL SUBCONTRACTOR => \$0.00

SUMMARY:

SUB-TOTAL LABOR	558.24
SUB-TOTAL EQUIPMENT	143.70
SUB-TOTAL MATERIAL	0.00
SUB-TOTAL SUBCONTRACTOR	0.00
TOTAL INVOICE AMOUNT =>	\$701.94