

DISTRICTS ALL

**VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION**

For Inclusion on Board Agenda

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg – Village Manager

DATE: May 29, 2012 (B of T) **Date:** June 21, 2012

TITLE: FY 2012 Traffic Signal Maintenance Program
Change Order No. 2 - Final

SUBMITTED BY: David A. Dratnol, P.E., Village Engineer *DD*

BACKGROUND/POLICY IMPLICATIONS:

Final Change Order for the FY2012 Traffic Signal Maintenance Program representing end of year monthly maintenance fees and an increase of \$9,059.07.

FISCAL IMPACT/FUNDING SOURCE:

THIS CHANGE ORDER: \$9,059.07 INCREASE
TOTAL CONTRACT: \$88,889.26
P.O. No.: 067610
Public Works Project Number: PWO-1213

Review (as necessary):

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

Inter Office Memo



To: David A. Hulseberg, Village Manager
 From: David A. Dratnol, P.E., Village Engineer *Dratnol*
 Through: Carl Goldsmith, Public Works Director *CG*
 Date: May 29, 2012
 Subject: PWO-1213 Traffic Signal Maintenance – C.O. #2
 Traffic Signal Monthly Maintenance Fees

Attached please find Change Order #2 for the Traffic Signal Maintenance contract in the amount of \$9,059.07. The change order represents an increase in the contract amount due to utilization of project funds for unexpected, but necessary, work throughout the year.

Specifically, the Village is in receipt of invoices from Meade Electric for the March and April monthly Traffic Signal Maintenance fees. These fees are in accordance with the FY2012 contract agreement. However, payments in the amount of \$7,598.50 for the April and May monthly fees (\$3,799.25 each) from the FY2011 contract agreement were made in July and August 2011, utilizing the FY2012 budget funds. Furthermore, various periodic payments for unexpected work throughout the year were made in accordance with the contracted unit prices for labor, equipment, and materials, such as responding to traffic signals in flash red mode after work hours and replacement of unexpected equipment failures. With a current balance of \$3,398.43, the FY2012 funds are insufficient to pay these invoices, as well as the anticipated May, 2012 final monthly maintenance fee. Staff is requesting a change order to the contract in the amount of \$9,059.07 as demonstrated below.

	Balance	Invoices	Deficit
Account Balance	\$3,398.43		
March Monthly Fee		\$ 4,152.50	
April Monthly Fee		\$ 4,152.50	
May Monthly Fee		<u>\$ 4,152.50</u>	
	\$3,398.43	- \$12,457.50	= -\$9,059.07

This item will be reviewed for recommendation to the Village Board by the Public Works Committee at their June 12, 2012 meeting. If recommend for approval by the Public Works Committee, please present this change order to the President and Board of Trustees for ratification at the June 21, 2012 meeting. Upon approval, please return the signed copies to Public Works Engineering for further processing.

cc: Public Works Committee
 Project File

RESOLUTION
R _____ 12B

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. 2 to the contract between the Village of Lombard and Meade Electric, Inc. regarding the FY 2012 Traffic Signal Maintenance program, 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 increase the total dollar amount of the contract by \$16,964.87.

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 _____, 2012.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2012.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

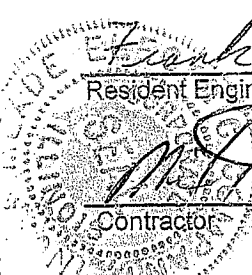
VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Traffic Signal Maintenance PROJECT NO.: PWO-1213
 LOCATION: Throughout Village CHANGE ORDER: 2
 CONTRACTOR: Meade Electric DATE: 5/25/2012
 DESCRIPTION OF CHANGE ORDER: To supplement maintenance fees from previous fiscal year.

ORIGINAL CONTRACT AMOUNT:	[1]	\$71,924.39
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	\$7,905.80
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	\$79,830.19
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	\$9,059.07
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	\$88,889.26

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	\$16,964.87
TIME EXTENSION OR REDUCTION:	0
TOTAL CONTRACT TIME:	365
BUDGET ESTIMATE:	\$0.00
ENGINEER'S ESTIMATE:	\$0.00

RECOMMENDED FOR ACCEPTANCE :

 <u>Frank Kaban</u> Resident Engineer	<u>5/29/12</u> Date	Approved By: _____ Director of Finance	_____ Date
<u>[Signature]</u> Contractor	<u>5-30-12</u> Date	Approved By: _____ (<\$10K or 25%) Village Manager	_____ Date
<u>Donald B. Deibel</u> Village Engineer	<u>5/31/12</u> Date	Approved By: _____ (>\$10K or 25%) Village President	_____ Date
<u>[Signature]</u> Director of Public Works	<u>5/31/12</u> Date	Attest: _____ Village Clerk	_____ Date
_____ Assistant Director of Finance	_____ 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.