

DISTRICT 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 11, 2011 (COW) (B of T) **Date:** May 19, 2011

TITLE: Final Balancing Change Order
Highland Avenue (IL Rte 56 to 22nd Street) Improvement

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

BACKGROUND/POLICY IMPLICATIONS:

Please see attached memo.

FISCAL IMPACT/FUNDING SOURCE:

\$130,328.49 INCREASE
TOTAL REVISED CONTRACT: \$1,404,828.49
PW Proj: ST-99-09
P.O. #: 050547
HTE: 9949
Account No.: 7370.809500

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.

InterOffice Memo

To: David Hulseberg, Village Manager
 From: David A. Dratnol, P.E., Village Engineer *Dratnol*
 Through: Carl Goldsmith, Public Works Director *g*
 Date: March 4, 2011
 Subject: Highland Avenue - 22nd - Butterfield Rd. (ST-99-09)
 Change Order #1 (FINAL)

Attached please find Change Order No. 1 (Final) in the amount of a net increase of \$130,328.49

This Change Order represents the final contract quantities for the completed work on Highland Avenue between 22nd Street and Butterfield Road (IL Route 56). The project is funded through the State of Illinois. The project began on March 15, 2004; however, the general contractor went out of business in October of the same year. To complete the project, IDOT called the contract bond and had the remaining work completed by the bonding company.

As part of the funding requirement, the Village entered into a joint agreement with the Illinois Department of Transportation (IDOT). The terms of the joint agreement is a 70/30 (70% IDOT, 30% Village) split of the eligible pay items within the construction contract. The Village's final total obligation is \$1,404,828.49, of which the Village has issued previous payment in the amount of \$1,141,491.25.

Village's Final Contract Obligation to IDOT	\$1,404,828.49
Village's Current Contract Obligation to IDOT	\$1,274,500.00
Net Change Order to the Village's Portion of the Contract	\$130,328.49

Village's Final Contract Obligation to IDOT	\$1,404,828.49
Amount Paid to Date	\$1,141,491.25
Remaining Amount Owed to IDOT	\$263,337.24

This Change Order is a reconciliation of the Village's share of the construction costs as agreed to with IDOT. Please note the change in the net contract amount is an increase of \$130,328.49 to the current contract amount. If approved, please have one signed original document sent to records and the other signed original document returned to Engineering for further processing.

cc: File: ST-99-09

RESOLUTION
R _____

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING AN INCREASE/DECREASE IN THE DOLLAR AMOUNT OF
THE CONTRACT OF \$10,000 OR MORE AND/OR EXTENDING/ SHORTENING THE
TIME IN WHICH THE CONTRACT IS TO BE COMPLETED 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 (30) 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 Illinois Department of Transportation regarding the Highland Avenue between 22nd Street and Butterfield Road (IL Route 56) as attached hereto as Exhibit "A" and made part hereof, (the "Change Order") to the Corporate Authorities of the Village of Lombard; and

WHEREAS, said Change Order attached hereto as Exhibit "A" would increase the dollar amount of the contract by \$130,328.49 the total dollar amount of the contract by \$1,404,828.49

WHEREAS, said Change Order attached hereto as Exhibit "A" would (extend/shorten) the time period in which the contract is to be completed by _____ days;

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 _____, 2011 ,
pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this ____ day of _____, 2011.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

State Treasurer of Illinois
 Illinois Department of Transportation
 Room 322, Harry R. Hanley Building
 2300 So. Dirksen Parkway
 Springfield, IL 62764

Sunday Odele (217) 785-4617

Highland Ave. 22nd & 56 Butterfield Rd.

Purchase Order No.:	\$1,274,500.00	ST 99-09
Change Order #1:	\$130,328.49	
	\$0.00	
Total Contract Amount	\$1,404,828.49	

	Balance	Cumulative Expenditures	Earned to Date	Retainage (5%)	% of Total Contract	Invoice Number
Approved Total	\$1,404,828.49					
Payout No. 1	\$555,070.48	\$555,070.48	\$555,070.48	\$0.00	43.55%	78337
Balance	\$849,758.01			\$0.00		
Payout No. 2	\$586,420.77	\$1,141,491.25	\$1,141,491.25	\$0.00	89.56%	78417
Balance	\$263,337.24			\$0.00		
Payout No. 3	\$263,337.24	\$1,404,828.49	\$1,404,828.49	\$0.00	110.23%	104309
Balance	\$0.00			\$0.00		
Payout No. 4						
Balance						
Payout No. 5						
Balance						
Payout No. 6						
Balance						
Payout No. 7						
Balance						
Payout No. 8						
Balance						
Payout No. 9						
Balance						
Payout No. 10						
Balance						
Payout No. 11						
Balance						

Note: Retainage does not include sub-contractor expenses