

**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:** Scott R. Niehaus, Village Manager

**DATE:** 2/03/2015 **B of T DATE:** 2/19/2015

**TITLE:** FY 2014 Asphalt Paving and Patching  
 Change Order No. # 3

**SUBMITTED BY:** Dave Gorman, P.E., Assistant Director of Public Works *DDT*

**BACKGROUND/POLICY IMPLICATIONS:**

This is a final-balancing change order to reflect agreed quantities to date. This change order constitutes a \$7,741.75 increase in the cost of the project. Please refer to the Inter - Office Memorandum dated 02/03/15 for further details.

**FISCAL IMPACT/FUNDING SOURCE:**

\$7,783.75 Increase  
 TOTAL REVISED CONTRACT: \$1,150,421.55  
 P.O. #: 2014-00001075  
 RM PROG: 22, 23, 24, 26  
 Account No.: 410.710.725.75420

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: Scott Niehaus, Village Manager  
Through: Carl Goldsmith, Director of Public Works *g*  
From: Dave Gorman, P.E., Assistant Director of Public Works *DPK*  
Date: February 3, 2015  
Subject: RM PROG 22, 23, 24, 26  
2014 Asphalt Paving and Patching  
Brothers Asphalt Paving Inc.

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Attached please find Final Balancing Change Order No. 3 for FY 2014 Asphalt Paving and Patching in the amount constituting a \$7,741.75 increase to the cost of the project, which brings the net contract amount to \$1,150,421.55.

The change order represents as-measured final contract quantities for existing pay items, agreed to contract pay items, adds three (3) Time and Material Billings (T&M) and two (2) Back charges by Village for work related to unanticipated field conditions.

Semi-balancing Change Order No. 2 was previously approved by the Village Board in the amount of a (\$9,398.55) deduction to the project. Change Order No. 1 was previously approved by the Village Board in the amount of a \$33,513.35 increase to the project. Village Board ratified the contract on March 20, 2014, Legistar # 140108.

The quantities in this change order reflect items that have been completed and agreed to date by all parties. Items of increases or decreases in excess of \$1,000.00 are described in further detail below, as other items can be found in detail on attached change order:

### Existing Pay Items

- 1) ADA Detectable Warning – *\$1,152.00 Increase.*  
Additional panels installed throughout project limits.
- 2) 4" Pulverized Topsoil – *(\$2,567.14) Decrease.*  
Fewer quantities than contract allowed for.
- 3) INLET TYPE A, TYPE 3 F & G *\$1,500.00 Increase*  
Increase in contract quantities

## New Pay Items

- 1) Back charge by Village # 1 – Village crew backfilled between curb and edge/pavement on June 16, 2014 on an emergency basis (\$145.84) *Decrease*.
- 2) Back charge by Village # 2 – Fire Hydrant at 440 Collen Drive was broken by contractor on July 1, 2014 when the grinder was being filled up. Internal staff discussions with Underground Utility Superintendent and Engineering, the Village will absorb the cost of the hydrant repair, and the contractor will absorb cost of Village labor to shut down water main, five (5) hours (\$440.80) *Decrease*.
- 3) T & M # 1 Backfill in front of curb on Willow and Ash between edge of pavement and curb on September 4, 2014 – \$1,450.22 *Increase*.
- 4) T & M # 2 Grinder hit buried manhole on Ainsley Lane on June 27, 2014 – \$5,293.41 *Increase*. Cost of damage to grinder and idle time for trucks and equipment.
- 5) T & M # 3 Equipment for re-mobilization Manor Hill Court on September 15, 2014 - \$2,499.86 *Increase*. Contractor had to bring equipment back to job-site for work pertaining to elevating the island to drain properly, and paving Manor Hill Court.

T & M Billing #'s 1-3 were not received until January 23, 2015.

This change order will be presented at the February 10<sup>th</sup> Public Works Committee meeting. If recommended by the Committee, please present this change order to the Board of Trustees for approval. If approved, please have two (2) signed copies returned to PW-Engineering for further processing.

## **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 Final-Balancing Change Order No.3 to the contract between the Village of Lombard and Brothers Asphalt Paving, Inc. regarding the FY 2014 Asphalt Paving and Patching Program, 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 \$7,741.75.

**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 it is in the best interests of the Village of Lombard to approve the Change Order in its proposed form.
- B. 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 \_\_\_\_\_, 2015,  
pursuant to a roll call vote as follows:

Resolution \_\_\_\_\_

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Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Keith Giagnorio  
Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna  
Village Clerk

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: FY 2014 Asphalt Paving and Patching

PROJECT NO.:

LOCATION: Various

CHANGE ORDER: 3

CONTRACTOR: Brothers Asphalt Paving Inc.

DATE: 2/3/2015

DESCRIPTION OF CHANGE ORDER: This is a final balancing change order, and will increase the current contract amount.

ORIGINAL CONTRACT BUDGET AMOUNT:	[1]	<u>\$ 1,118,523.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$ 24,114.80</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$ 1,142,637.80</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$7,783.75</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])		<u>\$1,150,421.55</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$ 31,898.55

TIME EXTENSION OR REDUCTION: N/A

TOTAL CONTRACT TIME: (PENDING APPROVAL) N/A

BUDGET ESTIMATE: \$1,118,523.00

ENGINEER'S ESTIMATE: \$1,118,523.00

## RECOMMENDED FOR ACCEPTANCE:

<u>David A. Trais</u>	<u>2/3/15</u>	Approved By:		
Resident Engineer	Date	Director of Finance		Date
<u>Natalia Cellula</u>	<u>2/3/15</u>	Approved By:		
Contractor	Date	( $\leq$ \$10K or 25%) Village Manager		
<u>David P. Stern</u>	<u>2/4/15</u>	Approved By:		
Village Engineer	Date	( $>$ \$10K or 25%) Village President		
<u>[Signature]</u>	<u>2/6/15</u>	Attest:		
Director of Public Works	Date	Village Clerk		Date
<u>[Signature]</u>				
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.

[illegible]