

DISTRICT-AII

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: January 10, 2021 **Date:** January 20, 2022 (B of T)

TITLE: FY 2021 Concrete Rehabilitation Program
Change Order #1

SUBMITTED BY: Sean Kelly, Village Engineer *SK*

BACKGROUND/POLICY IMPLICATIONS:

This Change Order is intended to adjust the contract quantities to reflect final measured quantities, and includes additional work required on Finley Road for patching and traffic control. This Change Order will increase the awarded Contract amount by \$42,762.95.



FISCAL IMPACT/FUNDING SOURCE:

\$42,762.95 INCREASE
TOTAL REVISED CONTRACT: \$644,770.70
PW PROJ: RM 49
P.O. #: 2021-00001710
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.

InterOffice Memo

To: Scott R. Niehaus, Village Manager
Through: Carl Goldsmith, Director of Public Works 
From: Sean P. Kelly, P.E., Village Engineer 
Date: January 10, 2022
Subject: FY 2021 Concrete Rehabilitation Change Order #1

Attached please find Change Order No. 1 for the FY2021 Concrete Rehabilitation Program. This is a Final Balancing Change Order that increases the total Contract value by \$42,762.95 that reflects the as-measured quantities of work completed.

<i>Program</i>	<i>Current Contract</i>	<i>C.O. #1</i>	<i>Final Contract</i>	<i>Budget</i>
RM PROG 49	\$602,007.75	\$42,762.95	\$644,770.70	\$700,000.00

NEW PAY ITEMS

AUP #1 – Drainage & Utility Structures to be Reconstructed

Item added to allow for reconstruction of structures. *Pay Item Cost = \$2,700.00*

AUP #2 – Message Boards

Item added to enhance safety for Finley Road work. *Pay Item Cost = \$3,150.00*

AUP #3 – Additional Traffic Control Signage

Item added to enhance safety for Finley Road work. *Pay Item Cost = \$1,500.00*

AUP #4 – Class B Patching, Full Depth (Finley Road)

Item added to account for deeper than anticipated patching *Pay Item Cost = \$37,080.00*

This Final Balancing Change Order will be presented to the Public Works & Environmental Concerns Committee prior to the VoL Board meeting. If recommended for approval by the Committee, please present this Change Order to the President and Board of Trustees for approval at the next regularly scheduled meeting on January 20, 2022.

If approved, please have two (2) signed copies returned to PW-Engineering for further processing.

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: FY 2021 CONCRETE REHABILITATION PROGRAM
 PROJECT NO.: RM 49
 LOCATION: Various CHANGE ORDER: 1 and Final
 CONTRACTOR: G&M Cement Construction, Inc. DATE: 12/22/2021

DESCRIPTION OF CHANGE ORDER: Final balancing change order to decrease the contract due to measured quantities in the field

ORIGINAL CONTRACT BUDGET AMOUNT:	[1]	<u>\$602,007.75</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$602,007.75</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$42,762.95</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$644,770.70</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$42,762.95
 TIME EXTENSION OR REDUCTION: N/A
 TOTAL CONTRACT TIME: (PENDING APPROVAL) N/A
 BUDGET ESTIMATE: \$700,000.00
 ENGINEER'S ESTIMATE: \$690,585.75

RECOMMENDED FOR ACCEPTANCE :

<u>Thomas Difon</u>	<u>1/10/22</u>	Approved By:	
Resident Engineer	Date		Director of Finance
			Date
<u>[Signature]</u>	<u>12/22/21</u>	Approved By:	
Contractor	Date	(≤\$10K or 25%)	Village Manager
			Date
<u>Michael Zolar</u>	<u>1/10/22</u>	Approved By:	
Village Engineer	Date	(>\$10K or 25%)	Village President
			Date
<u>[Signature]</u>	<u>1/10/2022</u>	Attest:	
Director of Public Works	Date		Village Clerk
			Date
<u>[Signature]</u>	<u>1/10/2022</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.

RESOLUTION

R _____

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. 1 and Final to the contract between the Village of Lombard and G&M Cement Construction, Inc. regarding the FY 2021 Concrete Rehabilitation 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 dollar amount of the contract by \$42,762.95, and all change orders totaling an increase of \$42,762.95.

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 _____, 2022.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2022.

Keith T. Giagnorio
Village President

ATTEST:

Elizabeth Brezinski
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney