

**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: April 7, 2009 (COW) (B of T) **Date:** April 16, 2009

TITLE: Main Street Lighting Project-Phase I
Change Order #5

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

BACKGROUND/POLICY IMPLICATIONS:

Change Order No. 5 is a net increase to the contract of \$7,979.73. The main categories related to this change order: time and materials billings, new pay item, and contract quantity adjustments (as-built quantities).

FISCAL IMPACT/FUNDING SOURCE:

\$7,979.73 INCREASE
Project #: M-08-05
HTE Project #: 0806 7110.809425
PO #: 060171
Capital Improvement Fund

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 A. Hulseberg, Village Manager
 From: David A. Dratnol, P.E., Village Engineer *DAE*
 Through: Carl Goldsmith, Public Works Director *CG*
 Date: April 07, 2009
 Subject: Main Street Lighting Project – Phase I
 Change Order No. 5

Attached please find Change Order No. 5 for this project in the amount of a net increase of \$7,979.73. The change order represents time and materials billings, new pay item, and quantity adjustments to the existing contract items based on field measured as-built quantities. The items below address the major changes:

FORCE ACCOUNT (TIME AND MATERIAL) BILLING:

This change order includes four force account (time and material) billings for work outside of the original scope of the contract. These are based on actual, documented labor, materials and equipment used by the contractor to accomplish the various items. The billings have been reviewed by the resident engineer and staff and agreement has been reached with the contractor. This work is associated with difficulties encountered in the directional boring operation, unsuitable ground conditions encountered in foundation installation, and adjustment of overhead communication cables in conflict with the light poles. The agreed upon force account billings result in an increase to the cost of the project of \$3,590.91.

NEW PAY ITEM:

Stamped Concrete, Complete in Place is required for the restoration of stamped concrete sidewalk at Willow Street. There is estimated to be 300 square feet of sidewalk to replace. This item will result in an increase to the cost of the project of \$5,940.00.

FIELD MEASURED QUANTITIES:

The items represent adjustments to quantities based on field measured as-built quantities. Please refer to the attached spreadsheet for these items. These items result in a decrease to the cost of the project of \$1,551.18.

The total quantity changes for each individual pay item are on the second page of the change order form. Total project cost including prior change orders \$1,520,716.31 + CO#5 \$7,979.73 = \$1,528,696.04.

This item will be presented to the Public Works Committee on April 14, 2009. If the committee recommends approval, please present this change order to the President and Board of Trustees for their review and approval at their regular meeting on April 16, 2009. If approved, please have two signed copies returned to Engineering for further processing.

R E S O L U T I O N
R _____ 09

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING AN INCREASE OR DECREASE 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. 5 to the contract between the Village of Lombard and Utility Dynamics Corporation regarding Main Street Lighting Project – Phase I, 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 \$7,979.73.

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 16 day of April , 2009

Ayes: _____

Nays: _____

Absent: _____

Approved this 16 day of April , 2009

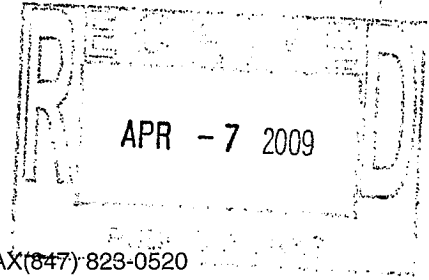
William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney



CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 West Higgins Road Suite 600 Rosemont, Illinois 60018 TEL (847) 823-0500 FAX (847) 823-0520

April 3, 2009

Village of Lombard
1051 S. Hammerschmidt Ave
Lombard, IL 60148

Attention: Mr. Paul Kuehnlenz, PE
Project Manager

Subject: Main Street Lighting Phase 1
Village of Lombard
Change Order No. 5
VOL Project No. M-08-05
(CBBEL Project No. 08-126)

Dear Mr. Kuehnlenz:

Please find enclosed Change Order No. 5 for the subject project. The following summarizes the proposed change order.

Change Order No. 5

Extra Work Daily Report #9

5A-1) Directional boring operation interrupted by unknown concrete and rock hindering drill path. Asphalt removal and concrete demolition was required to dig out directional boring head and sonar at 426 S. Main Street.

Sub Total \$1,098.16

Extra Work Daily Report #10

5B-1) Excavation for unsuitable soil and rock to install light pole location at Station 180+60. The excavation area was found to contain old foundation bricks and screenings. No clay was found in area of excavation. Contractor could only form foundation and rebar with Sonotube and re-excavate to prevent auger hole from collapsing during excavation.

Sub Total \$686.43

Extra Work Daily Report #11

5C-1) The location of the new MCI fiber optic cables and the location of the new ComEd poles did not allow UDC enough vertical clearance to install the new light standard without the fiber optic cables rubbing against the new pole. UDC was directed by the Village to remove the wires from the poles. The cables were still stretched and would then be in conflict with installation of seasonal and holiday decorations.

All MCI Contractor relocation work was performed during night time hours of 10:00 pm to 6:00 am which was outside of the contract working hours of Utility Dynamics. The agreed upon solution to adjust the cabling was to move this wire further from the poles, out on brackets during normal working hours. MCI completed their relocation work utilizing the given ComEd pole locations. These poles were not placed using uniform offsets from the back of curb which caused conflicts with the Village installed lighting poles. From information received by CBEL, it was understood that MCI was not going to make any further adjustments to the new locations of their overhead lines. Therefore, it was necessary for UDC to move the cables to resolve the conflict.

Sub Total \$545.55

Extra Work Daily Report #12

5D-1) Village of Lombard request to install additional stone in various locations along Main Street where sidewalk removal occurred because settlement had occurred during the time of contract suspension.

Sub Total \$1260.77

New Pay Item

Item No.	Pay Item	Unit	Original Qty.	Revised Qty.	Change	Unit Cost	Total
New	Stamped Concrete, Complete in Place	Sq Ft	0	300	+300	\$19.80	\$5,940.00

The location of the new ComEd pole that was to be utilized for the Electric Service Installation location for the Willow Street lighting controller was located in a stamped concrete area. There were no pay items in the original contract plans and documents that covered this work. There is approximately 300± square feet that will need to be replaced. UDC has secured pricing of \$19.80/sf from DNB Construction, their subcontractor for this project.

Sub Total \$5,940.00

Balance of Quantities

The following line items summarize additional quantities or net deducts for various line items of work in the project.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
81018100	Conduit Pushed, 3/4" Galvanized Steel	180	130	-50	(\$475.00)

The conduit routing from the light pole to the flagpole lights was a shorter distance than the plan quantities.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
81018500	Conduit Pushed, 2" Galvanized Steel	272	172	-100	(\$1,400.00)

The electric service location was closer than what was shown on the plans.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
81018600	Conduit Pushed, 2 1/2" Galvanized Steel	1881	1575	-306	(\$5,202.00)

The alignments of the road crossing were installed at locations which were shorter distances than what was shown on the plans.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
81603025	Unit Duct, with 2-1/C No.4 and 1-1/C No. 4 Ground, 600V (XLP-TYPE USE), 1" Dia., Poly.	800	135	-665	(\$3,591.00)

The pay item had a larger quantity than the actual installed quantity.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
81701345	Electric Cable in Conduit, 600V (EPR-TYPE USE) 3-1/C No. 3/0	302	232	-70	(\$910.00)

See explanation in Item No. 81018600.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
81702450	Electric Cable in Conduit, 600V (EPR-TYPE USE) 3-1/C No. 10	200	142.5	-57.5	(\$143.75)

See explanation in Item No. 81018100.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
83600315	Light Pole Foundation, 30" Diameter, Offset	185	175	-10	(\$2,130.00)

The contract quantity was greater than the actual installed quantity.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
87900200	Drill Existing Handhole	14	13	-1	(\$170.00)

The contractor did not have to drill into the existing handhole on the southwest corner of Maple and Main due to the reuse of existing unit duct from the existing lighting system

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
X0325379	Directional Boring	11517	13168	+1651	\$12,382.50

Additional units of directional boring were used in the area of STP and Main Street Access Drive projects to avoid major utility conflicts and to reduce the areas of

restoration. This revised quantity is also reflected in the net deduction of Item No. 81900200 (Trench & Backfill for Electrical Work).

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
*	Exploration Trench, Special	8000	6858.75	-1141.25	(\$2,853.13)

The plan quantity exceeded the actual volume of excavation for this line item.

Item No.	Pay Item	Original Qty.	Revised Qty.	Change	Sub Total
*	Unit Duct, with 5-1/C No.4 and 1-1/C No. 4 Gnd, 600V (XLP-TYPE USE), 1½" Dia., Poly.	18822	19164	+342	\$2,941.20

The additional quantity was due to the revised alignments of the unit duct and conduit crossings at Wilson and Maple to avoid potholing, major utility conflicts and open cutting the roadways.

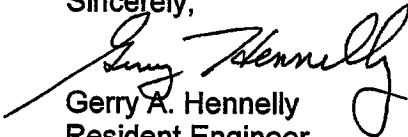
Sub Total (\$1,551.18)

Change Order #5 Summary

Extra Work 5A-1, 5B-1, 5C-1 and 5D-1	\$ 3,590.91
New Pay Item	\$ 5,940.00
Balance of Quantities =	(\$ 1,551.18)
Total Change Order #5	\$ 7,979.73

I have reviewed the change order and recommend approval of Change Order #5. Please process the above Change Order at your earliest convenience. If you have any other questions, please contact me.

Sincerely,


Gerry A. Hennelly
Resident Engineer

Encl.: As Noted

Cc: John P. Caruso, CBBEL
Phil Whalen, UDC

GAH/KWB/pjb
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VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Main Street Lighting Phase 1 PROJECT NO.: M-08-05
 LOCATION: Main Street Between Roosevelt Road and Maple CHANGE ORDER: 5
 CONTRACTOR: Utility Dynamics Co. DATE: 3/2/2009

DESCRIPTION OF CHANGE ORDER: Various items of work including removal of concrete obstruction, additional excavation of unstable soil and rocks, and balance of quantities summary / partial

ORIGINAL CONTRACT AMOUNT:		[1]	\$	1,516,900.65
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:		[2]	\$	3,815.66
CURRENT CONTRACT AMOUNT: ([1]+[2])		[3]	\$	1,520,716.31
PROPOSED CHANGE ORDER: (PENDING APPROVAL)		[4]	\$	7,979.73
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])		[5]	\$	1,528,696.04

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$ 11,795.39
 TIME EXTENSION OR REDUCTION: _____
 TOTAL CONTRACT TIME: (PENDING APPROVAL) _____
 BUDGET ESTIMATE: _____
 ENGINEER'S ESTIMATE: _____

RECOMMENDED FOR ACCEPTANCE :

[Signature] 4/3/09 4/1/09
 Resident Engineer Date Approved By: _____
 Director of Finance Date

[Signature] 4/3/09
 Contractor Date Approved By: _____
 (<\$10K or 25%) Village Manager Date

[Signature] 4/7/09
 Village Engineer Date Approved By: _____
 (>\$10K or 25%) Village President Date

[Signature] 4/7/09
 Director of Public Works Date Attest: _____
 Village Clerk 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.

Main Street Lighting Phase 1

C.O. #5

3/2/2009

NO	ITEM	CURRENT QUAN	UNIT	UNIT PRICE	REVISED QUAN	DIFFERENCE	AMOUNT
5A	Extra Work Report #9						
5A-1	Remove Concrete Obstruction	0	L Sum	\$ 1,098.16	1	1	\$ 1,098.16
5B	Extra Work Report #10						
5B-1	Added Excavation for Unstable Soil & Rock	0	L Sum	\$ 686.43	1	1	\$ 686.43
5C	Extra Work Report #11						
5C-1	Adjust Communication Cables	0	L Sum	\$ 545.55	1	1	\$ 545.55
5D	Extra Work Report #12						
5D-1	Restoration Ordered by Village of Lombard	0	L Sum	\$ 1,260.77	1	1	\$ 1,260.77
	New Pay Item						
NEW	Stamped Concrete Complete in place	0	Sq. Ft.	\$ 19.80	300	300	\$ 5,940.00
	Balance of Quantities						
81018100	Conduit Pushed, 3/4" Galvanized Steel	180	Foot	\$ 9.50	130	-50	\$ (475.00)
81018500	Conduit Pushed, 2" Galvanized Steel	272	Foot	\$ 14.00	172	-100	\$ (1,400.00)
81018600	Conduit Pushed, 2 1/2" Galvanized Steel	1881	Foot	\$ 17.00	1575	-306	\$ (5,202.00)
81603025	Unit Duct, with 2-1/C No.4 and 1-1/C No. 4 Ground, 600V (XLP-TYPE USE), 1" Dia., Polyethylene	800	Foot	\$ 5.40	135	-665	\$ (3,591.00)
81701345	Electric Cable in Conduit, 600V (EPR-TYPE USE) 3-1/C No. 3/0	302	Foot	\$ 13.00	232	-70	\$ (910.00)
81702450	Electric Cable in Conduit, 600V (EPR-TYPE USE) 3-1/C No. 10	200	Foot	\$ 2.50	142.5	-57.5	\$ (143.75)
83600315	Light Pole Foundation, 30" Diameter, Offset	185	Foot	\$ 213.00	175	-10	\$ (2,130.00)
87900200	Drill Existing Handhole	14	Each	\$ 170.00	13	-1	\$ (170.00)
X0325379	Directional Boring	11517	Foot	\$ 7.50	13168	1651	\$ 12,382.50
*	Exploration Trench, Special	8000	Cu Ft	\$ 2.50	6858.75	-1141.25	\$ (2,853.13)
*	Unit Duct, with 5-1/C No.4 and 1-1/C No. 4 Ground, 600V (XLP-TYPE USE), 1 1/2" Dia., Polyethylene	18822	Foot	\$ 8.60	19164	342	\$ 2,941.20
TOTAL							\$ 7,979.73