

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: August 20, 2009 (COW) (B of T) **Date:** 9/17/09

TITLE: FY 2009 Asphalt Paving and Patching Program
Change Order No. #3

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

BACKGROUND/POLICY IMPLICATIONS:

Attached please find Change Order No. 3 for this project in the amount of a net decrease of \$38,905.00 to the contract. This change order represents the final balancing quantities for this project

FISCAL IMPACT/FUNDING SOURCE:

\$38,905.00 DECREASE
TOTAL CONTRACT: \$1,728,673.00
PW Proj: ST-09-03
P.O. #: 5509, 5514, 5545

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
Through: Carl Goldsmith, Director of Public Works *CG*
From: David A. Dratnol, P.E., Village Engineer *DD*
Date: August 20, 2009
Subject: FY2009 Asphalt Paving and Patching Program
Change Order #3 (Final)

Attached please find Change Order No. 3 for this project in the amount of a net decrease of \$38,905.00 to the contract. This change order represents the final balancing quantities for this project. This final balancing change order is based on actual quantities of work performed multiplied by contract unit prices to determine the total of all work completed. The amount of the change order is the difference between the current contract amount and the total of all work completed. This item will be reviewed by the Public Works Committee on September 8, 2009.

Please present this change order to the President and Board of Trustees for their review and approval at their regular meeting on September 17, 2009. If approved, please have two signed copies returned to Engineering for further processing.

c: File: ST-09-03

RESOLUTION
R _____ 10

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING A 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. #3 to the contract between the Village of Lombard and Brothers Asphalt Paving, Inc. regarding The FY 2009 Asphalt Paving and Patching 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 decrease the dollar amount of the contract by \$38,905.00

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 _____, 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2009.

William J. Mueller
Village President

ATTEST:

Deputy Village Clerk
Brigitte O'Brien

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: The FY 2009 Asphalt Paving and Patching Project
 PROJECT NO.: ST-09-03
 LOCATION: Various Locations CHANGE ORDER: 3
 CONTRACTOR: Brothers Asphalt Paving, Inc. DATE: 8/20/2009

DESCRIPTION OF CHANGE ORDER: This change order represents the final balancing quantities for this project.

ORIGINAL CONTRACT AMOUNT:	[1]	<u>\$1,382,445.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$385,133.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$1,767,578.00</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>(\$38,905.00)</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$1,728,673.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$346,228.00

TIME EXTENSION OR REDUCTION: N/A

TOTAL CONTRACT TIME: 1 Fiscal Year

BUDGET ESTIMATE: \$1,465,000.00

ENGINEER'S ESTIMATE: \$1,494,537.00

RECOMMENDED FOR ACCEPTANCE :

John Martens 8-20-09 Approved By: _____
 Resident Engineer Date Director of Finance Date

Nicola Colella 8-20-09 Approved By: _____
 Contractor Date (<\$10K or 25%) Village Manager Date

David A. Burke 8/25/09 Approved By: _____
 Village Engineer Date (>\$10K or 25%) Village President Date

[Signature] 8/25/09 Attest: _____
 Director of Public Works Date 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.

ITEM	C.O. #2 QUANTITIES	UNIT	UNIT PRICE	C.O. #3 QUANTITIES	DIFFERENCE	AMOUNT
EARTH EXCAVATION	0	CY	\$40.00	0.0	0.00	\$0.00
REM & DISP OF UNSUITABLE MATERIAL	1,259	CY	\$30.00	1,259.0	0.00	\$0.00
BIT BASE CSE 4 3/4"	5,037	SY	\$25.00	5,037.0	0.00	\$0.00
AGGREGATE BASE REPAIR CA-6 4"	5,560	SY	\$6.00	5,310.0	(250.00)	(\$1,500.00)
BITUMINOUS SURFACE REMOVAL 1"	9,318	SY	\$2.00	9,318.0	0.00	\$0.00
BITUMINOUS SURFACE REMOVAL 2"	42,572	SY	\$2.50	42,572.0	0.00	\$0.00
BITUMINOUS SURFACE REMOVAL 3"	21,806	SY	\$4.00	21,806.0	0.00	\$0.00
BITUMINOUS SURFACE REMOVAL 4"	5,560	SY	\$4.00	5,310.0	(250.00)	(\$1,000.00)
HMA BC IL-19 N50 2 1/4"	5,037	SY	\$12.60	5,037.0	0.00	\$0.00
HMA SC "C" N50 2"	30,567	SY	\$10.00	30,567.0	0.00	\$0.00
HMA SC "C" N50 3" (2 lifts)	31,124	SY	\$17.00	31,124.0	0.00	\$0.00
HMA SC "D" N70 2"	10,946	SY	\$11.00	10,946.0	0.00	\$0.00
AREA REFLECTIVE CRACK CONTROL TREATMENT, SYSTEM A	61,975	SY	\$1.60	61,975.0	0.00	\$0.00
CLD PATCH T4 4"	523	SY	\$85.00	400.0	(123.00)	(\$10,455.00)
CLD PATCH T4 15"	562	SY	\$150.00	389.0	(173.00)	(\$25,950.00)
DRAIN & UTIL STRUCT ADJ.	4	EA	\$700.00	4.0	0.00	\$0.00
TRAFFIC CONTROL & PROTECT	1	LS	\$30,000.00	1.0	0.00	\$0.00
PREF PL PM TB LTR & SYM	36.4	SF	\$33.00	36.4	0.00	\$0.00
PREF PL PM TB LINE 4	1,800	LF	\$5.00	1,800.0	0.00	\$0.00
PREF PL PM TB LINE 6	743	LF	\$7.50	743.0	0.00	\$0.00
PREF PL PM TB LINE 8	0	LF	\$10.00	0.0	0.00	\$0.00
PREF PL PM TB LINE 12	578	LF	\$15.00	578.0	0.00	\$0.00
PREF PL PM TB LINE 18	97	LF	\$22.50	97.0	0.00	\$0.00
TRAFFIC CONTROL & PROTECT (C.O. #2)	1	LS	\$30,001.60	1.0	0.00	\$0.00
					Total:	(\$38,905.00)