

DISTRICT 4

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: October 06, 2009 (COW) (B of T) **Date:** October 15, 2009

TITLE: Olde Towne East - Phase IV
Final Balancing Change Order #2

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

BACKGROUND/POLICY IMPLICATIONS:

Change Order No. 2 is a net decrease to the contract of \$11,783.71. The main categories related to this change order: contract quantity adjustments (as-built quantities), and force account work. This change order also includes a 44 calendar day time extension.

FISCAL IMPACT/FUNDING SOURCE:

\$11,783.71 DECREASE
Project #: ST-09-04
HTE Project #: 0829
PO #: 062741
Water/Sewer Fund & Capital Project 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 *CD*
 Through: Carl Goldsmith, Public Works Director *CY*
 Date: October 7, 2009
 Subject: Olde Towne East – Phase IV
 Final Balancing Change Order No. 2

Attached please find Change Order No. 2 for this project in the amount of a net decrease of \$11,783.71. The change order represents quantity adjustments to the existing contract items based on field measured as-built quantities and a force account bill for extra work. This change order also includes a time extension of 44 calendar days. The items below address the major changes:

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 in the cost of the project of \$13,158.01.

FORCE ACCOUNT (TIME AND MATERIAL) BILLINGS:

This change order includes a force account (time and material) bill, FA 3, for work outside of the original scope of the contract associated with abandoning a sanitary manhole in the intersection of Grove Street and Charlotte Street. These are based on actual, documented labor, materials and equipment used by the contractor to accomplish the item. The bill has been reviewed by the resident engineer and staff and agreement has been reached with the contractor. The agreed upon force account bill results in an increase in the cost of the project of \$1,347.30.

TIME EXTENSION

Due to the seasonal requirements for placement of sod (that it could not be placed until September), difficulties in processing the removal of excavated material that was rejected by the landfill, and some time for force account work, the contractor has requested a 44 calendar day time extension. The Resident Engineer and staff have reviewed the request and concur.

The total quantity changes for each individual pay item are on the second page of the change order form. The original contract amount was \$1,167,260.53. If this change order is approved, the contract amount including all change orders will be \$1,143,507.18 which represents a total decrease of 2%.

This change order will be presented to the Public Works Committee on October 13, 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 October 15, 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 _____ 10

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 Final Balancing Change Order No. 2 to the contract between the Village of Lombard and John Neri Construction Co., Inc. regarding Olde Towne East – Phase IV, 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 \$11,783.71 and increase the contract time by 44 calendar 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 15th day of October, 2009

Ayes: _____

Nays: _____

Absent: _____

Approved this 15th day of October, 2009

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER #2

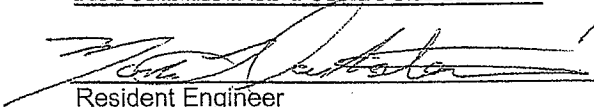
PROJECT NAME: Olde Towne East PH4 PROJECT NO.: ST-09-04
 LOCATION: Lombard, IL CHANGE ORDER: 2 & Final
 CONTRACTOR: John Neri Construction Co., Inc DATE: 10/2/2009

DESCRIPTION OF CHANGE ORDER: Balancing of the items and extra work that has been completed

ORIGINAL CONTRACT AMOUNT:		[1]	<u>\$1,167,260.53</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	CO #1	[2]	<u>(\$11,969.64)</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])		[3]	<u>\$1,155,290.89</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)		[4]	<u>(\$11,783.71)</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([1]+[4])		[5]	<u>\$1,143,507.18</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ((2) +[4]) (\$23,753.35)
 TIME EXTENSION OR REDUCTION: 44 Calendar Days
 TOTAL CONTRACT TIME: 209 Calendar Days
 BUDGET ESTIMATE: \$1,443,100.00
 ENGINEER'S ESTIMATE: \$1,256,392.00

RECOMMENDED FOR ACCEPTANCE :

	Date	10/02/09	Approved By:		Date
Resident Engineer			Director of Finance		
Contractor	Date	Approved By:	(≤\$10K or 25%) Village Manager	Date	
Village Engineer	Date	Approved By:	(>\$10K or 25%) Village President	Date	
Director of Public Works	Date	Approved By:		Date	
Assistant Director of Finance	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.

No.	Item	Current Quantity	Unit	Unit Price	Revised Quantity	DIFFERENCE	AMOUNT
20101700	SUPPLEMENTAL WATERING	50.00	Unit	5.00	0.00	(50.00)	(250.00)
20800150	TRENCH BACKFILL	2,956.00	CY	36.00	2,733.40	(222.60)	(8,013.60)
21101615	TOPSOIL FURNISH AND PLACE,	2,442.00	SY	5.00	2,925.00	483.00	2,415.00
25200700	SODDING, SPECIAL	2,442.00	SY	4.50	2,933.00	491.00	2,209.50
28000250	TEMPORARY EROSION CONTROL SEEDING	50.00	LB	10.00	0.00	(50.00)	(500.00)
40600100	BITUMINOUS MATERIALS (PRIME COAT)	2,153.00	GAL	0.01	225.00	(1,928.00)	(19.28)
40600300	AGGREGATE (PRIME COAT)	13.00	TN	1.00	1.00	(12.00)	(12.00)
40603080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50	414.00	TN	68.00	419.14	5.14	349.52
40603310	HOT-MIX ASPHALT SURFACE COURSE, MIX "C", N50	330.00	TN	85.00	356.07	26.07	2,215.95
42400430	PCC SIDEWALK, 5 INCH, SPECIAL	10,281.00	SF	4.00	10,305.00	24.00	96.00
44000600	SIDEWALK REMOVAL	10,329.00	SF	1.50	10,335.00	6.00	9.00
44201771	CLASS D PATCHES, TYPE 4, 10"	76.00	SY	45.00	135.00	59.00	2,655.00
78003180	PREFORMED PLASTIC PAVEMENT MARKING, TYPE B - LINE 24"	48.00	FT	135.00	0.00	(48.00)	(6,480.00)
83600200	LIGHT POLE FOUNDATION, 24" DIA.	50.00	FT	120.00	37.50	(12.50)	(1,500.00)
Z0004600	BITUMINOUS DRIVEWAY PAVEMENT 9"	198	SY	48.00	51.00	(147.00)	(7,056.00)
Z0017400	DRAINAGE & UTILITY STRUCTURE TO BE ADJUSTED	3	EA	400.00	0.00	(3.00)	(1,200.00)
Z0019600	DUST CONTROL WATERING	100	Unit	10.00	2.55	(97.45)	(974.50)
X0323426	SEDIMENT CONTROL, DRAINAGE STRUCTURE INLET FILTER CLEANING	27	EA	30.00	52.00	25.00	750.00
X0325560	SEDIMENT CONTROL, DRAINAGE STRUCTURE INLET FILTER	11.00	EA	180.00	32.00	21.00	3,780.00
XX004904	BITUMINOUS DRIVEWAY PAVEMENT 10"	165.00	SY	55.00	135.00	(30.00)	(1,650.00)
XX004932	CONCRETE PAVERS, 8 CM	295.00	SF	22.00	327.00	32.00	704.00
XX005541	CURED-IN-PLACE PIPE, 12"	812	FT	48.50	808.00	(4.00)	(194.00)
	SANITARY MANHOLE TO BE ABANDONED	1	EA	350.00	0.00	(1.00)	(350.00)
	UNDERCUTTING FOR UTILITIES	100	CY	1.00	20.40	(79.60)	(79.60)
	CONCRETE EDGING, 12" WIDE - HIGH EARLY STRENGTH	107	FT	18.00	105.00	(2.00)	(36.00)
							-
							-

	No.	Item	Current Quantity	Unit	Unit Price	Revised Quantity	DIFFERENCE	AMOUNT
EXTRA WORK and CREDITS								
FA3	FA3	Abandoned MH on Charlotte & Grove	0.00	LS	1,347.30	1.00	1.00	1,347.30
							TOTAL	(11,783.71)



Mr. Paul F. Kuehnlentz, P.E.
Civil Engineer
Village of Lombard
1051 S. Hammerschmidt Avenue
Lombard, Illinois 60148-3926

October 2, 2009

***Subject: Village of Lombard –Olde Towne East- Phase 4
Resident Engineering***

Dear Mr. Kuehnlentz:

Please find attached "Change in Plans #2" which has been processed to show the extra items of work added to the project and the final balancing of the estimated plan quantities. The following reasons for the change and associated pay items involved will be listed and explained for your use.

Pay items that were not required:

20101700	SUPPLEMENTAL WATERING
28000250	TEMPORARY EROSION CONTROL SEEDING
78003180	PREFORMED PLASTIC PAVEMENT MARKING, TYPE B - LINE 24"
Z0017400	DRAINAGE & UTILITY STRUCTURE TO BE ADJUSTED
	SANITARY MANHOLE TO BE ABANDONED

Balancing of measured quantities (within 10% of estimated plan quantity)

20800150	TRENCH BACKFILL
40603080	HOT-MIX ASPHALT BINDER COURSE, IL-19.0, N50
40603310	HOT-MIX ASPHALT SURFACE COURSE, MIX "C", N50
42400430	PCC SIDEWALK, 5 INCH, SPECIAL
44000600	SIDEWALK REMOVAL
XX005541	CURED-IN-PLACE PIPE, 12"
	CONCRETE EDGING, 12" WIDE - HIGH EARLY STRENGTH

300 Park Boulevard
Suite 355
Itasca, IL 60143

Phone: 630.773.1870

Fax 630.773.3150

info@baxterwoodman.com



Field Measurements were greater (10%) of estimated plan quantity (less than \$10,000 increase per item)

21101615	TOPSOIL FURNISH AND PLACE, 4"
25200700	SODDING, SPECIAL
44201771	CLASS D PATCHES, TYPE 4, 10"
X0323426	SEDIMENT CONTROL, DRAINAGE STRUCTURE INLET FILTER CLEANING
X0325560	SEDIMENT CONTROL, DRAINAGE STRUCTURE INLET FILTER
XX004932	CONCRETE PAVERS, 8 CM

Field Measurements were less than estimated plan quantity (less than \$10,000 decrease per item).

40600100	BITUMINOUS MATERIALS (PRIME COAT)
40600300	AGGREGATE (PRIME COAT)
83600200	LIGHT POLE FOUNDATION, 24" DIA.
Z0004600	BITUMINOUS DRIVEWAY PAVEMENT 9"
Z0019600	DUST CONTROL WATERING
XX004904	BITUMINOUS DRIVEWAY PAVEMENT 10"
	UNDERCUTTING FOR UTILITIES

Changes approved by the Village as agreed prices or force accounts to be added to the contract. See attached Contractor requests

Abandoned MH on Charlotte & Grove

The Summation of all the costs for these items is a net deduction to the contract in the amount of (\$11,783.71). Upon the Village's approval these contract pay items will be adjusted accordingly and incorporated into the final payment request #5.

In addition the Contractor has requested that forty four (44) calendar days be added to the contract for final completion of the project. We have reviewed their letter requesting the extension and agree with their reasoning for a time extension. The time extension has been added to the change order request.

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We expect that the final cost of the construction work to be approximately \$23,750 below the awarded amount. We also anticipate that the Resident Engineering Contract will be approximately \$30,000 under the Not to Exceed Amount so no amendment for additional construction engineering will be required if the Contractor's contract time is extended.

If you have any questions regarding the above, please contact us.

Very truly yours,

BAXTER & WOODMAN, INC.
CONSULTING ENGINEERS

A handwritten signature in black ink, appearing to read "Mark L. Dachsteiner". The signature is fluid and cursive, written over the printed name.

Mark L. Dachsteiner, P.E.
Project Manager

CC: John Neri Construction Company, Inc
Mr. Richard Himebaugh

300 Park Boulevard

Suite 355

Itasca, IL 60143

Phone: 630.773.1870

Fax 630.773.3150

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