

**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 Niehaus, Village Manager

**DATE:** September 28, 2023 (COW) (B of T)      **Date:** October 19, 2023

**TITLE:** Snow and Debris Hauling – Nagel Trucking & Materials Inc.  
Change Order No. 1

**SUBMITTED BY:** Brian Jack, Utilities Superintendent 

**BACKGROUND/POLICY IMPLICATIONS:**

Change Order No. 1 is an increase of \$17,265.50. The change order represents an increase in contract amount due to an increase in hauling of spoils for FY 2023.

**FISCAL IMPACT/FUNDING SOURCE:**

Project #: PWO 23-03  
Budget Amount: \$49,000.00  
Current Contract Amount: \$49,000.00  
Change Order #1: \$17,265.50  
Total Revised Contract Amount: \$66,265.50  
PO #: 2023-0000290

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.



## MEMORANDUM

**To:** Scott Niehaus, Village Manager  
**Through:** Carl Goldsmith, Director of Public Works  
**From:** Brian Jack, Utilities Superintendent  
**Date:** September 28, 2023  
**Subject:** **FY2023 Snow and Debris Hauling Change Order #1**  
**Nagel Trucking & Materials Inc.**

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### **Background**

The Village Board approved an Extension of the FY2022 contract for Snow and Debris Hauling to Nagel Trucking & Materials on January 19, 2023 in the amount of \$49,000 for hauling of spoils from water, sewer, and street excavations to also include snow hauling. Change Order #1 will be an increase in contract amount for \$17,265.50 for a new contract total of \$66,265.50.

This change order is needed due to the increase in hauling spoils for FY 2023 from an increase in emergency excavation repairs as well as planned water and sewer system repairs and maintenance. Included in this change order amount is the spoils from an emergency storm sewer repair on Hickory St. and Finley Rd. that was a deep excavation. The nature of this contract is variable as the amount of emergency excavations varies and can only be estimated.

The increase in contract amount will be funded from the Water/Sewer Capital Reserve Fund RM PROG 32 Water Maintenance and Improvements 520.790.715.75420.

### **Recommendation**

I am requesting approval for Change Order #1 for an increase of \$17,265.50 to Nagel Trucking & Materials Inc. of Batavia, IL for FY2023 for Snow & Debris Hauling.

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Snow and Debris Hauling PROJECT NO.: \_\_\_\_\_

LOCATION: Village of Lombard CHANGE ORDER: 1

CONTRACTOR: Nagel Trucking & Materials, Inc. DATE: 9/28/2023

DESCRIPTION OF CHANGE ORDER: Additional spoils hauling from increase in emergency and planned utility excavations including emergency storm sewer repair at Hickory/Finley

ORIGINAL CONTRACT AMOUNT:	[1] \$ 49,000.00
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] \$ -
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] \$ 49,000.00
<b>PROPOSED CHANGE ORDER: (PENDING APPROVAL)</b>	[4] \$ 17,265.50
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] \$ 66,265.50

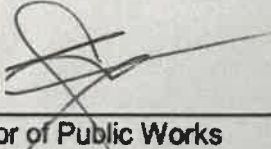
NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	\$17,265.50
TIME EXTENSION OR REDUCTION:	none
TOTAL CONTRACT TIME:	End of Calendar Yaer
BUDGET ESTIMATE:	\$54,000.00
ENGINEER'S ESTIMATE:	\$54,000.00

**RECOMMENDED FOR ACCEPTANCE :**

	9/28/23	Approved By: _____	
Utilities Superintendent	Date	Director of Finance	Date

	9/29/23	Approved By: _____	
Contractor	Date	(<\$10K or 25%) Village Manager	Date

N/A		Approved By: _____	
Village Engineer	Date	(>\$10K or 25%) Village President	Date

	10/2/2023	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.**

**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 Change Order No.1 to the contract between the Village of Lombard and Nagel Trucking & Materials Inc. regarding the Snow and Debris Hauling contract, 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 \$17,265.50.

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.

Resolution \_\_\_\_\_

Adopted this 19<sup>th</sup> day of October, 2023, pursuant to a roll call vote as follows:

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

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

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

Approved by me this 19<sup>th</sup> day of October, 2023

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

ATTEST:

\_\_\_\_\_  
**Elizabeth Brezinski**  
**Village Clerk**