

DISTRICT 1

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: May 27, 2014 (COW) (B of T) **Date:** June 19, 2014

TITLE: Terrace View Pond Improvements
Change Order No. 5 (Final)

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

BACKGROUND/POLICY IMPLICATIONS:

Change Order No. 5 is a net increase to the contract of \$4,083.80. The change order is for the adjustment of existing contract pay items and two new authorized unit prices (AUP).

FISCAL IMPACT/FUNDING SOURCE:

Current Contract Amount: \$1,350,646.53
Change Order #5: \$4,083.80 (Water/Sewer Fund)
Total Revised Contract Amount: \$1,354,730.33
P.O.# 2014-00000665
Project # SS 12 03 Phase 2 CONSTRUCTION
Account: 410.710.725.75350

Review (as necessary):

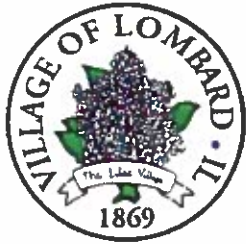
Village Attorney X _____ Date _____

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 Niehaus, Village Manager
 From: David A. Dratnol, P.E., Village Engineer
 Through: Carl Goldsmith, Public Works Director *CG*
 Date: May 27, 2014
 Subject: Terrace View Pond Improvements
 Change Order # 5 (Final)

Attached please find the Final Balancing Change Order (# 5) for this project in the amount of a net increase of \$4,083.80. The change order represents final adjustment to existing contract quantities related to the construction of the pump station located by Greenfield Avenue. Two additional pay items (related to the overflow structure and the pump station control panel) are also part of the change order. All changes in contract quantity have been reviewed by Christopher B. Burke Engineering Ltd (CBBEL), and Village staff.

ADJUSTMENT TO EXISTING QUANTITIES

Refer to the summary sheet behind the change order form for quantity changes for individual contract pay items.

NEW PAY ITEMS:

AUP #12 Grates for Old Pump Station Structure

By lowering the normal water level of the pond, the opening of the existing structure was large enough for an individual to gain access to the structure from the newly exposed shoreline. As a safety precaution, a set of grates will be placed over the two openings to prevent unauthorized entry. The price represents the material, fabrication and installation cost of the two grates. *Net increase of \$5,700.00*

AUP#13 Furnish Pump Control Allowance (Flolo/Kamp Overage)

Flolo, the control panel provider and Kamp, the SCADA integrator were required supplier/programmers subcontractors for the contract. Flolo and Kamp currently supply these services to the Public Works Department as the preferred vendor. The contract included a budget of \$75,000.00 for their labor and materials for the above mentioned items. The \$75,000.00 was included as an allowance within the bid schedule when the project was let for competitive bid. The allowance was based on direct quotes from Flolo and Kamp. Each vendor was to base their quote on the plans and specifications provided to all the bidders. Final billing to Martam Construction exceeded the allowance. As Martam was required by contract to use Kamp and Flolo, the difference between the allowance and final bill is eligible for reimbursement. *Net increase of \$470.00*

This change order will be presented to the Public Works Committee at their meeting of June 10, 2014. 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 June 19, 2014. If approved, please have two signed copies returned to Engineering for further processing.

DAD/rgs

H:\PW\PW-Eng\PROJECTS\FY2011\SS-11-01 Terrace View Pond Improvements\Construction\Change Orders\CO#5 BoT memo.doc

R E S O L U T I O N

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. 5 to the contract between the Village of Lombard and Martam Construction Inc. regarding the Terrace View Pond Improvements project, 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 \$4,083.80

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 19th day of June, 2014, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this this 19th day of June, 2014.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Terrace View Pond Improvements PROJECT NO.: SS-11-01
 LOCATION: Crystal Avenue & Greenfield Avenue CHANGE ORDER: 5
 CONTRACTOR: Martam Construction, Inc. DATE: 5/20/2014
 DESCRIPTION OF CHANGE ORDER: Balancing of quantities

ORIGINAL CONTRACT AMOUNT:	[1] <u>\$1,227,446.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] <u>\$123,200.53</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] <u>\$1,350,646.53</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4] <u>\$4,083.80</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] <u>\$1,354,730.33</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	<u>\$127,284.33</u>
TIME EXTENSION OR REDUCTION:	<u>None</u>
TOTAL CONTRACT TIME:	<u>164 calendar days</u>
BUDGET ESTIMATE:	<u>\$555,000.00</u>
ENGINEER'S ESTIMATE:	<u>\$981,654.50</u>

RECOMMENDED FOR ACCEPTANCE :

 Resident Engineer	Date	Approved By: _____ Director of Finance	Date
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 Contractor	Date	Approved By: _____ (<\$10K or 25%) Acting Village Manager	Date
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 Village Engineer	Date	Approved By: _____ (>\$10K or 25%) Village President	Date
--	------	---	------

 Director of Public Works	Date	Attest: _____ Village Clerk	Date
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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.

Change Order #: 5

Coded Pay Item	No.	Item	Current Quantity	Unit	Unit Price	Revised Quantity	Difference	Amount	Description
20200100		EARTH EXCAVATION	225.0	CU YD	\$24.00	244.7	19.7	\$472.80	Balancing of final quantity.
21101505		TOPSOIL EXCAVATION AND PLACEMENT	380.0	CU YD	\$25.00	361.8	(18.2)	(\$455.00)	Balancing of final quantity.
25000100		SEEDING, CLASS 1	0.420	ACRE	\$8,500.00	0.490	0.070	\$595.00	Balancing of final quantity.
25100630		EROSION CONTROL BLANKET	2,275.0	SQ YD	\$2.00	2710.4	435.4	\$870.80	Balancing of final quantity.
28100105		STONE RIPRAP, CLASS A3	274.2	SQ YD	\$85.00	298.2	24.0	\$2,040.00	Balancing of final quantity.
28200200		FILTER FABRIC	328.5	SQ YD	\$5.00	352.5	24.0	\$120.00	Balancing of final quantity.
ZZCBBEL02		SEEDING (SPECIAL) - EMERGENT	0.240	ACRE	\$8,000.00	0.230	(0.010)	(\$80.00)	Balancing of final quantity.
ZZCBBEL03		SEEDING (SPECIAL) - WET PRAIRIE	0.180	ACRE	\$8,000.00	0.012	(0.168)	(\$1,344.00)	Balancing of final quantity.
ZZCBBEL04		SEEDING 4 (SPECIAL) - PRAIRIE	0.180	ACRE	\$8,000.00	0.019	(0.161)	(\$1,288.00)	Balancing of final quantity.
ZZCBBEL05		INTERSEEDING, CLASS 4B (SPECIAL) - WET PRAIRIE	0.480	ACRE	\$4,500.00	0.000	(0.480)	(\$2,160.00)	Balancing of final quantity.
ZZCBBEL06		INTERSEEDING, CLASS 4B (SPECIAL) - PRAIRIE	0.240	ACRE	\$4,500.00	0.000	(0.240)	(\$1,080.00)	Balancing of final quantity.
ZZCBBEL10		TURF REINFORCEMENT PAVER SYSTEM	200.0	SQ YD	\$36.00	221.7	21.7	\$781.20	Balancing of final quantity.
221913/01		8" DIP FORCEMAIN	200.0	FOOT	\$100.00	167.5	(32.5)	(\$3,250.00)	Balancing of final quantity.
AUP # 5		PGE BACKFILL	99.5	CU YD	\$30.00	189.2	89.7	\$2,691.00	Balancing of final quantity.
AUP # 12		GRATES FOR OLD PUMP STATION STRUCTURE	0.0	EACH	\$5,700.00	1.0	1.0	\$5,700.00	Balancing of final quantity.
AUP # 13		FLOLOKAMP INVOICING OVERAGE	0.0	DOLLAR	\$1.00	470.0	470.0	\$470.00	

TOTAL AMOUNT = \$1,083.80

 **MARTAM** CONSTRUCTION, INC.

General Contractors & Engineers



May 20, 2014

Terrace View Pond Improvements, Lombard

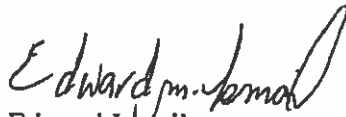
David,

Martam Construction, Inc. propose the following AUP –

AUP #12

Furnish & install grates for old pump station structure for the lump sum of \$5,700.00

Sincerely,



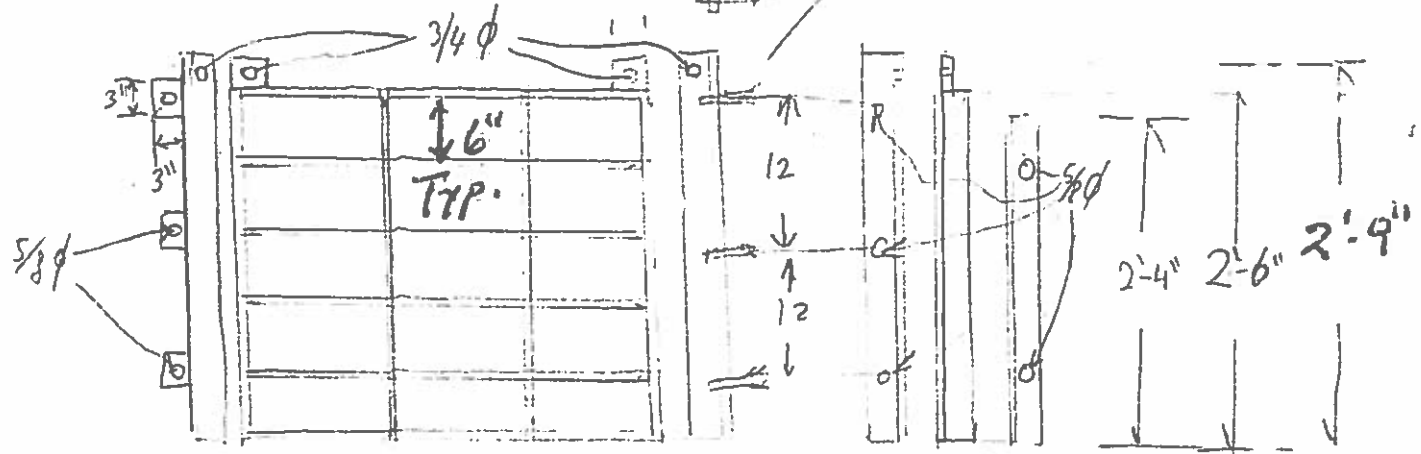
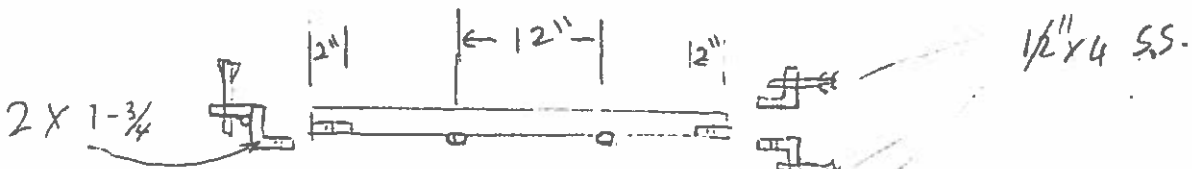
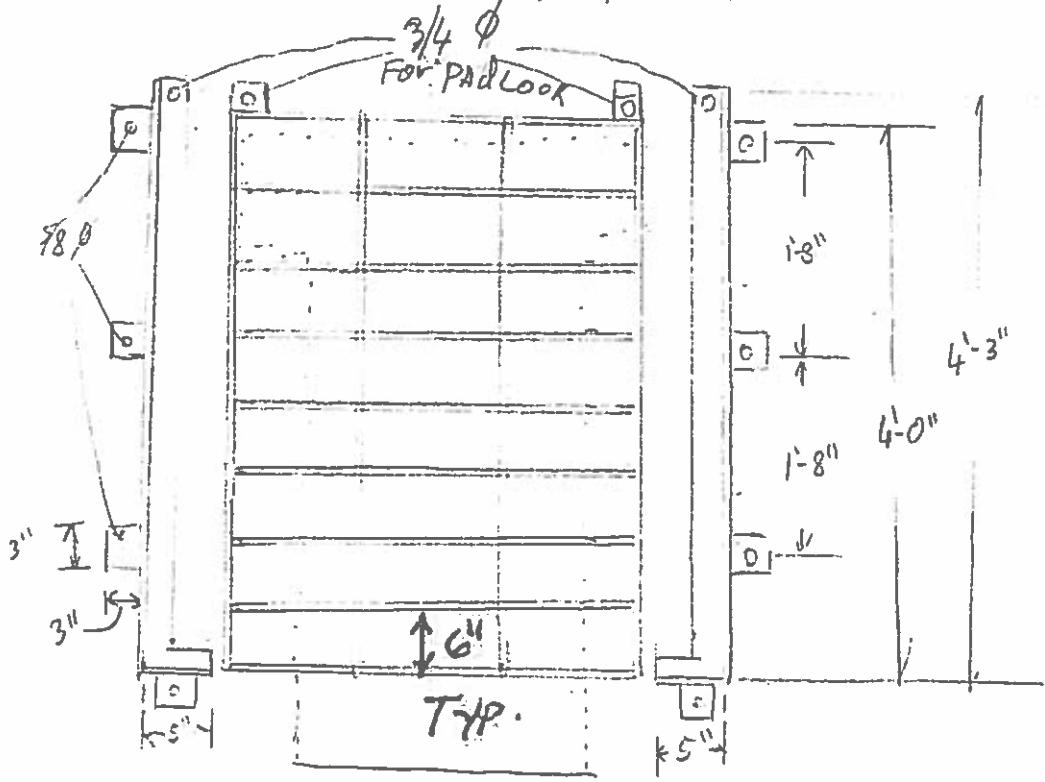
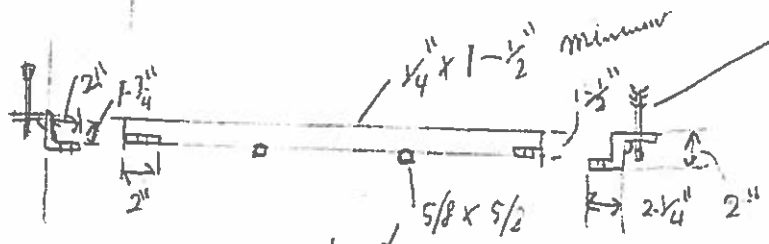
Edward Ismail
Senior Project Manager

galvanized

3'-0"

15 pieces

1/2" x 4" S.S.



≡≡≡≡≡≡ **MARTAM** CONSTRUCTION, INC. ≡≡≡≡≡≡

General Contractors & Engineers



May 20, 2014

Terrace View Pond Improvements, Lombard

David,

Martam Construction, Inc. propose the following AUP –

AUP #13
Flolo/Kamp invoice overage....\$470.00

Sincerely,

A handwritten signature in cursive script that reads "Edward Ismail".

Edward Ismail
Senior Project Manager

David Dobson

From: e.ismail@comcast.net
Sent: Monday, May 05, 2014 1:00 PM
To: Dobson, Dave
Subject: Re: invoices

AUP #1
Aeration System
22,384.58

Panel Deduct for work
-1,423.00

David,

The total invoice is -----	\$76,893.00
Deduct aeration changes -----	(-\$1,423.00)
Deduct allowance -----	(-\$75,000.00)

Total	\$470.00

\$71.15 paid for aeration above the cost is the 5% mark up. the mark up. but if this is a problem than use your number.

Thanks,

Edward M. Ismail, P.E.
Senior Project Manager
Martam Construction, Inc.

From: "Dobson, Dave" <ddobson@cbbel.com>
To: "ismail, e" <e.ismail@comcast.net>
Sent: Monday, May 5, 2014 10:49:37 AM
Subject: Re: invoices

Thank you Ed.

When I total you invoices, and the Allowance with the modification to control panel line items, I come up with a difference of \$398.85.

Your invoices total = \$76,893

Line items total = 76,494.15

Difference = \$398.85

Is this correct? If so let me know, if not please explain why.

Thanks.

David A. Dobson II, PE
Construction Engineer

Christopher B. Burke Engineering, Ltd.
9575 W. Higgins Road, Suite 600 Rosemont, IL 60018
Phone: (847) 823-0500 Fax: (847) 823-1029 Cell: (847) 833-3264
E-Mail: ddobson@cbbel.com

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Sent from my iPhone

On May 5, 2014, at 8:54 AM, e.ismail@comcast.net wrote:

Good Morning David,
Please find attached invoices for Flolo Corp. and kamp/synergy.

Thanks,

Edward M. Ismail, P.E.
Senior Project Manager
Martam Construction, Inc.

<SKMBT_C45114050508330.pdf>

Kamp/Synergy

9434 N. 107th Street
 Milwaukee, WI 53224
 (414) 354-6700
 (414) 354-6701 fax

Invoice

DATE	INVOICE NO.
1/29/2014	3989

BILL TO
Martam Construction Attn: Ed Ismail 1200 Gasket Drive Elgin, IL 60120



P.O. No.	JOB NO.	PROJECT

QTY	DESCRIPTION	RATE	AMOUNT																															
	Village of Lombard-Terrace View Pond SCADA System additions per our quote dated 4/15/2013	15,225.00	15,225.00																															
	Provide and install the radio pole and mount the antenna (not covered in our original scope of work)	500.00	500.00																															
<table border="1"> <tr> <td>Vendor # 11019</td> <td>Total Amount: 15,725.00</td> </tr> <tr> <td>Invoice #: 1020-1</td> <td></td> </tr> <tr> <td>Invoice Date: 1/29/14</td> <td></td> </tr> <tr> <td>Job #</td> <td>Phase</td> <td>Cost Type</td> <td>G/L Acct</td> <td>Init</td> </tr> <tr> <td>1020</td> <td>420</td> <td>4</td> <td></td> <td>Jm</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		Vendor # 11019	Total Amount: 15,725.00	Invoice #: 1020-1		Invoice Date: 1/29/14		Job #	Phase	Cost Type	G/L Acct	Init	1020	420	4		Jm																	
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Invoice Date: 1/29/14																																		
Job #	Phase	Cost Type	G/L Acct	Init																														
1020	420	4		Jm																														
		Total	\$15,725.00																															

NEW VENDOR
 (A) Request waiver w/payment
 + w9
 + COI } requested 2/13/14.



INVOICE No: 091985
 Invoice Date: 12/31/13

1061 East Green Street P.O. Box 586 Bensenville IL
 60106-0586

REMIT TO: P.O. BOX 586 BENSENVILLE IL 60106-0586

Customer No: 11875-000

Page 1

Sold Martam Construction Inc
 To: 1200 Gasket Drive
 Elgin IL 60120

Ship Village of Lombard
 To: Terrace View Pond
 Lombard IL



Customer P.O. No: 1020
 Salesrep No.:
 Special Info.:

Payment Terms: Past due after 30 days
 Payment due on or before: 1/30/14
 Entry Date: 6/05/13
 Our Job No.: 03-11511

Quantity	Description	Amount	Amount
1	Duplex Lift Station control panel	\$ 59,745.00	61,168.00
1	Aeration System Changes	\$ 1,423.00	

 ***** Lombard -- Terrace View Pond *****

TAX EXEMPT FOR VILLAGE OF LOMBARD
 E 9997-4401-04

TOTAL DUE THIS INVOICE:

61,168.00

Is this a sub that provided installation or did they just supply the panel and system?
 Just supplyer

Vendor # 6120		Total Amount: \$61,168.00			
Invoice #: 91985					
Invoice Date: 12.31.13					
Job #	Phase	Cost Type	G/L Acct	Amount	Init
1020	420	3			EAT