

**VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION**

For Inclusion on Board Agenda

    X     Resolution or Ordinance (Blue)      \_\_\_\_\_ Waiver of First Requested  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Other Business (Pink)

**TO:** PRESIDENT AND BOARD OF TRUSTEES

**FROM:** William T. Lichter, Village Manager

**DATE:** October 6, 2004 (COW) (B of T)      Date: October 21, 2004

**TITLE:** 2004 Yorktown Water Main  
Change Order #2

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

**BACKGROUND/POLICY IMPLICATIONS:**

See memo

**FISCAL IMPACT/FUNDING SOURCE:**

\$40,053.65 INCREASE

Project #: WA-04-01

HTE Project #: 0409

PO #: 050548

*701,809,500*

Review (as necessary):

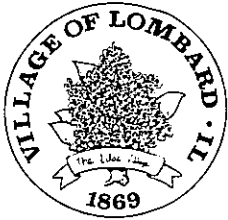
Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

*Accounting* Finance Director X *Timothy Sexton* \_\_\_\_\_ Date *10/12/04*

Village Manager X *William T. Lichter* \_\_\_\_\_ Date *10/12/04*

**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: William T. Lichter, Village Manager  
From: David A. Dratnol, P.E., Village Engineer *DA*  
Date: October 6, 2004  
Subject: 2004 Yorktown Water Main  
Change Order #2

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Attached please find Change Order No. 2 for this project in the amount of \$40,053.65. The change order primarily represents additional adjustments to the contract related to contaminated soil encountered at and adjacent to the former Montgomery Wards Auto Center (Claim Jumper Restaurant site).

Contaminated soil was removed within the water main easement on the Claim Jumpers site. Items related to this are the hauling and disposal of contaminated soil and the Nitrile gaskets for both the mechanical joint and push fit connections for the new water main. The Nitrile gaskets were necessary per EPA regulations.

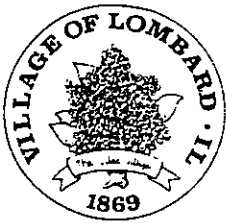
Force account number 5 and the quantity adjustments to the existing contract pay items are for the cost of avoiding the plume of contaminated soil within the "ring road" adjacent to the Claim Jumper site. To keep the new water main out of contaminated soil, the water main was relocated approximately fifty (50) feet east of the ring road.

For a line by line explanation of each pay item, please refer to the second page of the change order form.

This item will be presented to the Public Works Committee on October 12, 2004. If recommended by the committee, please present this change order to the President and Board of Trustees for their review and approval at their regular meeting on October 21, 2004. If approved, please have two signed copies returned to Engineering for further processing.

c: File: WA-04-01





RESOLUTION  
R \_\_\_\_\_ 05

**A RESOLUTION AUTHORIZING A CHANGE ORDER  
INVOLVING AN INCREASE 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. 2 to the contract between the Village of Lombard and Trine Construction Company regarding 2004 Yorktown Water Main Project, 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 \$40,053.65

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 \_\_\_\_\_, 2004

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

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

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2004

\_\_\_\_\_  
**William J. Mueller**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Barbara Johnson**  
**Deputy Village Clerk**

APPROVAL AS TO FORM:

\_\_\_\_\_  
**Thomas P. Bayer**  
**Village Attorney**

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Yorktown Water Main Replacement Project PROJECT NO.: WA-04-01

LOCATION: Yorktown Mall CHANGE ORDER: 2

CONTRACTOR: Trine Construction DATE: 9/28/2004

DESCRIPTION OF CHANGE ORDER: Contaminated soils area

|  |     |                     |
|--|-----|---------------------|
| ORIGINAL CONTRACT AMOUNT:                                      | [1] | <u>\$483,352.10</u> |
| TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:                    | [2] | <u>\$38,184.88</u>  |
| CURRENT CONTRACT AMOUNT: ([1]+[2])                             | [3] | <u>\$521,536.98</u> |
| PROPOSED CHANGE ORDER: (PENDING APPROVAL)                      | [4] | <u>\$40,053.65</u>  |
| PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4]) | [5] | <u>\$561,590.63</u> |

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$78,238.53

TIME EXTENSION OR REDUCTION: \_\_\_\_\_

TOTAL CONTRACT TIME: (PENDING APPROVAL) \_\_\_\_\_

BUDGET ESTIMATE: \$682,657.50

ENGINEER'S ESTIMATE: \$682,657.50

**RECOMMENDED FOR ACCEPTANCE :**

[Signature] 10-5-04 Approved By: \_\_\_\_\_ Date  
Resident Engineer Director of Finance

[Signature] 10/6/04 Approved By: \_\_\_\_\_ Date  
Contractor (<\$10K or 25%) Village Manager

[Signature] 10/6/2004 Approved By: \_\_\_\_\_ Date  
Village Engineer (>\$10K or 25%) Village President

[Signature] 7 Oct 04 Attest: \_\_\_\_\_ Date  
Director of Public Works Village Clerk

\_\_\_\_\_  
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.

| NO           | ITEM  | CURRENT QUAN | UNIT  | UNIT PRICE | REVISED QUAN | DIFFERENCE | AMOUNT      | EXPLANATION   |  |
|--------------|---|--------------|-------|------------|--------------|------------|-------------|---|--|
| 56103000     | 6" DUCTILE IRON WATER MAIN                        | 55.0         | FOOT  | \$37.90    | 97.0         | 42.0       | \$1,591.80  | Additional quantities to avoid soil contamination                       |  |
| 56103200     | 10" DUCTILE IRON WATER MAIN                       | 1,650.0      | FOOT  | \$43.90    | 1,717.0      | 67.0       | \$2,941.30  | Additional quantities to avoid soil contamination                       |  |
| 56103300     | 12" DUCTILE IRON WATER MAIN                       | 840.0        | FOOT  | \$47.30    | 864.0        | 24.0       | \$1,135.20  | Additional quantities to avoid soil contamination                       |  |
| 56103510     | 20" DUCTILE IRON WATER MAIN                       | 105.0        | FOOT  | \$68.40    | 99.0         | (6.0)      | (\$410.40)  | Less quantity used  |  |
| 44002400     | CURB REMOVAL                                      | 155.0        | FOOT  | \$4.80     | 284.8        | 129.8      | \$623.04    | Additional quantities to avoid soil contamination                       |  |
| 60603800     | COMBINATION CONCRETE CURB AND GUTTER, TYPE B-6.12 | 80.0         | FOOT  | \$25.00    | 179.8        | 99.8       | \$2,495.00  | Additional quantities to avoid soil contamination                       |  |
| 44201723     | CLASS D PATCHES, TYPE IV, 6 INCH                  | 2,380.0      | SQ YD | \$30.80    | 2,430.5      | 50.5       | \$1,555.40  | Patching of pavement after removing 12" DIP on Ring Road                |  |
| 78001110     | PAINT PAVEMENT MARKING - LINE 4"                  | 581.0        | FOOT  | \$5.00     | 881.0        | 300.0      | \$1,500.00  | Additional quantity to avoid soil contamination area                    |  |
| 25200700     | SODDING, SPECIAL                                  | 1,980.0      | SQ YD | \$2.90     | 2,017.0      | 37.0       | \$107.30    | Additional sodding around fire hydrants/curb removal and replacement    |  |
| 25200700     | TOPSOIL FURNISH AND PLACE, 4"                     | 1,700.0      | SQ YD | \$3.15     | 2,017.0      | 317.0      | \$998.55    | Additional quantity to avoid utility conflicts                          |  |
| 20800250     | TRENCH BACKFILL, SPECIAL                          | 2,560.0      | CU YD | \$32.85    | 2,673.0      | 113.0      | \$3,712.05  | Removal of 12" DIP in contaminated soil area                            |  |
|              | FORCE ACCOUNT NUMBER 5                            | 0.0          | EACH  | \$1,876.41 | 1.0          | 1.0        | \$1,876.41  | Labor and equipment costs to remove 12" DIP from contaminated soil area |  |
|              | CONTAMINATED SOIL HAULING                         | 0.0          | CU YD | \$18.90    | 375.0        | 375.0      | \$7,087.50  | Removing of contaminated soil   |  |
|              | CONTAMINATED SOIL DISPOSAL                        | 0.0          | TONS  | \$31.74    | 462.5        | 462.5      | \$14,679.43 | Disposing of contaminated soil at Settlers Hill                         |  |
|              | 6" MJ GASKET (NITRILE)                            | 0.0          | EACH  | \$5.44     | 4.0          | 4.0        | \$21.76     | Petroleum resistant water main gasket in contamination area             |  |
|              | 6" TYTON GASKET (NITRILE)                         | 0.0          | EACH  | \$9.75     | 2.0          | 2.0        | \$19.50     | Petroleum resistant water main gasket in contamination area             |  |
|              | 10" MJ GASKET (NITRILE)                           | 0.0          | EACH  | \$10.38    | 2.0          | 2.0        | \$20.76     | Petroleum resistant water main gasket in contamination area             |  |
|              | 10" TYTON GASKET (NITRILE)                        | 0.0          | EACH  | \$14.15    | 7.0          | 7.0        | \$99.05     | Petroleum resistant water main gasket in contamination area             |  |
| <b>TOTAL</b> |   |              |       |            |              |            |             | \$40,053.65   |  |



# Trine Construction Corp.



1 S 420 SHAFFNER ROAD

WHEATON, ILLINOIS 60187

630 / 668-4626

FAX 630 / 668-4828

Route: N/A Section: N/A County: DuPage Village: Lombard

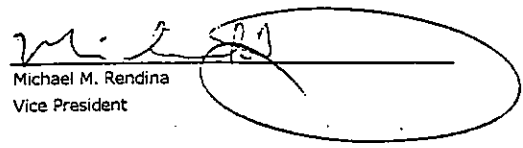
Force Account Bill For: Removal of previously installed 12" DIP water main, 12" valve and vault and 45 degree Bends to avoid contaminated soil along the Ring Road at the south west corner of the Yorktown Mall.

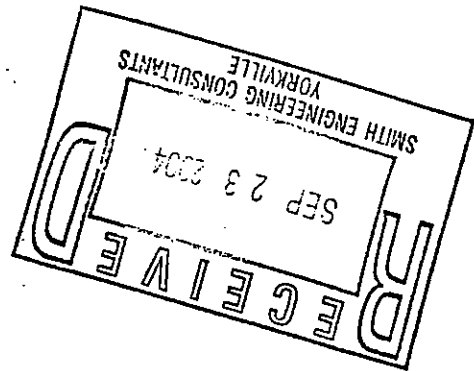
Contract No.: WA-04-01LCMB-040614-06

|   | September 2004 | Total Hours |            | Rate            | Insurance Amount | Payroll Amount  | Payroll Amount Eligible for Unemployment Tax |                 |
|---|----------------|-------------|------------|-----------------|------------------|-----------------|--|-----------------|
|   |                | S.T.        | O.T.       |                 |                  |                 | F.U.T.                                       | S.U.T.          |
| Octavio Solis, Foreman                            | 4              | 4           |            | \$39.80         | \$159.20         | \$159.20        | \$159.20                                     | \$159.20        |
| Rick Feldgas, Operator                            | 4              | 4           |            | \$35.80         | \$143.20         | \$143.20        | \$143.20                                     | \$143.20        |
|   |                |             |            | \$35.80         | \$0.00           | \$0.00          | \$0.00                                       | \$0.00          |
| Frank Paolinetti, Laborer                         | 4              | 4           |            | \$29.35         | \$117.40         | \$117.40        | \$117.40                                     | \$117.40        |
| John Burell, Laborer                              | 4              | 4           |            | \$29.35         | \$117.40         | \$117.40        | \$117.40                                     | \$117.40        |
| Raul Buenrostro, Laborer                          | 4              | 4           |            | \$29.35         | \$117.40         | \$117.40        | \$117.40                                     | \$117.40        |
|   |                |             |            | \$29.35         | \$0.00           | \$0.00          | \$0.00                                       | \$0.00          |
| Subtotals, Labor                                  |                |             |            |                 | <b>\$654.60</b>  | <b>\$654.60</b> | <b>\$654.60</b>                              | <b>\$654.60</b> |
| Laborer Pension & Welfare Funds                   |                |             | 12 Hours @ |                 | <b>\$10.09</b>   |                 | \$121.08                                     |                 |
| Operating Engineer Pension & Welfare -            |                |             | 8 Hours @  |                 | <b>\$13.48</b>   |                 | \$107.84                                     |                 |
| Subtotals, Labor                                  |                |             |            |                 |                  | <b>\$883.52</b> |  |                 |
| Plus 35% of                                       |                |             |            | <b>\$883.52</b> |                  |                 | \$309.23                                     |                 |
| Subtotals, Labor                                  |                |             |            |                 |                  |                 | <b>\$1,192.75</b>                            |                 |
| Plus: Workmen's Compensation Ins. 15.92% of       |                |             |            |                 | \$654.60         | \$104.21        |  |                 |
| Public Liability and Property Damage ins. 6.5% of |                |             |            |                 | \$654.60         | \$42.55         |  |                 |
| Federal Unemployment tax .8% of:                  |                |             |            |                 | \$654.60         | \$5.24          |  |                 |
| State Unemployment Tax 6.1% of:                   |                |             |            |                 | \$654.60         | \$39.93         |  |                 |
| Federal Social Security Tax 7.65% of:             |                |             |            |                 | \$654.60         | \$50.08         |  |                 |
| Total Payroll Additives                           |                |             |            |                 |                  | <b>\$242.01</b> |  |                 |
| Plus 10% of                                       |                |             |            |                 |                  | \$24.20         |  |                 |
|   |                |             |            |                 |                  |                 | \$266.21                                     |                 |
| <b>Total Labor</b>                                |                |             |            |                 |                  |                 | <b>\$1,458.96</b>                            |                 |

I hereby certify that the above statement is a copy of that portion of the payroll which applies to the above stated work and that the rates shown for taxes and insurance are actual costs.

Trine Construction Corp.

  
 Michael M. Rendina  
 Vice President







Smith Engineering Consultants, Inc.  
*Civil/Structural Engineers and Surveyors*

August 27, 2004

Mr. Ray Schwab  
Engineering Department  
Village of Lombard  
255 E. Wilson Avenue  
Lombard, Illinois 60148-3931

Re: 2004 Yorktown Water Main Project (No. WA-04-01)  
Contaminated Water and Soil Disposal

Dear Mr. Schwab:

As requested and in consultation with various other parties to this situation including Trine Construction Corp. (project contractor), ACES Demolition (Wards Automotive Center, Phase II Remediation Consultant), Settler's Hill Landfill and Van Dosen Industries, I have prepared an estimate of the costs associated with the installation of water main through that portion of the project site discovered to be contaminated with petroleum residue. This area is located in the vicinity of the intersection of the Yorktown Ring Road with the southerly most entrance to the Yorktown Mall from Highland Avenue. The additional costs associated with this issue are categorized and described as follows but do not include the value of lost time owed the general contractor due to delays caused in dealing with this situation.

*Water Main Modification:* At this time and upon the advice of the Village Geotechnical and Environmental Consultant, Testing Service Corporation, and in consultation. Nitrile gaskets will be required for all water main joints in lieu of the normal butyl rubber gaskets. In addition, the one fire hydrant in the affected area will have to be replaced with one that does not have a weep hole that would otherwise allow for the entry of contaminated groundwater into the hydrant.

*Soil Hauling and Disposal:* All contaminated soil from the site will be hauled by Trine's subcontractor Settler's Hill Landfill in Batavia where the excavated material will be manifested and disposed of under a previously issued Profile Number. The contamination, based upon exploratory excavation performed by Trine, affects approximately 410 lineal feet of water main trench and the installation of one hydrant. The excavated material is required to be hauled and disposed of as a special waste. This hauling and disposal costs for this work include all trucking and disposal charges.

*Water Pumping and Disposal:* Based upon the best information available, at this time, the ground water which has been encountered and determined to be contaminated originates from the tank remediation site and is water that has infiltrated from the surface and is trapped in the granular fill that is surrounded by low permeability clay soils. It is estimated that the remediation site measures approximately eighty (80) feet by fifty (50) feet and that the impounded water surface is approximately three (3) feet above the bottom elevation of the water main trench. Based upon an estimated average void ratio of 30% for typical granular fill, it is estimated that approximately 30,000 gallons of contaminated water will flow into the water main trench and have to be pumped and properly disposed of.



| Item                   | Item Description                                  | Quantity | Units | Unit Cost | Cost          |
|------------------------|---|----------|-------|-----------|---------------|
| 1                      | Haul Contaminated Soil                            | 770      | C.Y.  | \$18.90   | \$14,553.00 * |
| 2                      | Disposal of Contaminated Soil **                  | 1,300    | Tons  | \$26.74   | \$34,758.75   |
| 3                      | Pump and Dispose of Contaminated Water *          | 30,000   | Gal.  | \$0.29    | \$8,820.00    |
| 4                      | Water Disposal Demurrage Charge *                 | 12       | Hours | \$94.50   | \$1,134.00    |
| 5                      | Tyton® Gasket (Nitrile), 20" **                   | 6        | Ea.   | \$46.74   | \$280.42      |
| 6                      | Tyton® Gasket (Nitrile), 12" **                   | 7        | Ea.   | \$17.26   | \$120.83      |
| 7                      | Tyton® Gasket (Nitrile), 10" **                   | 7        | Ea.   | \$14.15   | \$99.02 *     |
| 8                      | Tyton® Gasket (Nitrile), 6" **                    | 1        | Ea.   | \$9.75    | \$9.75 *      |
| 9                      | MJ Gasket Gasket (Nitrile), 20" **                | 4        | Ea.   | \$23.74   | \$94.94       |
| 10                     | MJ Gasket Gasket (Nitrile), 12" **                | 12       | Ea.   | \$12.86   | \$154.28      |
| 11                     | MJ Gasket Gasket (Nitrile), 10" **                | 12       | Ea.   | \$10.38   | \$124.61 *    |
| 12                     | MJ Gasket Gasket (Nitrile), 6" **                 | 6        | Ea.   | \$5.44    | \$32.64 *     |
| 13                     | Fire Hydrant, Special (cost differential only) ** | 3        | Ea.   | \$575.00  | \$1,725.00    |
| <i>Subtotal</i>        |   |          |       |           | \$61,907.24   |
| <i>10% Contingency</i> |   |          |       |           | \$6,190.72    |
| <i>Total</i>           |   |          |       |           | \$68,097.97   |


- \* Includes 5% administrative charge per Art. 109.04(b)(7) of IDOT Standard Specifications for Road and Bridge Construction
- \*\* Includes 15% markup per Art. 109.04(b)(3) of IDOT Standard Specifications for Road and Bridge Construction

Smith Engineering Consultants, Inc. recommends that the Village of Lombard favorably consider approval of a change order in this amount which also includes a 10% contingency. Please keep in mind that the quantities used here are estimates based upon underground conditions and are therefore subject to considerable variation. The actual quantities of soil and water dealt with will be measured in the field as the work progresses.

Please call to discuss should you have any questions regarding this matter.

Sincerely,

SMITH ENGINEERING CONSULTANTS, INC.

  
Michael E. Hughes, P.E.  
Associate

MEH/jmk

cc: David Dratnol, P.E., Village of Lombard  
James Hoving, Smith Engineering Consultants, Inc.  
Chris Johnson, Smith Engineering Consultants, Inc.  
Don Ryba, Smith Engineering Consultants, Inc.

# Trine Construction Corp.



1 S 420 SHAFFNER ROAD  
WHEATON, ILLINOIS 60187

630 / 668-4626

FAX 630 / 668-4828

September 27, 2004

Village of Lombard  
C/O Smith Engineering  
Attn: Mr. Chris Johnson  
759 John Street  
Yorkville, IL 60560

RE: Yorktown Mall Watermain Improvements  
Contaminated Soils  
Trine Job No.: 204110

Dear Mr. Johnson,

\*

Per your request we are pleased to provide the price of \$31.74 Per Ton disposed of manifested contaminated material from the above captioned project. We have attached a copy of the quotation from Waste Management for these fees and applied the 15% markup as allowed by our contract with the Village of Lombard.

Total tonnage to date has been forwarded to your office for your review and records. Please call if you have any questions.

Respectfully Submitted,  
Trine Construction Corp

Michael M. Rendina  
Vice President



