

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: William T. Lichter, Village Manager

DATE: May 23, 2005 (COW) (B of T) **Date:** 6/2/05

TITLE: FY 2005 Dust Control Program
Change Order No. 1

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

BACKGROUND/POLICY IMPLICATIONS:

See attached memo

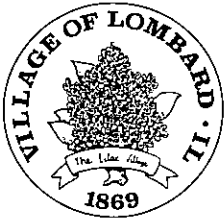
FISCAL IMPACT/FUNDING SOURCE:

Time Extension Only; No Increase To Previously Authorized Funds
TOTAL CONTRACT: \$34,850.00
PW Proj: M 05-02
P.O. No.: 50117
H.T.E Num: 5511

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X *William T. Lichter* _____ Date *5/25/05*

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 *WTL*
Through: Wesley B. Anderson, Director of Public Works
From: David A. Dratnol, P.E., Village Engineer *Dratnol*
Date: May 23, 2005
Subject: Change Order No. 1: FY2005 Dust Control Program

Attached please find Change Order No. 1 to the FY2005 Dust Control Program contract. This change order increases the duration of the contract by one year (365 calendar days) with no increase in the previously authorized contract amount. Because of weather conditions during FY 2005, the Village did not need to utilize dust suppressant on work sites as anticipated in the contract. Due to the reduced level of Capital Improvement Projects under construction in FY2006, staff feels that the remaining balance in the FY2005 Dust Control Program will be sufficient for the FY2006 Projects. As of May 23, 2005, the remaining balance in the FY2005 Dust Control Program is 10.5 loads of dust suppressant, totaling \$17,850.00.

Because of the schedule of upcoming Board meetings, staff will poll the Public Works Committee members for a recommendation to the Village Board. Please present this change order to the Village Board for review and approval at their regularly scheduled meeting on June 2, 2005. If approved, please return two (2) executed originals to the Public Works Department, Engineering Division, for further processing.

cc: File: M-05-02

RESOLUTION
R _____ 06

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING AN INCREASE IN THE TIME IN WHICH THE CONTRACT IS TO BE
COMPLETED BY THIRTY 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 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 CAM, LLC, Inc.. regarding The FY 2005 Dust Control 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 time in which the contract is to be completed by 365 calendar days (one year).

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 _____, 2005.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2005.

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

PROJECT NAME: FY 2005 Dust Control Program PROJECT NO.: M-05-02
 LOCATION: Various CHANGE ORDER: # 1
 CONTRACTOR: Cam, LLC, Inc. DATE: 5/19/2005
 DESCRIPTION OF CHANGE ORDER: Time Extension

ORIGINAL CONTRACT AMOUNT:	[1]	<u>\$34,850.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$34,850.00</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$0.00</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$34,850.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])		<u>\$0.00</u>
TIME EXTENSION OR REDUCTION:		<u>1 Year</u>
TOTAL CONTRACT TIME: (PENDING APPROVAL)		<u>2 Year</u>
BUDGET ESTIMATE:		<u>\$34,850.00</u>
ENGINEER'S ESTIMATE:		<u>\$37,500.00</u>

RECOMMENDED FOR ACCEPTANCE :

<u>Kent Higgins</u> Resident Engineer	Date	Approved By:	
		Director of Finance	Date
<u>Kelley Ryan</u> Contractor	<u>5/24/05</u> Date	Approved By:	
		(<\$10K or 25%) Village Manager	Date
<u>David A. Brennan</u> Village Engineer	<u>5/25/05</u> Date	Approved By:	
		(>\$10K or 25%) Village President	Date
<u>Wesley Clendenen</u> Director of Public Works	<u>25 May 05</u> Date	Attest:	
		Village Clerk	Date
Accountant	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.