

DISTRICTS 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: David A. Hulseberg – Village Manager

DATE: August 4, 2009 **(B of T) Date:** August 20, 2009

TITLE: 101 S. Main Street Remediation Stage 2
Change Order No. 1 – Final Balancing of Quantities

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

BACKGROUND/POLICY IMPLICATIONS:

Requesting a deduction of \$5,770.00 to the contract amount for the 101 S. Main Street Remediation Stage 2 Project. This change order represents adjustments between estimated and actual work and materials provided by the contractor to complete the project.

FISCAL IMPACT/FUNDING SOURCE:

THIS CHANGE ORDER: \$5,770.00 DECREASE
TOTAL REVISED CONTRACT: \$9,225.00
P.O. No.: 063035
HTE Project No.: 0813
Public Works Project Number: ENV-08A

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, AICP, ICMA-CM
Through: Carl Goldsmith, Director of Public Works *CG*
From: David A. Dratnol, P.E., Village Engineer *DD*
Date: August 4, 2009
Subject: 101 S. Main Street Remediation Stage 2
 Change Order No. 1 – Final Balancing of Contract Quantities and
 Materials.

Attached please find two (2) copies of Change Order No. 1 representing a deduction of \$5,770.00 to the contract amount for the 101 S. Main Street Remediation Stage 2 Project. This change order represents adjustments between estimated quantities and actual work and materials, which were admirably provided by the contractor, Anthem Excavation and Demolition, Inc. Since the total contract is less than \$40,000.00 and the adjustment greater than 25% of the contract, Village Board approval is required for this change order.

These items will be reviewed for recommendation to the Village Board by the Public Works Committee at their August 11, 2009 meeting. If recommended for approval by the Public Works Committee, please present this change order to the President and Board of Trustees for approval at the August 20, 2009 meeting. Upon approval, please return one (1) signed copies to Public Works Engineering for further processing and send one (1) copy to Records.

cc: Public Works Committee
 File: ENV-08A

R E S O L U T I O N
R _____ 10

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING A REDUCTION IN THE CONTRACT AMOUNT OF 25% 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 a contract of less than \$40,000 by 25% 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 Anthem Excavation & Demolition, Inc. regarding 101 S. Main Street Remediation Stage 2, as attached hereto as Exhibit "A" and made part hereof, to the Corporate Authorities of the Village of Lombard; and

WHEREAS, said contract is in the amount of \$14,995.00; and

WHEREAS, said change order attached hereto as Exhibit "A" would decrease the dollar amount of the contract by \$5,770.00 or 38.5%.

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 _____, 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 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

PROJECT NAME: 101 S. Main Street Remediation Stage 2 PROJECT NO.: ENV 08-01A
 LOCATION: 101 S. Main Street CHANGE ORDER: 1
 CONTRACTOR: Anthem Excavation & Demolition, Inc. DATE: 8/4/2009
 DESCRIPTION OF CHANGE ORDER: Final Balancing of Contract Quantities.

| | | |
|--|-----|---------------------|
| ORIGINAL CONTRACT AMOUNT: | [1] | <u>\$14,995.00</u> |
| TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS: | [2] | <u>\$0.00</u> |
| CURRENT CONTRACT AMOUNT: ([1]+[2]) | [3] | <u>\$14,995.00</u> |
| PROPOSED CHANGE ORDER: (PENDING APPROVAL) | [4] | <u>(\$5,770.00)</u> |
| PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4]) | [5] | <u>\$9,225.00</u> |

| | | |
|--|--|---------------------|
| NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) | | <u>(\$5,770.00)</u> |
| TIME EXTENSION OR REDUCTION: | | <u>0</u> |
| TOTAL CONTRACT TIME: (PENDING APPROVAL) | | <u>30</u> |
| BUDGET ESTIMATE: | | <u>Not Budgeted</u> |
| ENGINEER'S ESTIMATE: | | <u>\$21,100.35</u> |

RECOMMENDED FOR ACCEPTANCE :

| | | | |
|--------------------------|----------------|--|---|
| <u>Frank Kalisik</u> | <u>8/04/09</u> | | Approved By: _____ |
| Resident Engineer | Date | | Director of Finance _____ Date |
| <u>Elizabeth Bon</u> | <u>8/5/09</u> | | Approved By: _____ |
| Contractor | Date | | (<\$20K or 25%) Village Manager _____ Date |
| <u>David S. Deane</u> | <u>8/5/09</u> | | Approved By: _____ |
| Village Engineer | Date | | (>\$20K or 25%) Village President _____ Date |
| <u>[Signature]</u> | <u>8/5/09</u> | | Attest: _____ |
| Director of Public Works | Date | | Deputy Village Clerk _____ Date |
| _____ | _____ | | Asst. 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.

101 S. Main Street Remediation Stage 2
 PROJECT NO.: ENV 08-01A

C.O. # 1 8/4/2009

| No. | Item | Estimated Quantity | Unit | ENGINEER'S ESTIMATE | | | CONTRACT AWARDED | | | FINAL BALANCING | | | Project Totals |
|----------|--|--------------------|------|---------------------|----------------|------------|------------------|-----------------|----------------------|-------------------|------------|------------|----------------|
| | | | | Unit Price | Estimated Cost | Unit Price | Contract Price | Actual Quantity | Differences Quantity | Differences Price | | | |
| 44000600 | Sidewalk Removal | 100 | SQFT | \$4.73 | \$473.00 | \$5.00 | \$500.00 | 155 | 55 | \$275.00 | \$775.00 | | |
| 44000500 | Comb. Curb and Gutter Removal | 20 | FOOT | \$14.70 | \$294.00 | \$10.00 | \$200.00 | 25 | 5 | \$50.00 | \$250.00 | | |
| 66900205 | Special Waste Disposal | 45 | CUYD | \$89.25 | \$4,016.25 | \$80.00 | \$3,600.00 | 33 | (12) | (\$960.00) | \$2,640.00 | | |
| 20800250 | Trench Backfill, Special | 45 | CUYD | \$48.83 | \$2,197.35 | \$30.00 | \$1,350.00 | 36 | (9) | (\$270.00) | \$1,080.00 | | |
| 60603800 | Comb. Curb and Gutter TB6.12 | 20 | FOOT | \$89.25 | \$1,785.00 | \$30.00 | \$600.00 | 25 | 5 | \$150.00 | \$750.00 | | |
| 42400430 | P.C.C. Sidewalk, SP | 100 | SQFT | \$18.38 | \$1,838.00 | \$6.00 | \$600.00 | 155 | 55 | \$330.00 | \$930.00 | | |
| 44201796 | Class D Patch, Type IV, 12" | 45 | SQYD | \$124.95 | \$5,622.75 | \$111.00 | \$4,995.00 | 0 | (45) | (\$4,995.00) | \$0.00 | | |
| N/A | Traffic Control and Protection | 1 | LS | \$1,260.00 | \$1,260.00 | \$2,500.00 | \$2,500.00 | 1 | 0 | \$0.00 | \$2,500.00 | | |
| N/A | Sediment Control, Drainage Structure Inlet Filter | 2 | EACH | \$315.00 | \$630.00 | \$150.00 | \$300.00 | 2 | 0 | \$0.00 | \$300.00 | | |
| N/A | Sediment Control, Drainage Structure Inlet Filter Cleaning | 2 | EACH | \$262.50 | \$525.00 | \$50.00 | \$100.00 | 0 | (2) | (\$100.00) | \$0.00 | | |
| XX000001 | 6-Foot Temporary Perimeter Fencing | 100 | FOOT | \$24.59 | \$2,459.00 | \$2.50 | \$250.00 | 0 | (100) | (\$250.00) | \$0.00 | | |
| TOTAL | | | | | | | \$21,100.35 | \$14,995.00 | | | | \$9,225.00 | |
| | | | | | | | | | | | | | (\$5,770.00) |