

DISTRICT 4

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X 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: August 29, 2023 (COW) (B of T) **Date:** September 21, 2023

TITLE: North Avenue Pressure Adjusting Station Rehab & Building Replacement
Construction Management/Construction Contract (Design/Build Contract)
Change Order # 1

SUBMITTED BY: David Gorman, P.E., Assistant Director of Public Works *Dez*

BACKGROUND/POLICY IMPLICATIONS:

Request for a time extension of 99 calendar days for construction delays related to a ComEd service drop and supply chain issues for various Mechanical/Electrical components.

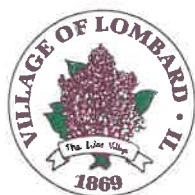
FISCAL IMPACT/FUNDING SOURCE:

None.

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 Gorman, P.E., Assistant Director of Public Works *DGT*
Through: Carl Goldsmith, Director of Public Works
Date: August 29, 2023
Subject: North Avenue Pressure Adjusting Station Rehab & Building Replacement
Design/Build Contract
Change Order No. # 1

Attached please find Change Order No. #1 for this project regarding a contract time extension of 99 calendar days. The revised contract time represents delays related to a new ComEd service drop request and supply chain issues related to various Mechanical/Electrical parts necessary for the operation of the new pressure adjusting station.

Background

The Design/Build contractor initially experienced a delay of approximately one month. This was related to the responsibilities regarding an onsite pole that needed to be braced and the process of installing a new service drop. This issue brought the project to a virtual standstill. It took ComEd approximately one month to conclude this question after the initial site meeting.

The second reason for the delay is related to Mechanical/Electrical parts for the new Pressure Adjusting Station. A key component that experienced a particularly long delay was the Motor Control Center (MCC) which was delayed by 255 calendar days. The MCC is crucial for the distribution of power in starting and controlling motors. The MCC also houses variable frequency drives (VFDs) and programmable logic controllers (PLCs).

Despite the supply chain issues, the construction contractor and the various subcontractors, with assistance from the Public Works Water/Sewer Pumping Division, worked around the supply chain issue as best as possible by revising installation sequencing to keep any viable work moving forward.

The requested total contract delay time of 99 calendar days is calculated from the anticipated final completion date of July 1, 2023, to the revised final completion date of October 15, 2023 (September 15, 2023, plus 30 days). The original contract duration was 614 calendar days (November 1, 2021 to July 1, 2023). Please refer to the attached contract summary sheet and the letter from Burke, LLC dated August 14, 2023.

Recommendation

This change order will be presented to the Public Works Committee on September 12th. Pending the Committee recommending approval, please present Change Order No. # 1 to the President and Board of Trustees for their review and approval at their regular meeting on September 21, 2023. If approved, please have a signed copy returned to Engineering for further processing.

DG/rgs

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. # 1 to the contract between the Village of Lombard and the John Neri Construction Company. regarding the North Grace Street Utilities Improvement 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 extend the time period in which the contract is to be completed in 99 calendar days;

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 21st day of September 2023, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 21st day of September 2023.

Keith Giagnorio
Village President

ATTEST:

Liz Brezinski
Village Clerk

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: North Avenue Pressure Adjusting Station

PROJECT NO.: WA 20 09

LOCATION: West Road (north of North Avenue) CHANGE ORDER: 1



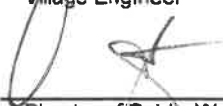
CONTRACTOR: Burke LLC 08/28/23

DESCRIPTION OF CHANGE ORDER: Design/Build Contract Time Extension

ORIGINAL CONTRACT AMOUNT: (Construction Contract)	[1]	<u>\$2,770,685.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ((1)+[2])	[3]	<u>\$2,770,685.00</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$0.00</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ((3)+[4])	[5]	<u>\$2,770,685.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])		<u>\$0.00</u>
TIME EXTENSION (Design/Build Contract: November 1, 2021 to October 15, 2023)		<u>99 calendar days</u>
TOTAL CONTRACT TIME: (PENDING APPROVAL)		<u>713 calendar days</u>
BUDGET ESTIMATE (Construction Contract)		<u>\$1,500,000.00</u>
ENGINEER'S ESTIMATE (Construction Contract)		<u>\$2,444,255.00</u>

RECOMMENDED FOR ACCEPTANCE :

<u>Ray Schwab</u>	<u>08/28/23</u>			
Project Manager	Date	Approved By:	Director of Finance	Date
	<u>08/28/2023</u>	Approved By:	Village Manager	Date
Contractor	Date	(<\$10K or 25%)		
	<u>8/28/2023</u>	Approved By:	Village President	Date
Village Engineer	Date	(>\$10K or 25%)		
	<u>8/30/2023</u>	Attest:	Village Clerk	Date
Director of Public Works	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



Design / Build

BURKE, L.L.C.

9575 West Higgins Road • Suite 600 • Rosemont, Illinois 60018-4920 • TEL (847) 823-0500 • FAX (847) 823-0520

August 14, 2023

Village of Lombard
1051 S. Hammerschmidt Ave.
Lombard, IL 60148

Attention: Mr. Ray Schwab

Subject: Request for Time Extension
North Avenue Pressure Adjusting Station
(Burke LLC Project No. 01.R010150.00160)

Dear Ray:

Burke, LLC Design-Build is requesting a time extension for the North Avenue Pressure Adjusting Station project to September 15, 2023. This request comes as a result of delays due to ComEd as well as supply chain issues causing delays in the delivery of critical electrical equipment and materials.

A new proposed construction schedule has been prepared and sent to you. The more vital tasks along the project's critical path are being addressed first. The remaining punch-list items for the job will be completed within 30 days of the completion date.

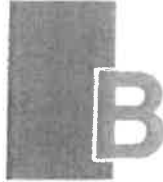
Please feel free to reach out to me should you have any questions or comments.

Sincerely,

John P. Caruso, PE
Principal

JPC/pjb

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**STANDARD FORM OF AT-RISK CONSTRUCTION MANAGEMENT
CONTRACT FOR DESIGNER-LED DESIGN-BUILD PROJECT**

OWNER: Village of Lombard
1051 S. Hammerschmidt
Lombard, IL 60148
P.O.C.: Ray Schwab, Civil Engineer II
schwabr@villageoflombard.org

CONSTRUCTION MANAGER: Burke, LLC
9575 West Higgins Road
Suite 600
Rosemont, IL 60018-4920
P.O.C.: John Caruso, PE
jcaruso@cbbel.com

PROJECT: **North Ave. Pressure Adjusting Station (PAS)
On Site Constructed Building Option**

CONTRACT DATE: November 1, 2021

CONSTRUCTION \$2,450,185.00

CONSTRUCTION MANAGEMENT \$ 198,000.00

GENERAL CONDITIONS \$ 122,500.00
(Insurance & Bonds)

GUARANTEED MAXIMUM PRICE: \$2,770,685.00

SUBSTANTIAL COMPLETION DATE: June 1, 2023

FINAL COMPLETION: July 8, 2023