

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: Tim Sexton, Acting Village Manager

DATE: September 5, 2013 (B of T) DATE: September 19, 2013

TITLE: Landscape Restoration, Change Order No. 1

SUBMITTED BY: William Harvey, Acting Forestry & Urban Landscaping Supervisor *WH*

BACKGROUND/POLICY IMPLICATIONS:

Reflecting an increase to the contract with TNT Landscape Construction, Inc. due to an inordinate amount of stump restoration needed because of the Emerald Ash Borer infestation.

FISCAL IMPACT/FUNDING SOURCE

\$20,250.00 Increase / 410.710.725.75350 RM PROG 19

Review (as necessary):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X _____ Date _____

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



Date: September 04, 2013
To: Tim Sexton, Acting Village Manager
From: William Harvey, Acting Forestry & Urban Landscape Supervisor *WH*
Through: Carl Goldsmith, Director of Public Works *CG*
Subject: Change Order to Landscape Restoration Contract

On December 12, 2012, the Village Board awarded the Landscape Restoration contract to TNT Landscape Construction, Inc. in the amount of \$49,750.00. Because of the inordinate amount of stump restoration needed due to tree removal from Emerald Ash Borer infestation, we have exceeded the contract amount. Staff is requesting Board approval for a change order to the contract in an amount not to exceed \$20,250.00 for additional restoration. \$70,000.00 has been approved for restoration in FY13.

Please present this item at the Village Board meeting on September 19th for their approval.

Attch: Change Order Form
Resolution

R E S O L U T I O N
R _____ 13

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. 1 to the contract between the Village of Lombard and **TNT Landscape Construction, Inc.** regarding **Landscape Restoration**, 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 **\$20,250.00**.

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 _____, 2013.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2013.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD

CHANGE ORDER

PROJECT NAME: LANDSCAPE RESTORATION PROJECT NO.: _____

LOCATION: THROUGHOUT VILLAGE CHANGE ORDER: 1

CONTRACTOR: TNT LANDSCAPE CONSTRUCTION, INC DATE: 8/7/2013

DESCRIPTION OF CHANGE ORDER: ADDITIONAL LANDSCAPE RESTORATION

ORIGINAL CONTRACT AMOUNT: [1] \$49,750.00

TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS: [2] \$0.00

CURRENT CONTRACT AMOUNT: ([1]+[2]) [3] \$49,750.00

PROPOSED CHANGE ORDER: (PENDING APPROVAL) [4] \$20,250.00

PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4]) [5] \$70,000.00

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$20,250.00

TIME EXTENSION OR REDUCTION: NONE

TOTAL CONTRACT TIME: (PENDING APPROVAL) _____

BUDGET ESTIMATE: _____

ENGINEER'S ESTIMATE: _____

RECOMMENDED FOR ACCEPTANCE :

William A. Fay 9/4/13
Forestry & Urban Landscape Supervist Date

Approved By: _____
Director of Finance Date

[Signature] 9-5-13
Contractor Date

Approved By: _____
(<\$10K or 25%) Village Manager Date

[Signature] _____
Village Engineer Date

Approved By: _____
(>\$10K or 25%) Village President Date

[Signature] 9/5/13
Director of Public Works Date

Attest: _____
Village Clerk Date

Asst. Finance Director 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.