

DISTRICT ALL

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

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: December 3, 2008 (COW) (B of T) Date: 12/18/08

TITLE: FY 2009 Asphalt Paving and Patching Program
Change Order No. #2

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

BACKGROUND/POLICY IMPLICATIONS:

Change Order #2 extends the length of time of the contract, balances quantities for work completed to date, and adjusts quantities to allow for patching in the spring. No additional funds are requested for work associated with this change order.

FISCAL IMPACT/FUNDING SOURCE/TIME:

No additional funds are requested
An additional 7 months of time is requested. Contract will conclude May 31, 2009
TOTAL CONTRACT: \$1,767,578.00
PW Proj: ST-09-03
Proj #: 5509, 5514, 5545 proj#s

Review (as necessary):

Village Attorney X _____
Finance Director X *[Signature]*
Village Manager X *[Signature]*
Date 12/14/08
Date 12/15/08

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, Village Manager
Through: Carl Goldsmith, Director of Public Works
From: David A. Dratmol, P.E., Village Engineer
Date: December 3, 2008
Subject: FY2009 Asphalt Paving and Patching Program
Change Order (#2)

Attached please find Change Order No. 2 for this project. The board awarded this contract to Brothers Asphalt Paving, Inc. on April 21, 2008. Change Order #1 was approved October 16, 2008. Change Order #2 extends the length of time of the contract, balances quantities for work completed to date, and adjusts quantities to allow for patching in the spring. No additional funds are requested for work associated with this change order. This item will be reviewed by the Public Works Committee on December 9, 2008.

Please present this change order to the President and Board of Trustees for their review and approval at their regular meeting on December 18, 2008. If approved, please have two signed copies returned to Engineering for further processing.

c: File: ST-09-03

R E S O L U T I O N
R _____ 09

A RESOLUTION AUTHORIZING A CHANGE ORDER INVOLVING AN INCREASE IN TIME OF COMPLETION BY 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 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 Brothers Asphalt Paving, Inc. regarding The FY 2009 Asphalt Paving and Patching Program, 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 extend the time for completion of the contract from October 31, 2008 to the end of FY2009 (May 31, 2009), balance quantities for work completed to date, and allow for work in the spring.

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 _____, 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

William J. Mueller
Village President

ATTEST:

Deputy Village Clerk
Brigitte O'Brien
APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: The FY 2009 Asphalt Paving and Patching Project

PROJECT NO.: ST-09-03

LOCATION: Various Locations

CONTRACTOR: Brothers Asphalt Paving, Inc.

DATE: 12/3/2008

CHANGE ORDER: 2

DESCRIPTION OF CHANGE ORDER:

Change Order #2 extends the length of time of the contract, balances quantities for work completed to date, and adjusts quantities to allow for patching in the spring. No additional funds are requested for work associated with this change order.

ORIGINAL CONTRACT AMOUNT:	[1]	\$1,382,445.00
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	\$385,133.00
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	\$1,767,578.00
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	\$0.00
PROPOSED REVISED CONTRACT AMOUNT: ([3]+[4])	[5]	\$1,767,578.00

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$385,133.00

TIME EXTENSION OR REDUCTION: 7 months (To May 31, 2009)

TOTAL CONTRACT TIME: (PENDING APPROVAL) 1 Fiscal Year

BUDGET ESTIMATE: \$1,465,000.00

ENGINEER'S ESTIMATE: \$1,494,537.00

RECOMMENDED FOR ACCEPTANCE:

Approved By: [Signature] Date: 12/1/08
 Resident Engineer

Approved By: [Signature] Date: 12-3-08
 Contractor

Approved By: [Signature] Date: 12/3/08
 Village Engineer

Attest: [Signature] Date: 12/3/08
 Director of Public Works

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.

