

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: Scott Niehaus, Village Manager

DATE: June 12, 2019 (COW) (B of T) **Date:** June 20, 2019

TITLE: Water Meter Replacement Program
Change Order No. 4 – Final Contract Closeout

SUBMITTED BY: Brian Jack, Utilities Superintendent 

BACKGROUND/POLICY IMPLICATIONS:

Change Order No. 4 is the final closeout of the Water Meter Replacement Program Contract. The change order is a decrease of \$270,590.00 for a total net of all change orders of a decrease of \$213,053.75. The change order represents modifications to quantities of meter sizes at the time of substantial completion.

FISCAL IMPACT/FUNDING SOURCE:

Project #: WA 11 02
Budget Amount: \$5,490,000.00
Original Contract Amount: \$3,742,552.25
Current Contract Amount: \$3,800,088.50
Change Order #4: (\$270,590.00)
Final Total Revised Contract Amount: \$3,529,498.50
Final Contract Length: 635 days

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.



MEMORANDUM

To: President & Board of Trustees
From: Brian M. Jack, Utilities Superintendent *[Signature]*
Through: Carl S. Goldsmith, Director of Public Works *[Signature]*
Date: June 3, 2019
Subject: **Change Order #4 – Water Meter Replacement Program**
 Final Close out of Contract

Enclosed is proposed Final Change Order #4 for the Water Meter Replacement Program WA 11 02. The change order is for modifications to the quantities listed in the chart below to finalize the contract and close the project out. These final additions/deductions are due to actual quantities realized at the substantial completion date of May 22, 2019.

Change Order #1 which was recommended for approval by the Public Works Committee at their May 8, 2018 meeting and approved by the Village Board of Trustees at their May 17, 2018 meeting of a net increase of \$56,518.75 included the addition of the replacement of existing Sensus iPerl meters that are not compatible with the Neptune Technology Group Meter Interface Unit (MIU) transmitters. The increase also included the credit for a laptop identified in the Advanced Metering Infrastructure System line item staff purchased in-house. Change Order #2 was approved by the Village Board of Trustees on August 16, 2018 to extend the contract completion time by 180 days. Change Order #3 was approved by the Village Board on February 21, 2019 for a nominal modification in quantities to meet IEPA Loan requirements and to extend the contract an additional 90 days.

The chart below shows the final additions/deductions to the original contract quantities:

Item No.	Item	Orig. Quan.	Unit	Add or Deduct	Revised Quan.	Unit Price	Total Price
1	Advanced Metering Infrastructure System	1	Each	0.00	1	\$ 219,651.00	\$219,651.00
2	Remove and Replace Water Meter 5/8"	9,217	Each	(556.00)	8,661	\$ 271.25	\$2,349,296.25
3	Remove and Replace Water Meter 3/4"	920	Each	84.00	1,004	\$ 291.25	\$292,415.00
4	Remove and Replace Water Meter 1"	458	Each	266.00	724	\$ 330.00	\$238,920.00
5	Remove and Replace Water Meter 1.5"	17	Each	2.00	19	\$ 600.00	\$11,400.00
6	Remove and Replace Water Meter 2"	6	Each	(2.00)	4	\$ 750.00	\$3,000.00
7	Integrate Existing Water Meters into Advanced Metering Infrastructure System	3,280	Each	(1657.00)	1,623	\$ 175.00	\$284,025.00
8	Ground/Jumper Wire	500	Each	(500.00)	-	\$ 30.00	\$0.00
9	Laptop for MRX Refund from Item 1	1	Each	0.00	1	\$ (700.00)	(\$700.00)
10	Remove and Replace iPerl Meter for MIU Conversion 5/8"	0	Each	191.00	191	\$ 271.25	\$51,808.75
11	Remove and Replace iPerl Meter for MIU Conversion 3/4"	0	Each	162.00	162	\$ 291.25	\$47,182.50
12	Remove and Replace iPerl Meter for MIU Conversion 1"	0	Each	90.00	90	\$ 330.00	\$29,700.00
13	5/8" to 3/4" coupling install	0	Each	16.00	16	\$ 175.00	\$2,800.00
Contract Amt							\$3,529,498.50

Below is a summary of all three change orders and net changes to the contract amount in dollar amounts and contract length.

Change Order	Original Contract	CO Amount	New Contract Totals
#1	\$3,742,552.25	\$56,518.75	\$3,799,071.00
#2	365 days	180 days	545 days
#3 dollars		\$1,017.50	\$3,800,088.50
#3 length		90 days	635 days
#4		(\$270,590.00)	\$3,529,489.50

Change Order #4 is a decrease in contract dollar amount by \$270,590.00 for the final additions/deductions of actual quantities realized at the substantial completion date of May 22, 2019. These adjusted quantities and approved change order will also satisfy the Illinois Environmental Protection Agency's requirements of an official change order resolution by the Village Board of Trustees to release the full disbursement of the PWSLP loan as well as release the final retainage to Water Resources Inc.

This program is funded through the IEPA State Revolving Fund Loan# L17-5486 in the awarded contract amount of \$3,742,552.25 with a 3% contingency amount of \$112,276.57 for a total of \$3,854,828.82. The change order request is within the approved loan amount and will reduce the overall completed contact by \$213,053.75.

As the project has reached substantial completion, Village of Lombard in-house staff will complete the remaining accounts that have yet to be completed. The remaining accounts are of vacant properties, residents that have wished to "opt out" of the program (these opt out accounts are still receiving a new water meter but wish to not have the radio transmitter attached due to health reasons), and non-compliant accounts that are being moved through the shut off phase for compliance. Overall there are approximately 50 accounts left to be completed.

Recommendation

This change order will be presented to the Public Works Committee at their June 11, 2019 meeting. Staff recommends that the Committee and the Board of Trustees approve Final Change Order #4 for the updated quantities, decrease in the contract dollar amount, release of the final retainage and close out of the project and contract at their June 20, 2019 meeting.

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.3 to the contract between the Village of Lombard and Water Resources Inc. regarding the Water Meter Replacement Program, 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 decrease the dollar amount of the contract by \$270,590.00 to finalize and close the contract.

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.

Resolution _____

Adopted this 20th day of June, 2019, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 20th day of June, 2019.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: <u>Water Meter Replacement Program</u>	PROJECT NO.: <u>WA 11 02 Phase2.CONST</u>
LOCATION: <u>Village of Lombard</u>	CHANGE ORDER: <u>4</u>
CONTRACTOR: <u>Water Resources Inc.</u>	DATE: <u>6/3/2019</u>

DESCRIPTION OF CHANGE ORDER: Approved Modifications to Contract Quantities and Contract Closeout

ORIGINAL CONTRACT AMOUNT:	[1] <u>3,742,552.25</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] <u>\$57,536.25</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] <u>\$3,800,088.50</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4] <u>(\$270,590.00)</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] <u>\$3,529,498.50</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	<u>(\$213,053.75)</u>
TIME EXTENSION OR REDUCTION:	<u>635 Cal Days</u>
TOTAL CONTRACT TIME:	<u>\$5,490,000.00</u>
BUDGET ESTIMATE:	
ENGINEER'S ESTIMATE:	

RECOMMENDED FOR ACCEPTANCE:

<u>Braj</u> Utilities Superintendent	<u>6/3/19</u> Date	Approved By: _____	Date
_____	_____	Director of Finance	_____
<u>Michael J. Polansky</u> Contractor	<u>6/03/19</u> Date	Approved By: _____	Date
_____	_____	(\leq \$10K or 25%) Village Manager	_____
<u>N/A</u> Village Engineer	Date	Approved By: _____	Date
_____	_____	($>$ \$10K or 25%) Village President	_____
<u>[Signature]</u> Director of Public Works	Date	Attest: _____	Date
_____	_____	Village Clerk	_____
<u>[Signature]</u> 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.