

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

XX 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: November 10, 2010 Date: November 18, 2010
TITLE: Change Order #1 for Alternate Asphalt Mix Supplier
SUBMITTED BY: Keith Surges, Operations Superintendent *KJS*

BACKGROUND/POLICY IMPLICATIONS:

At the June 3, 2010 Board meeting, the Village Board approved a contract for DuKane Asphalt Company to supply bituminous mix to the Village. There was also an alternate supplier approved, DuPage Materials, on August 19, 2010. A total of approximately 33% of the asphalt used this year has been supplied by DuPage Materials due to the inability of DuKane Asphalt Company to meet the Village's demands.

FISCAL IMPACT/FUNDING SOURCE:

Engineer's Estimate/Budget Estimate \$11,968.72
Amount of Award \$11,968.72 2715.733200

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.



Memorandum

To: David A. Hulseberg, Village Manager

Through: Carl Goldsmith, Director of Public Works *CSC by Dick*

From: Keith J. Surges, Operations Superintendent *KJS*

Date: November 10, 2010

Subject: Change Order #1 for Bituminous Mix Alternate Supplier

At the August 19, 2010 Board meeting, the Village Board approved a contract for DuPage Materials to be an Alternative Supplier of bituminous mix to the Village. The Public Works Department is requesting this change order to cover the cost of Asphalt from DuPage Materials due to the inability of DuKane Asphalt to supply materials for our In-House Patching Program.

Public Works is requesting approval of Change Order #1 in the amount of \$11,968.72 to cover additional costs related to the Bituminous Mix Alternate Supplier Contract for the In-House Asphalt Patching Program.

Please place this item on the November 18, 2010, Village Board agenda for consideration.

RESOLUTION
R _____ 11

**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 DuPage Materials Company, regarding Bituminous Asphalt Mix, 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 \$11,968.72

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 _____, 2010.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2010.

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 Alternate Supplier of Butumnious Mix PROJECT NO.: PWO-1001

LOCATION: Inhose Asphalt Patching Program CHANGE ORDER: #1

CONTRACTOR: DuPage Materials DATE: 10-Nov-10

DESCRIPTION OF CHANGE ORDER: Change Order #1 is needed to add additional Bituminous Asphalt Mix used during the In-House Asphalt Patching Program due to the inability of DuKane to supply material.

ORIGINAL CONTRACT AMOUNT: [1] \$29,921.81

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

CURRENT CONTRACT AMOUNT: ([1]+[2]) [3] \$29,921.81

PROPOSED CHANGE ORDER: (PENDING APPROVAL) [4] \$11,968.72

PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]-[4]) [5] \$41,890.53

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$11,968.72

TIME EXTENSION OR REDUCTION: NONE

TOTAL CONTRACT TIME: (PENDING APPROVAL) _____

BUDGET ESTIMATE: \$42,000.00

ENGINEER'S ESTIMATE: \$72,000.00

RECOMMENDED FOR ACCEPTANCE :

Operations Superintendent Date

Approved By: _____
Director of Finance Date

Contractor Date

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

Director of Public Works Date

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

Assistant Finance Director Date

Attest: _____
Deputy Village Clerk 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.