

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: David A. Hulseberg, Village Manager

DATE: June 22, 2010 (COW) (B of T) **Date:**

TITLE: Elizabeth and Grove Sanitary Sewer
Change Order #1 (final)

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

BACKGROUND/POLICY IMPLICATIONS:

Change Order No. 1 is a net decrease to the contract of \$10,697.41. The items related to this change order are adjustments to existing contract quantity (as-built quantities) and one force account billing.

FISCAL IMPACT/FUNDING SOURCE:

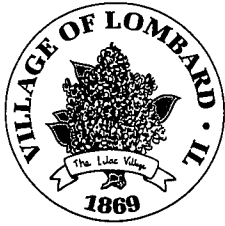
\$10,697.41 DECREASE
Project #: SAN-10-02
HTE Project #: 1027
PO #: 065555 (Water & Sewer Fund)

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: David A. Hulseberg, Village Manager
 From: David A. Dratnol, P.E., Village Engineer *DAE*
 Through: Carl Goldsmith, Public Works Director *J*
 Date: June 22, 2010
 Subject: Elizabeth and Grove Sanitary Sewer
 Change Order No. 1 (Final)

Attached please find Change Order No. 1 for this project in the amount of a net decrease of \$10,697.41. The change order represents quantity adjustments to the existing contract items based on field measured as-built quantities and one force account billing for extra work related to the removal of a portion of a pre-cast section of an existing manhole. The items below summarize the changes:

FIELD MEASURED QUANTITIES:

The items represent adjustments to existing contract quantities based on field measured as-built quantities. Please refer to page 2 of the changer order. These items result in a \$13,740.00 cost decrease to the contract.

FORCE ACCOUNT (TIME AND MATERIAL) BILLING:

The change order includes one force account (time and material) billing for work outside of the original contract. The existing drop manhole needed to be modified as part of the original scope of work. The intent of the contract was to remove the existing sanitary sewer pipe and drill a new opening in the manhole to install a new sanitary sewer pipe at a lower elevation. However, the existing pipe had a pre-cast concrete collar, which was cast as part of the existing manhole; this was not represented in the contract documents, as records did not reflect the field condition. In order to save the existing manhole (replacing the structure would not only be costly but would have been a potential constructability problem as multiple lines run into the structure) the concrete collar had to be removed. The bill is based on actual documented labor, materials and equipment used by the contractor to remove the concrete. The billing was reviewed by Public Works-Engineering staff and agreed to by the contractor. The agreed upon force account bill results in a \$3,042.59 increase to the project cost.

The total quantity changes for each individual pay item are on the second page of the change order form. The original contract amount was \$47,429.00. If this change order is approved, the final contract amount will be \$36,731.59 which represents a total decrease of approximately 22%.

This change order will be presented to the Public Works Committee on July 13, 2010. If the committee recommends approval, please present this change order to the President and Board of Trustees for their review and approval via phone poll with ratification of the phone poll results at the next Board meeting. If approved, please have one signed copy returned to Engineering for further processing.

R E S O L U T I O N
R _____ 11

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING AN INCREASE OR DECREASE 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 John Neri Construction Co., Inc. regarding Elizabeth and Grove Sanitary Sewer, 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 decrease the dollar amount of the contract by \$10,697.41.

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



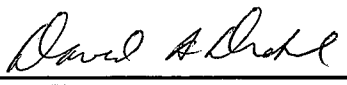
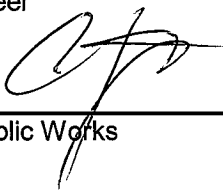
CHANGE ORDER #1

PROJECT NAME: Grove and Elizabeth Sanitary Sewer PROJECT NO.: SAN-10-02
 LOCATION: Grove Street (Between Elizabeth and West) CHANGE ORDER: 1
 CONTRACTOR: John Neri Construction DATE: 6/14/2010
 DESCRIPTION OF CHANGE ORDER: Balancing of the completed items and 1 AUP's for removal of concrete

ORIGINAL CONTRACT AMOUNT:		[1]	\$47,429.00
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	CO #1	[2]	\$0.00
CURRENT CONTRACT AMOUNT: ([1]+[2])		[3]	\$47,429.00
PROPOSED CHANGE ORDER: (PENDING APPROVAL)		[4]	(\$10,697.41)
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])		[5]	\$36,731.59

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) (\$10,697.41)
 TIME EXTENSION OR REDUCTION: None
 TOTAL CONTRACT TIME: 45 Calendar Days
 BUDGET ESTIMATE: Not Budgeted
 ENGINEER'S ESTIMATE: \$49,290.74

RECOMMENDED FOR ACCEPTANCE :

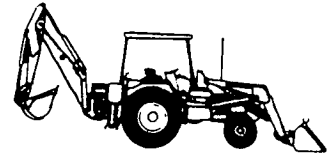
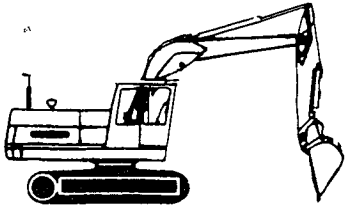
<u></u>	<u>6-16-10</u>	Approved By:	
Resident Engineer	Date		Director of Finance
			Date
<u></u>	<u>6-16-10</u>	Approved By:	
Contractor	Date	(<\$10K or 25%)	Village Manager
			Date
<u></u>	<u>6/21/10</u>	Approved By:	
Village Engineer	Date	(>\$10K or 25%)	Village President
			Date
<u></u>	<u>6/22/10</u>	Attest:	
Director of Public Works	Date		Village Clerk
			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.

Grove and Elizabeth Sanitary Sewer

C.O. # 1

	Item	Current		Unit Price	Revised Quantity	DIFFERENCE	AMOUNT	Description
		Quantity	Unit					
20201200	REM & DISP UNS MATERIALS	434.0	CY	\$1.00	265.00	(169.00)	(\$169.00)	Actual Field Measured Quantity
20800250	TRENCH BACKFILL, SPECIAL	415.0	CY	\$38.00	265.00	(150.00)	(\$5,700.00)	Actual Field Measured Quantity
44000100	PAVEMENT REMOVAL	145.0	SY	\$12.00	105.00	(40.00)	(\$480.00)	Actual Field Measured Quantity
	SANITARY SEWER REMOVAL 8"	245.0	LF	\$5.00	178.00	(67.00)	(\$335.00)	Actual Field Measured Quantity
	ADJ SAN SERV LINES	8.0	LF	\$45.00	8.00	0.00	\$0.00	
	SANITARY SEWER 8"	250.0	LF	\$98.00	178.00	(72.00)	(\$7,056.00)	Actual Field Measured Quantity
60500040	REMOVING MANHOLES	1.0	EA	\$300.00	1.00	0.00	\$0.00	
	TRAFFIC CONTROL	1.0	EA	\$2,500.00	1.00	0.00	\$0.00	
	SEDIMENT CONTROL, DRAINAGE STRUCTURE INLET FILTER - VILLAGE OWNED	8.0	EA	\$75.00	8.00	0.00	\$0.00	
	Force Account	1.0	LS	\$3,042.59	1.00	1.00	\$3,042.59	Change approved by Municipality
						TOTAL	(\$10,697.41)	



John Neri Construction Co., Inc.
Sewer and Water Contractors

770 Factory Road • Addison, IL 60101
Tel: 630 629-8384 • Fax: 630 629-7001
www.johnnericonstruction.com

June 7, 2010

Mr. Kent Hilgers
Village of Lombard
1051 S. Hammerschmidt Ave.
Lombard, Illinois 60148

Route: Grove & Elizabeth
Report #:

Section:

County: DuPage

Authorization:

JNC JOB NO. 10996

Force account bill for: Manhole modification.

				Total Hours			Rate	Insurance Amount	Payroll Amount	Earnings to date	F.U.T.	S.U.T.
	24	25	26	S.T.	O.T.	D.T.						
<u>May-10</u>												
Ray Garza (laborer/Foreman)	4	0	0	4	0	0	\$ 41.85	\$ 167.40	\$ 167.40	\$ -	\$ -	\$ -
Jeff Flippo (Operator)	4	0	0	4	0	0	\$ 45.20	\$ 180.80	\$ 180.80	\$ -	\$ -	\$ -
Vito Lullo (Operator)	4	0	0	4	0	0	\$ 45.20	\$ 180.80	\$ 180.80	\$ -	\$ -	\$ -
Marco Guzman (Laborer)	4	0	0	4	0	0	\$ 36.55	\$ 146.20	\$ 146.20	\$ -	\$ -	\$ -
Matt Corcione (Laborer)	4	0	0	4	0	0	\$ 38.55	\$ 154.20	\$ 154.20	\$ -	\$ -	\$ -
Karen Blutcher (Teamster)	4	0	0	4	0	0	\$ 33.90	\$ 135.60	\$ 135.60	\$ -	\$ -	\$ -
Subtotals, Labor								\$ 965.00	\$ 965.00	\$ -	\$ -	\$ -
*Laborers Pension & Welfare Funds				12	Hrs. @	\$ 18.17			\$ 218.04			
*Operator Pension & Welfare Funds				8	Hrs. @	\$ 23.08			\$ 184.64			
*Truck Drivers Pension & Welfare Funds				4	Hrs. @	\$ 11.85			\$ 47.40			
Subtotals, Labor									\$ 1,415.08			
Plus 35% of Subtotal									\$ 495.28			
Subtotals, Labor									\$ 1,910.36			
Plus: Workman's Compensation Ins.				7.00	% OF	\$ 965.00		\$ 67.55				
Public Liability and Property Damage Ins., excluding payroll of Truck Drivers				2.37	% OF	\$ 965.00		\$ 22.87				
**Federal Unemployment Tax				0.80	% OF	\$ -		-				
***State Unemployment Tax				7.20	% OF	\$ -		-				
Federal Social Security Tax				7.65	% OF	\$ 965.00		\$ 73.82				
Total Payroll Additives								\$ 164.24				
Plus 10% of Payroll Additives								\$ 16.42				
									\$ 180.67			
Total Labor									\$ 2,091.03			

I hereby certify that the above statement is a copy of that portion of the payroll which applies to the above stated work and that the rates show for taxes and insurance are actual costs.

Signed 
John Neri Construction Co., Inc. President

Total on following page.

Equipment Expense

	<u>24</u>	<u>25</u>	<u>17</u>	<u>Total Hours</u>	<u>Rate</u>	<u>Amount</u>
Komatsu PC-200 (140 HP) 1.25 C.Y.	4	0	0	4	\$ 73.39	\$ 293.56
Komatsu WA-250 (140 HP) 2.50 C.Y.	4	0	0	4	\$ 44.38	\$ 177.52
Ford F-150 Pick-up	4	0	0	4	\$ 12.28	\$ 49.12
Ford F-350 Utility	4	0	0	4	\$ 19.30	\$ 77.20
Sullair (air compressor)	4	0	0	4	\$ 15.09	\$ 60.36
90 Lb. Breaker with air hose	4	0	0	4	\$ 6.50	\$ 26.00
8' x 16' Trench Box	4	0	0	4	\$ 8.55	\$ 34.20
14" Cut-Off Saw	4	0	0	4	\$ 3.31	\$ 13.24
Mack 6-Wheeler (GVW 53000)	4	0	0	4	\$ 55.09	\$ 220.36
						<u>\$ 951.56</u>

Material Used

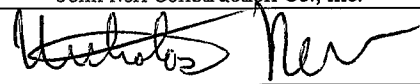
	<u>Source</u>	<u>quantit</u>	<u>Unit</u>	<u>Price</u>	<u>Amount</u>
Subtotal Material	Stock	0	Ton	\$ -	\$ -
15% Markup					\$ -
Total Material Used					<u>\$ -</u>

AFFIDAVIT

This is to certify that the material entered on this force account bill which was taken from stock is shown at our cost.

John Neri Construction Co., Inc.

By



TOTAL LABOR:	\$ 2,091.03
TOTAL EQUIPMENT EXPENSE:	\$ 951.56
TOTAL MATERIALS:	\$ -
TOTAL	\$ 3,042.59
Bond 0.75%	0.00
Plus 10% of Bond	0.00
Total Bill	<u>\$ 3,042.59</u>

Resident

Lom-Grove & Elizabeth

FULL WAIVER OF LIEN

State of Illinois,
DuPage County

June 9, 2010

TO ALL WHOM IT MAY CONCERN:

Whereas, we the undersigned **Kieff Brothers, Inc.**
have been employed by **John Neri Construction Co., Inc.**
to furnish Sewer Materials
for the building known as Number
Village of Lombard situated on Lot

Elizabeth and Grove Sanitary Sewer
Owner: Village of Lombard
General: John Neri Construction Company, Inc.

in Section Township Range
County of DuPage State of Illinois

Now, Therefore, Know Ye,
That we the undersigned, for and in consideration of

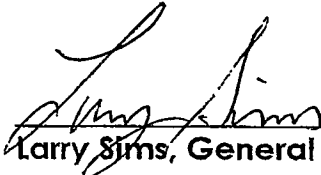
One Thousand Five Hundred Eighty-four Dollars & 00/100.

and other good and valuable considerations, the receipt whereof is hereby
acknowledged, do we hereby waive and release any and all lien, or claim, or
right of lien on said above described building and premises under the Statutes of
the State of Illinois relating to Mechanic's Liens, on account of labor or materials,
or both, furnished or which may be furnished by the undersigned to or on
account of the said

John Neri Construction Co., Inc. for said
building or premises.

Given under my hand and seal this 9th day
of June 10

Kieff Brothers, Inc.

(Seal)

Larry Sims, General Manager