

DISTRICT 1, 2 & 6

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: October 11, 2012 (COW) (B of T) **Date:** November 1, 2012

TITLE: Finley Road Pavement Rehabilitation – Phase 1
 Change Order No. 1 (Street Lighting Cabling Replacement)

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

BACKGROUND/POLICY IMPLICATIONS:

Change Order No. 1 is a net increase to the contract of \$154,800.00. The change order is for the replacement of the existing street lighting conduit and wiring within the entire project area. Authorization to proceed is per the Purchasing Policy and Procedures Manual, Chapter 3 - Competitive Quotes & Exceptions to the Policy, D. Emergency Purchases Policy. PWC and BoT are to be phone polled for approval of the Change Order.

FISCAL IMPACT/FUNDING SOURCE:

Current Contract Amount: \$1,899,293.29

Change Order #1: \$154,800.00 (Capital Projects Fund)

Total Revised Contract Amount: \$2,054,093.29

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 *DD*
Through: Carl Goldsmith, Public Works Director *CG*
Date: October 9, 2012
Subject: Finley Road Pavement Rehabilitation Project – Phase 1
Emergency Purchase – Street Lighting Cabling Replacement

During the replacement of the force main (in the west parkway north of Charles Lane) and in preparation of replacing the east side curb, it was discovered that the existing unit duct (which contains the street light cabling) was either right under or right behind the existing curb. Curb removal and replacement operations make it impossible to save or relocate the existing cable to a nominal distance behind the new curb or to reconnect to the lighting system. Unfortunately, the only option is to replace the unit duct and street light wiring within Phase 1. In terms of the costs, a positive is that the unit duct can be placed a nominally safe distance away from the new curb (roughly one foot behind and eighteen inches below grade), as the contractor needs to over excavate behind the old curb in preparation for curb machine to place the new curb. This saves on trenching costs. On the other hand the installation/placement of the new unit duct will not meet the Village Standard of locating the unit duct two feet behind the curb and two feet below existing grade.

Costs were sought from "D" Construction (the general contractor for the project) and Meade Electric (the contractor who maintains the existing lighting system for the Village). The Meade proposal came in about \$5,250 less than "D"'s. Given the timing constraints from Meade (a minimum of one week to mobilize with men and materials after approval), an additional \$6,500 to \$8,000 in cost would be incurred due to placing driveway conduits underneath the east side driveways. A potential delay claim from "D" would be anticipated as "D" would be looking to restore driveways before starting work on the west side of the street. Another ancillary issue is the potential conflict between the general contractor and an independent contractor working for the Village within the same work zone. This is a built in reason for "D" to contend for even more time. "D" will be requesting some time due to site conditions of the existing storm and sanitary sewer trenches (sand and "wash stone" trenches are prevalent within the work zone).

Therefore, it is requested under Purchasing Policy and Procedures Manual, Chapter 3 - Competitive Quotes & Exceptions to the Policy, D. Emergency Purchases Policy, to proceed with "D" as the contractor to replace the unit duct within the Phase 1 corridor. This will simplify coordination and eliminate the potential of two contractors "blaming" each other for delays.

The item will be prepared as a formal change order. The Public Works Committee will be phone polled along with the Board of Trustees. The item will be placed on the October 18th Board of Trustees Agenda for ratification.

New street light cabling will be included in the Phase 2 contract documents. PW-Engineering will be working with the design engineer to incorporate the electrical work into the next phase.

NEW PAY ITEMS:

UNIT DUCT, 3 1/C#2, 1/C#8 GROUND 1 1/2" POLYETHYLENE

Unit price of \$16.75 per linear foot. Increase of approximately \$134,000.00

RIGID STEEL CONDUIT 2 1/2" DIAMETER

Unit price of \$26.00 per linear foot. This is conduit run underneath the street crossings. Increase of approximately \$20,800.00

October 8, 2012

Approved: David A. Hulseberg
David A. Hulseberg
Village Manager

Date: 10/9/12

Pertinent financial details are listed below:

\$154,800.00 Increase (Capital Project Fund)

Note: funds are available in this account due to the savings in the Pinebrook Subdivision Asphalt Paving and Patching project which was approximately \$1,867,000 under the CIP budget and \$326,500 under the Engineer's Estimate

Awarded Amount: \$1,899,293.29

Funding: Capital Projects Fund = \$1,654,745.98, Water/Sewer Fund = \$428,294.00
Lombard Park District = \$26,160.00

Total Revised Contract Amount: \$2,054,093.29 (\$1,899,293.29 + \$154,800.00)

Capital Projects Fund = \$1,809,545.98 (\$1,654,745.98 + \$154,800.00)

CIP Budget: \$2,280,885.00

Project #: ST-12-05

HTE Project #: 1206

PO #: 070345

RESOLUTION
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. 1 to the contract between the Village of Lombard and "D" Construction Inc.. regarding the Finley Road Pavement Rehabilitation project, 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 increase the dollar amount of the contract by \$154,800.00.

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.

Resolution _____

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Adopted this 1st day of November, 2012, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2012.

Peter Breen
Acting Village President

ATTEST:

Brigitte O'Brien
Village Clerk

VILLAGE OF LOMBARD

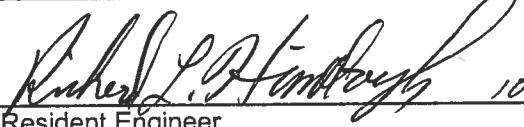
CHANGE ORDER

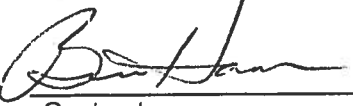
PROJECT NAME: Finley Road Pavement Rehabilitation – Phase 1 PROJECT NO.: ST-12-05
LOCATION: Finley Road (Wilson Avenue to Charles Lane) CHANGE ORDER: 1
CONTRACTOR: "D" Construction Inc. DATE: 10/10/2012
DESCRIPTION OF CHANGE ORDER: Replacement of unit duct and wiring and installation of street crossings

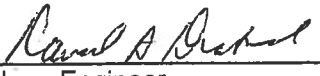
ORIGINAL CONTRACT AMOUNT:	[1] <u>\$2,083,039.98</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] <u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] <u>\$2,083,039.98</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4] <u>\$154,800.00</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] <u>\$2,237,839.98</u>

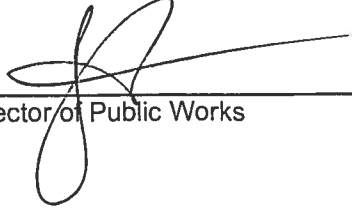
NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	<u>\$154,800.00</u>
TIME EXTENSION OR REDUCTION:	<u>0</u>
TOTAL CONTRACT TIME:	<u>170 calendar days</u>
BUDGET ESTIMATE:	<u>\$2,280,885.00</u>
ENGINEER'S ESTIMATE:	<u>\$2,065,626.00</u>

RECOMMENDED FOR ACCEPTANCE:

 10-10-12 Approved By: _____
Resident Engineer Date Director of Finance Date

 10-13-12 Approved By: _____
Contractor Date (<\$10K or 25%) Village Manager Date

 10/16/12 Approved By: _____
Village Engineer Date (>\$10K or 25%) Acting Village President Date

 10/16/12 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.

Finley Road Pavement Rehabilitation – Phase 1
Change Order #: 1

Coded Pay Item	No.	Item	Current Quantity	Unit	Unit Price	Revised Quantity	Difference	Amount	Description
AUP #1		UNIT DUCT, 3 1/C#2, 1/C#8 GROUND 1 1/2" POLYETHYLENE	0	LF	\$16.75	8000	8,000	\$134,000.00	New unit duct and associated wiring.
AUP #2		RIGID STEEL CONDUIT 2 1/2" DIAMETER	0	LF	\$26.00	800	800	\$20,800.00	Rigid steel conduit including open cut and backfilled with flowable fill.
TOTAL AMOUNT= \$154,800.00									