

**RESOLUTION**  
**R 104-09**

**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 The TLC Group, Ltd regarding the Total Landscape Maintenance Contract FY2009, 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 \$29,483.00.

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.

Adopted this 21st day of May, 2009.

Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzparick and Ware

Nays: None

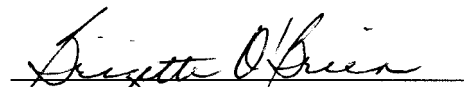
Absent: None

Approved this 21st day of May, 2009.



**William J. Mueller**  
**Village President**

ATTEST:

  
**Brigitte O'Brien**  
**Village Clerk**

APPROVAL AS TO FORM:

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**Thomas P. Bayer**  
**Village Attorney**

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Landscape Maintenance PROJECT NO.: PWO-0817

LOCATION: Maintenance to Various Planting Beds CHANGE ORDER: #1

CONTRACTOR: The TLC Group, Ltd DATE: 7-May-09

DESCRIPTION OF CHANGE ORDER: Change Order #1 is needed to add additional duties to the Landscape Maintenance Contract to cover the maintenance of 22 Planting beds throughout the Village.

ORIGINAL CONTRACT AMOUNT:	[1]	<u>\$76,457.30</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$76,457.30</u>
<b>PROPOSED CHANGE ORDER: (PENDING APPROVAL)</b>	[4]	<u>\$29,483.00</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]-[4])	[5]	<u>\$105,940.30</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+) \$29,483.00

TIME EXTENSION OR REDUCTION: NONE

TOTAL CONTRACT TIME: (PENDING APPROVAL) \_\_\_\_\_

BUDGET ESTIMATE: \$70,000.00

ENGINEER'S ESTIMATE: \$70,000.00

**RECOMMENDED FOR ACCEPTANCE :**

*Keith J. Smyke* 5/7/09  
Operations Superintendent Date

Approved By: \_\_\_\_\_  
Director of Finance Date

\_\_\_\_\_  
Contractor Date

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

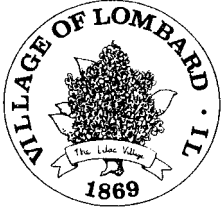
\_\_\_\_\_  
Director of Public Works Date

Approved By: *William J. Mueller* 5/21/09  
(>\$10K or 25%) Village President Date

\_\_\_\_\_  
Assistant Finance Director Date

Attest: *Briquette O'Brien* 5/21/09  
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.**



To: David A. Hulseberg, Village Manager  
From: Keith J. Surges, Operations Superintendent *KJS*  
Through: Carl Goldsmith, Director of Public Works *CG*  
Date: May 7, 2009  
Subject: Change Order #1 for Total Landscape Maintenance Contract

The original contract of \$76,457.30 for Total Landscape Maintenance was awarded to The TLC Group on May 15, 2008. This contract covers the weekly and bi-weekly mowing of 28 acres and 34 acres respectively. Additionally the contract covers the trash pick-up in the central business district and specialty landscaping around the Village Complex and other municipal facilities. Included in the FY2010 budget was an amount of \$30,000 to add planting bed maintenance. I have contacted The TLC Group and requested a quote to re-establish 22 planting beds(attached), mulch, provide weeding on a bi-weekly basis, a fall cut down of the grasses and other planting, re-mulch and provide a spring cleanup. This work had previously been performed through contractual services, as well as by in-house staff. In order to ensure the highest quality of services, Public Works has revised the method of dealing with plant bed maintenance, which will result in a better level of maintenance. The quote received was at a cost of \$29,483.00 to perform the work listed.

Public Works is requesting approval of Change Order #1 in the amount of \$29,483.00 to cover the additional costs related to the Landscape Maintenance Contract for Planting Bed Maintenance. Please present this at the Board of Trustees meeting on May 21, 2009 for consideration.

# Village of Lombard Planting Beds

As of February 9, 2009

- ✦ Westmore And Norton (Monument - Weeding)
- ✦ Westmore Avenue Prairie Path Crossing East and West Side (ground cover and pots)
- ✦ Westmore and Great Western Trail Pots East and West Side
- ✦ Grace Street and Prairie Path Pots both East and West Side
- ✦ Main Street and Prairie Path Pots both East and West Side
- ✦ Main Street and Great Western Trail Pots both East and West Side
- ✦ Westmore Between Division and Prairie Path West Side new Planters
- ✦ St. Charles Road and Crescent new Planting Beds
- ✦ North Park Parking Lot Planting Beds
- ✦ Main Street and Wilson Planting Beds Around Trees
- ✦ Westmore West Side between Madison and Wilson New Planting Beds
- ✦ DuPage Theater Lot New Planting Beds Along Sidewalk
- ✦ New Plantings at Dead-end of Western, Chase, Highland and Ahrens
- ✦ Great Western Trail and St. Charles Road East of St. Charles Place
- ✦ N/W Corner of Grace St. and St. Charles Rd. (North side of Tracks)
- ✦ S/E Corner of Grace St. and St. Charles Rd. 2 Beds (Southside of tracks)
- ✦ St. Charles Rd. from Grace St. to Craig Pl.(Along south side of tracks)
- ✦ Planting Bed at 100 S. Main Street (S/W corner of Parkside and Main) by Premium parking lot.
- ✦ Park and Orchard Terrace Parking Stalls
- ✦ Finley Road Pond (Arno Pond) planting beds N/W and S/W corner of pond.
- ✦ South Broadway Parking Stall planting beds from Chase east to dead-end
- ✦ North Avenue between IL 53 and Joyce