

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 R. Niehaus, Village Manager

DATE: November 25, 2019 **Date:** December 5, 2019 (B of T)

TITLE: FY 2019 Sidewalk Saw Cutting
Change Order #1 and Final

SUBMITTED BY: Sean P. Kelly, P.E., Village Engineer *SPK*

BACKGROUND/POLICY IMPLICATIONS:

This Final Balancing Change Order is intended to adjust the Contract quantities to reflect final measured quantities in the field. This Change Order will increase the Contract amount by \$7,691.50 resulting in a final Contract amount of \$25,000.00.

FISCAL IMPACT/FUNDING SOURCE:

\$7,691.50 INCREASE
TOTAL REVISED CONTRACT: \$25,000.00
PW PROJ: RM 15
P.O. #: 2019-00003292
Account No.: 410.710.725.75420

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: Scott R. Niehaus, Village Manager
Through: Carl Goldsmith, Director of Public Works
From: Gage Miller, Civil Engineering Technician
Date: November 25, 2019
Subject: FY 2019 Sidewalk Saw Cutting Program Change Order #1 And Final

Attached please find Change Order No. 1 and Final for 2019 Sidewalk Saw Cutting Program. This is a change order that increases the total contract value by \$7,691.50. The change is due to the final quantities as measured in the field. Award of the contract with Hard Rock Concrete Cutters, Inc. in the amount of \$ 17,308.5 was previously approved on September 18, 2019.

<i>Program</i>	<i>Current Contract</i>	<i>C.O. #1</i>	<i>Final Contract</i>	<i>Budget</i>
RM PROG 15	\$ 17,308.5	\$7,691.50	\$25,000.00	\$25,000.00
Current Value	\$ 17,308.5	\$7,691.50	\$25,000.00	\$25,000.00

The dollar amount of the contract was increased due to receiving a unit price that was more competitive due to the project being bid by multiple contractors; In prior years there had been little to no competition within this market. By increasing the contract amount, it has allowed us to be extremely proactive and increase the number of cuts we were able to do this year by 92 cuts to a total of 482 cuts while spending the same amount of dollars as the previous year.

If approved, please have two (2) signed copies returned to PW-Engineering for further processing.

RESOLUTION

R _____

A RESOLUTION AUTHORIZING A CHANGE ORDER INVOLVING AN INCREASE IN THE DOLLAR AMOUNT OF THE CONTRACT OF 10% 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% 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 and Final to the contract between the Village of Lombard and Hard Rock Concrete Cutters, Inc. regarding FY 2019 Sidewalk Saw Cutting Program, 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 \$7,691.50.

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 _____, 2019.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2019.

Keith T. Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: FY 2019 SIDEWALK SAW CUTTING
 PROJECT NO.: RM 15
 LOCATION: Various CHANGE ORDER: 1 and Final
 CONTRACTOR: Hard Rock Concrete Cutters, Inc. DATE: 11/25/2019

DESCRIPTION OF CHANGE ORDER: Final balancing change order to increase the contract due to measured quantities in the field

ORIGINAL CONTRACT BUDGET AMOUNT:	[1]	<u>\$17,308.50</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$17,308.50</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$7,691.50</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$25,000.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$7,691.50

TIME EXTENSION OR REDUCTION: N/A

TOTAL CONTRACT TIME: (PENDING APPROVAL) N/A

BUDGET ESTIMATE: \$25,000.00

ENGINEER'S ESTIMATE: \$25,000.00

RECOMMENDED FOR ACCEPTANCE:

[Signature] 11/27/19 Approved By: _____
 Resident Engineer Date Director of Finance Date

[Signature] 11/26/19 Approved By: _____
 Contractor Date (<\$10K or 25%) Village Manager Date

[Signature] 12/11/19 Approved By: _____
 Village Engineer Date (>\$10K or 25%) Village President Date

[Signature] 12/11/19 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.