



MEMORANDUM

To: David A. Hulseberg, Village Manager

From: Angela M. Podesta, Utilities Superintendent *AMP*

Through: Carl S. Goldsmith, Director of Public Works *CSG by DRL*

Date: January 7, 2009

Subject: Change Order #1 for 500 Blk. S. Main St. Sanitary Sewer Replacement

On September 2, 2008, Public Works received a call from the resident at 555 S. Main Street reporting a sewer backup. Upon investigation, Public Works crews identified that the backup was caused by four ComEd utility poles being installed through the sanitary sewer main. Larger utility poles had just been installed adjacent to existing poles in conjunction with the Main Street Lighting Project. It appears that the former poles were above the sanitary sewer main, at a shallower bury depth than the new poles. Four of the new poles were set through the sanitary sewer main. JULIE locates prior to ComEd's work did identify the sanitary sewer main location and pieces of the sewer were clearly visible in the spoil piles at four of the poles. Therefore, it is the Village's position that ComEd bears the sole fault for the damage and the costs for the corrective action.

The Village obtained a proposal from John Neri Construction Co., Inc. for the emergency construction of a 690-ft, 8" diameter replacement sewer and laterals. In the meantime, Village personnel pumped sewage out of the damaged sewer in order to prevent the basements of 13 homes from flooding, particularly during and after rains. The Board of Trustees subsequently approved an emergency contract with Neri to construct the replacement sanitary sewer and extend the service laterals.

Attached is Change Order #1-Final for the contract with Neri. The scope of the project was significantly increased, over 50% of the original contract value, after the Village Board awarded the contract because the replacement sewer could not be installed under the sidewalk due to other underground utilities including an AT&T duct, streetlight cables, and the new ComEd poles. Thus, the replacement sewer was installed in the street. This change in scope increased the quantities of curb and pavement removal and replacement, increased the unit cost of installing the new sewer services and increased the cost of traffic control. A claim has been submitted to ComEd for the entire cost and the Village Attorney has provided advice in throughout that process.

This Change Order #1-Final is the final balancing change order in the amount of \$123,497.95 and approval of Change Order #1-Final includes a waiver of bids due to the amount exceeding 50% of the original contract value. Staff recommends that Public Works Committee recommend approval of the Change Order at their January 13, 2009 meeting so that it may be submitted to the Village Board on January 15, 2009.

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