

**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:** February 7, 2013 (COW) (B of T) **Date:** February 21, 2013

**TITLE:** Finley Road Pavement Rehabilitation – Phase 1  
Change Order No. 3

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

**BACKGROUND/POLICY IMPLICATIONS:**

Change Order No. 3 is a net increase to the contract of \$107,768.62. The major dollar items for this change order are topsoil and sod for the parkways. Another component is time and material billings related to difficulties, conflicts and delays encountered during the construction of the underground utility improvements.

**FISCAL IMPACT/FUNDING SOURCE:**

Current Contract Amount: \$2,089,420.86  
Change Order #3: \$107,768.62 (\$97,897.31 Capital Projects Fund, \$9,871.31 Water/Sewer Fund)  
Total Revised Contract Amount: \$2,197,189.48

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 *DA*  
 Through: Carl Goldsmith, Public Works Director *C*  
 Date: February 6, 2013  
 Subject: Finley Road Pavement Rehabilitation – Phase 1  
 Change Order # 3

Attached, please find Change Order # 3 in the amount of a net increase of \$107,768.62. This change order represents a time extension along with adjustments to existing quantities and time and material bills primarily associated with the construction of underground improvements. All billings have been reviewed by Baxter and Woodman (resident engineer for the project) and Village staff.

### TIME EXTENSION

Due to winter weather and taking into account the working day contract clause from the IDOT Standard Specifications for Road and Bridge Construction, the contract was suspended on December 1<sup>st</sup>. The contract will resume on April 1<sup>st</sup> with the stipulation that remaining punch list items be completed by April 12<sup>th</sup>.

### ADJUSTMENT TO EXISTING QUANTITIES

Refer to the summary sheets behind the change order form for all changes to contract pay items. Pay items that increased or decreased by \$5,000.00 or more are summarized below:

**TEMPORARY FENCE:** Contract quantity was not used. Parkway width and other appurtenances located within the parkway limited amount of temporary fence that could be installed around parkway trees. *Decrease of \$5,616.00*

**TOPSOIL FURNISH AND PLACE, 4”:** The amount of turf replacement was underestimated. The job was viewed similar to a grind and overlay project. However most of the parkway turf needed to be replaced due to number of structure replacements, installation of unit duct (for street lighting) the elevation of the new curb (2” inches higher than the existing curb, to accommodate the white-topping) and corrections to existing parkway drainage issues. *Increase of \$46,241.25*

**AGGREGATE BASE REPAIR:** This was a contingency pay item that was to be used in the event poor soils were encountered. All base material was found to be suitable. *Decrease of \$9,020.00*

**PROTECTIVE COAT:** Protective coat did not and could not be used as the concrete was placed outside of the specification parameters for using protective coat. *Decrease of \$14, 875.00*

**COMBINATION CONCRETE CURB AND GUTTER, TYPE B 6.12:** The estimated quantity of curb in the contract was not needed. *Decrease of \$7,320.00*

**ENGINEER’S FIELD OFFICE, TYPE B:** The field office was in service for less time than allotted for in the contract. *Decrease of \$9,000.00*

**CHANGEABLE MESSAGE SIGN:** The message boards were in service for less time than allotted for in the contract. *Decrease of \$13,200.00*

**SODDING, SPECIAL:** Refer to Topsoil Furnish and Place, 4” item above. *Increase of \$109,297.50*

**DETECTABLE WARNINGS, PLASTIC, CURVED:** This item was not needed as all Detectable Warning Markings utilized were the traditional rectangular shape. They were paid for under the Detectable Warnings, Plastic pay item. *Decrease of \$11,700.00*

**CONCRETE SADDLE SUPPORT:** This was a contingency pay item that was to be used in the event underground utility pipes needed additional support due to field conditions. *Decrease of \$6,500.00*

**STORM SEWER, WATER QUALITY PIPE 30 INCH:** The estimated quantity of pipe was not needed.  
*Decrease of \$5,920.00*

**STORM SEWER, WATER QUALITY PIPE 54 INCH:** This work was done under T&M 23 at a net savings of \$16,015.61. *Decrease of \$17,520.00 for the pay item.*

**AUP #2 RIGID STEEL CONDUIT 2 ½ IN DIA.** The estimated quantity of conduit was not needed.  
*Decrease of \$6,240.00*

**NEW PAY ITEMS:**

**AUP #4 FIRE HYDRANT EXTENSION (1 FT):** A section of water main was lower to avoid utility conflicts, by doing this it was necessary to raise one fire hydrant to grade within the parkway. *Increase of \$1,200.00*

**AUP #5 TEMP EPOXY PAVEMENT MARKINGS 6 INCH,**

**AUP #6 TEMP EPOXY PAVEMENT MARKINGS 12 INCH**

**AUP #7 TEMP EPOXY PAVEMENT MARKING 18 INCH**

**AUP #8 TEMP EPOXY PAVEMENT MARKINGS 24 INCH:** Temporary marking were used in lieu of the Village standard of inlaid pavement marking tape. Because the project extended into late fall, required ambient air temperatures were too low for the inlaid product to be installed within the manufacturer's warranty terms. Permanent markings will be installed in the spring. *AUP #5 increase of \$335.82, AUP #6 increase of \$1,432.20, AUP #7 increase \$509.08, AUP #8 increase of \$207.90*

**T&M 14 MODIFICATIONS TO SANITARY MANHOLE:** This is for ten hours of crew labor and equipment time along with a material expense of \$1,455.15 (new manhole and backfill). A new structure had to be ordered and installed as the elevation of the sewer lines entering and leaving the manhole, as shown on the plans were different than the actual field elevation. *Total cost of this work results in an increase of the contract amount by \$7,173.68*

**T&M 15 MODIFICATIONS TO SANITARY MANHOLE:** This is for six hours of crew labor and equipment time along with a material expense of \$1,482.74 (new manhole base and backfill). The base to the manhole had to be ordered and structure had to be altered as the elevation and alignment of the sewer lines entering and leaving the manhole, as shown on the plans was significantly different than the actual field elevation. *Total cost of this work results in an increase of the contract amount by \$4,575.66*

**T&M 16 REMOVAL AND DISPOSAL OF CONTAMINATED MATERIAL:** Four loads of material were rejected at the waste disposal site. Per the contract, the contractor was responsible to test the material and find out if the material could be classified for disposal under CCDD (Clean Construction & Demolition Debris) regulations. The contractor followed the contract procedure. The material was found to exceed the allowable CCDD limits and could not be disposed of under existing contract pay items. Therefore, per the terms of the contract, the contractor is allowed reimbursement for the testing and disposal of the material. *Total cost of this work results in an increase of the contract amount by \$5,042.67*

**T&M 17 MODIFY SANITARY MANHOLE:** This is for one hour of crew labor and equipment time along with a material expense of \$119.60 that was used to modify a manhole as the elevation of the manhole was deeper than shown on the plans. *Total cost of this work results in an increase of the contract amount by \$678.15*

**T&M 18 ADDITIONAL EXCAVATION AT A STORM SEWER MANHOLE:**

**T&M 19 ADDITIONAL WORK AT STORM SEWER MANHOLE:**

**T&M 20 ADDITIONAL WORK AT STORM SEWER MANHOLE:** This is for two hours, one hour and one and one-half hours of crew labor and equipment time used to modify a manhole. The elevation of the manhole was lower than shown on the plans. *Total cost of this work results in an increase of the contract amount by \$1,086.74, \$956.99 and \$1,137.16 respectively*

**T&M 21 ADDITIONAL EXCAVATION AT SANITARY SEWER MANHOLE:** This is for one hour of labor, equipment time along with material that was used excavate for a new manhole that turned out to be deeper than shown on the plans. Like many structures within the Finley Road corridor, the contractor had to deal with sand within the excavation. *Total cost of this work results in an increase of the contract amount by \$941.55*

**T&M 22 WINTER PROTECTION FOR CONCRETE:** Sidewalk and driveway aprons were installed late in the construction season. Per specification and good construction practice, the concrete needed to be covered when overnight temperatures were below freezing. *Total cost of this work results in an increase of the contract amount by \$2,749.71*

**T&M 23 GROUTING OF STORM SEWER PIPES:** This is for four hours of crew labor, equipment and materials used to repair sections of main line storm sewer. This was done to as an alternate to a point repair. The pipes were in good enough condition to be grouted as opposed to being replaced. *Total cost of this work results in an increase of the contract amount by \$1,504.39*

**T&M 24 EXTRA WORK AT TWO SANITARY SEWER MANHOLES:** This is for three hours of crew labor, equipment and materials used to and modify two sanitary structures that were modified under T & M 14 and T & M 15. To expedite the installation of these structures they were ordered without benches for the bottom of the structures. This billing is for the installation of benches within each manhole. *Total cost of this work results in an increase of the contract amount by \$1,944.55*

**T&M 25 MODIFICATION OF A SANITARY SEWER MANHOLE:** This is for two hours of labor, equipment and material also associated with the same sanitary manhole under T&M 21. *Total cost of this work results in an increase of the contract amount by \$1,722.72.*

Village staff will be meeting with the design engineer (Civiltech Engineering of Itasca) to review plans and field discrepancies. Staff will seek compensation related to various T&M billings in Change Orders #2 and #3.

This change order will be presented to the Public Works Committee on February 12, 2013. If the committee recommends approval, please present this change order to the President and Board of Trustees for their review and approval at their regular meeting on February 21, 2013. If approved, please have two signed copies returned to Engineering for further processing.

**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. 3 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 \$107,768.62.

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 21st day of February, 2013, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
**William Ware**  
**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: 3  
 CONTRACTOR: "D" Construction Inc. DATE: 2/4/2013

DESCRIPTION OF CHANGE ORDER: Balancing quantities & extra work outside the scope of the contract.

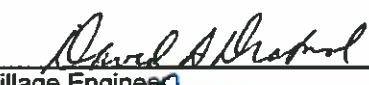
ORIGINAL CONTRACT AMOUNT:	[1] <u>\$1,899,293.89</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS: #1 & #2	[2] <u>\$190,126.97</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] <u>\$2,089,420.86</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4] <u>\$107,768.62</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] <u>\$2,197,189.48</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	<u>\$297,895.59</u>
TIME EXTENSION OR REDUCTION:	<u>04/12/13</u> <i>(Final Completion)</i>
TOTAL CONTRACT TIME:	<u>285 calendar Days</u>
BUDGET ESTIMATE:	<u>\$2,280,885.00</u>
ENGINEER'S ESTIMATE:	<u>\$2,065,626.00</u>

**RECOMMENDED FOR ACCEPTANCE :**

	<u>2-5-13</u>		Approved By: _____
Resident Engineer	Date		Director of Finance
			Date

	<u>2-5-13</u>		Approved By: _____
Contractor	Date		(<\$10K or 25%) Village Manager
			Date

	<u>2/6/13</u>		Approved By: _____
Village Engineer	Date		(>\$10K or 25%) Acting Village President
			Date

	<u>2/6/13</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.**

For CO #3



General Contractor

"D" Construction, Inc.

1488 South Broadway Coal City, IL 60416  
Office (815) 634-2555 Fax (815) 634-8748

January 24, 2013

AUP #4

Baxter & Woodman Consulting Engineers  
Attn: Richard Himebaugh  
8678 Ridgefield Rd.  
Crystal Lake, IL 60012

Subject: Finley Road Pavement Rehabilitation -- Phase I  
Project No. ST-12-05

Mr. Himebaugh,

"D" Construction, Inc. would like to submit an agreed unit price for approval for the hydrant adjustment on the above mentioned project.

Hydrant Adjust (1.0 Ft)	\$1,200.00/EA
FH #12	

If you have any questions, please do not hesitate to call.

Sincerely,

Steve Wahl  
Project Manager





"D" Construction, Inc.

General Contractor

1488 South Broadway Coal City, IL 60416  
Office (815) 634-2555 Fax (815) 634-8748

**REVISED**

November 30, 2012

Baxter & Woodman Consulting Engineers  
Attn: Richard Himebaugh  
8678 Ridgefield Rd.  
Crystal Lake, IL 60012

Subject: Finley Road Pavement Rehabilitation – Phase I  
Project No. ST-12-05

Mr. Himebaugh,

"D" Construction, Inc. would like to submit an agreed unit price for approval for temporary epoxy pavement markings on the above mentioned project.

Temp Epoxy Pvt Mk, 4"	\$1.27/FT
Temp Epoxy Pvt Mk, 6"	\$1.93/FT
Temp Epoxy Pvt Mk, 12"	\$3.85/FT
Temp Epoxy Pvt Mk, 18"	\$5.72/FT
Temp Epoxy Pvt Mk, 24"	\$7.70/FT

If you have any questions, please do not hesitate to call.

Sincerely,

Steve Wahl  
Project Manager