

**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 Niehaus, Village Manager

**DATE:** June 22, 2015 (COW) (B of T) **Date:** July 16, 2015

**TITLE:** Fuel Station  
Change Order No. 3

**SUBMITTED BY:** Carl Goldsmith, Director of Public Works *CG*

**BACKGROUND/POLICY IMPLICATIONS:**

Change Order No. 3 is a net increase of \$77,843.55. The change order is for soil remediation work proposed in Alternate Proposal B.1, removal of additional impacted soil and liquid beyond the Alternate Proposal B.1, added additional electrical conduit and junction boxes for fuel island and a new light post.

**FISCAL IMPACT/FUNDING SOURCE:**

Project #: PW 14-05  
Current Contract Amount: \$825,605.95  
Change Order #3: \$77,843.55  
Total Revised Contract Amount: \$903,449.50  
PO #: 2015-00000636  
Accounts: Water/Sewer Capital Reserve Fund (\$100,000)  
Capital Project Fund (\$375,000)

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 Niehaus, Village Manager  
From: Ying Miao, P.E., Civil Engineer II  
Through: Carl Goldsmith, Public Works Director  
Date: June 22, 2015  
Subject: Fuel Station  
Change Order #3

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Attached please find Change Order No. 3 for this project in the amount of a net increase of \$77,843.55. The change order represents added additional electrical conduit and junction boxes for the new fuel island and a new light post, removal of additional impacted soil and liquid at old UST area beyond Alternate Proposal B.1, soil remediation work proposed in the Alternate Proposal B.1. The detail information regarding the change order can be found in the attachments. The first change order was under \$10,000.00 (CO#1 = \$6,510.25). The change order went to the Village Manager for signature. The second change order was \$29,595.70, which went to the Public Works Committee and Board of Trustees for approval.

This change order will be presented to the Public Works Committee on July 14, 2015. 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 July 16, 2015. 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 Accurate Tank Inc. regarding the Fuel Station 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 \$77,843.55.

**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 16<sup>th</sup> day of July, 2015, pursuant to a roll call vote as follows:

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

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

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

Approved by me this 16<sup>th</sup> day of July, 2015.

\_\_\_\_\_  
**Keith Giagnorio**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Sharon Kuderna**  
**Village Clerk**

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Fuel Island PROJECT NO.: FW 14-05  
 LOCATION: 255 E. Wilson Avenue CHANGE ORDER: 3  
 CONTRACTOR: Accurate Tank DATE: 6/22/2015  
 DESCRIPTION OF CHANGE ORDER: Modification of works on the field. Increased construction costs.

ORIGINAL CONTRACT AMOUNT: [1] \$789,500.00  
 TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS: [2] \$36,105.95  
 CURRENT CONTRACT AMOUNT: ([1]+[2]) [3] \$825,605.95  
 PROPOSED CHANGE ORDER: (PENDING APPROVAL) [4] \$77,843.55  
 PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4]) [5] \$903,449.50

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$113,949.50  
 TIME EXTENSION OR REDUCTION: \_\_\_\_\_  
 TOTAL CONTRACT TIME: (PENDING APPROVAL) \_\_\_\_\_  
 BUDGET ESTIMATE: \$475,000.00  
 ENGINEER'S ESTIMATE: \$789,500.00

**RECOMMENDED FOR ACCEPTANCE:**

<u><i>[Signature]</i></u> Resident Engineer <u><i>[Signature]</i></u> Contractor <u><i>[Signature]</i></u> Assistant Director of Public Works	Approved By: _____ Date <u>6-23-15</u> Director of Finance Approved By: _____ Date <u>6-29-15</u> Village Manager Approved By: _____ Date <u>7-1-15</u> Village President Attest: <u><i>[Signature]</i></u> Date <u>7/1/15</u> Village Clerk Assistant Director of Finance _____ Date _____
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Proj. No.: PW 14-05

Fuel Distribution

Change Order Number: #1

Payable To: Accurate Tank Inc

Address: 204 Poplar Place, North Aurora, IL 60542

Awarded Contract Amount: \$789,500.00

Current Contract Amount: \$825,605.95

Change Order Amount: \$77,843.55

Revised Amount: \$903,449.50

P.O. No.: 2015-00000636

Date: 06/22/15

For Work

As Of: 06/22/15

Item No.	Item	Orig. Quan.	Unit	Add or Deduct	Revised Price	Original Price	Total Difference
1	ELECTRICAL CONDUIT & JUNCTION BOXES	0.00	EACH	4,605.00	4,605.00	\$0.00	\$4,605.00
2	IMPACTED SOIL REMOVAL	756.00	TON	6,366.08	48,702.08	\$42,336.00	\$6,366.08
3	IMPACTED WATER REMOVAL	2,000.00	GAL	3,020.00	5,020.00	\$2,000.00	\$3,020.00
4	GRAVEL BACKFILL	936.00	TON	(987.53)	16,328.47	\$17,316.00	(\$987.53)
5	SOIL REMEDIATION WORK	1.00	EACH	64,840.00	64,840.00	\$0.00	\$64,840.00
CO. #3							\$77,843.55