

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: January 27, 2021 **Date:** February 4, 2021 (B of T)

TITLE: FY 2020 Driveway Apron, Curb and Sidewalk Restoration Program
Final Balancing Change Order #2

SUBMITTED BY: David Gorman, PE, Assistant Director of Public Works *DG*

BACKGROUND/POLICY IMPLICATIONS:

This Final Balancing Change Order #2 is based on measured quantities upon completion of all work under this contract with Globe Construction. This Change Order will increase the contract amount by \$5,556.64.

FISCAL IMPACT/FUNDING SOURCE:

\$5,556.64 INCREASE
TOTAL REVISED CONTRACT: \$370,614.01
PW PROJ: RM 46, 49
PO: 2020-00001523
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 *CG*
From: David Gorman, PE, Assistant Director of Public Works *DG*
Date: January 27, 2021
Subject: FY 2020 Sidewalk and Curb Restoration Program FBCO

Attached please find Final Balancing Change Order #2 for the 2020 Sidewalk and Curb Restoration Program. This contract with Globe Construction, Inc. had been originally approved by the Village President and Board of Trustees on April 19, 2018, and then extended for subsequent one-year periods as allowed by the contract on May 2, 2019 and April 16, 2020. Change Order #1 had increased the contract value to \$365,057.37 for the installation of a sidewalk on Finley Road between Pinebrook Drive and Oak Creek Drive. This Final Balancing Change Order #2 increases the total contract value by \$5,556.64 based on measured quantities.

<i>Program</i>	<i>Current Contract</i>	<i>C.O. #1</i>	<i>F.B.C.O #2</i>	<i>Budget</i>
RM 46 & 49	\$365,057.37	\$35,390.00	\$5,556.64	\$396,000.00
Contract Value	\$365,057.37	\$365,057.37	\$370,614.01	\$396,000.00

Since the total changes to the original contract amount are over \$10,000, the Board of Trustees must vote to approve this second and final balancing change order.

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

R E S O L U T I O N
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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. 2 and Final to the contract between the Village of Lombard and Globe Construction, Inc. regarding the FY 2018 Driveway Apron, Curb and Sidewalk Restoration 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 \$5,556.64, and all change orders totaling an increase of \$40,946.64.

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 _____, 2021.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2021.

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 2020 DRIVEWAY APRON, CURB AND SIDEWALK RESTORATION PROGRAM
 PROJECT NO.: RM 46, 49
 LOCATION: Various CHANGE ORDER: 2 and Final

CONTRACTOR: Globe Construction, Inc. DATE: 1/22/2021

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>\$329,667.37</u>	
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$35,390.00</u>	<i>- Board approved</i>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$365,057.37</u>	
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$5,556.64</u>	<i>- require by approved</i>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$370,614.01</u>	

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$40,946.64

TIME EXTENSION OR REDUCTION: N/A

TOTAL CONTRACT TIME: (PENDING APPROVAL) N/A

BUDGET ESTIMATE: \$396,000.00

ENGINEER'S ESTIMATE: \$377,940.00

RECOMMENDED FOR ACCEPTANCE :

[Signature] 1/22/21 Approved By: _____ Date _____
 Resident Engineer Date Director of Finance Date

[Signature] 1/22/2021 Approved By: _____ Date _____
 Contractor Date (<\$10K or 25%) Village Manager Date

[Signature] 1/25/21 Approved By: _____ Date _____
 Village Engineer Date (>\$10K or 25%) Village President Date

[Signature] 1/25/2021 Attest: _____ Date _____
 Director of Public Works Date Village Clerk Date

[Signature] 1/25/21 _____ 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.