

DISTRICTS 1,2,4,5,&6

**VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda**

_____	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: November 03, 2009 (COW) (B of T) **Date:** November 19, 2009

TITLE: Main Street Lighting Project-Phase I
Change Order #7 Final

SUBMITTED BY: David A. Dratmol, P.E., Village Engineer *DAE*

BACKGROUND/POLICY IMPLICATIONS:

Change Order No. 7 is an increase to the contract of \$15,871.82. This change order is for a force account (time & material billing) for relocating a sanitary sewer service blocked by a new light pole base at the northwest corner of Main Street and Edward Street.

FISCAL IMPACT/FUNDING SOURCE:

\$15,871.82 INCREASE
Project #: M-08-05
HTB Project #: 0806 7110.809425
PO #: 060171
Capital Improvement Fund

Review (as necessary):

_____	Village Attorney	X
_____	Finance Director	X
_____	Village Manager	X

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. Huliseberg, Village Manager
 From: David A. Dratmol, P.E., Village Engineer
 Through: Carl S. Goldsmith, Public Works Director
 Date: November 03, 2009

Subject: Main Street Lighting Project – Phase I
 Change Order No. 7 (Final)

Attached please find the final balancing Change Order (C.O. No. 7) for this project in the amount of an increase of \$15,871.82. The change order represents a force account (time and material bill).

FORCE ACCOUNT (TIME AND MATERIAL BILL):

This change order is for a force account (time and material bill) for work outside of the original scope of the contract. This force account is based on actual, documented labor, materials and equipment used by the contractor to accomplish the work. The bill has been reviewed by the resident engineer and staff and agreement has been reached with the contractor. This work is associated with relocation of the sanitary sewer service at 1110 S. Main Street which was blocked by the installation of a new light pole base.

At the time of the light pole foundation installation, the exact location of the sanitary sewer service was not known and there was no indication of a conflict based on utility locations marked in the field. In accordance with the normal J.U.L.F. dig locate request, the Village marked sewer and service locations, but as a result of inadequate records, failed to properly mark the location of this service. A few days after the foundation was installed, a sewer backup was reported at the above address. Upon investigation, it was determined that the service was under the foundation and that concrete had entered the service and blocked the flow. This item consists of the cost of re-establishing the sewer service. The agreed upon force account bill results in an increase in the cost of the project of \$15,871.82.

The original contract amount was \$1,516,900.65. If this change order is approved, the final contract amount including all change orders will be \$1,556,777.30 which represents a total increase of 2.63%.

This change order will be presented to the Public Works Committee on November 10, 2009. 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 November 19, 2009. If approved, please have two signed copies returned to Engineering for further processing.

R E S O L U T I O N
R _____
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**A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING AN INCREASE OR DECREASE IN THE DOLLAR AMOUNT OF
THE CONTRACT OF \$10,000 OR MORE**

WHEREAS, pursuant to Illinois Compiled Statutes, Chapter 720, Section 5/33B-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. 7 to the contract between the Village of Lombard and Utility Dynamics Corporation regarding Main Street Lighting Project – Phase I, 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 \$15,871.82.

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 19th day of November, 2009

Ayes: _____

Nays: _____

Absent: _____

Approved this 19th day of November, 2009

ATTEST:

William J. Mueller
Village President

Briette O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Main Street Lighting Phase 1 PROJECT NO.: M-08-05

LOCATION: Main Street Between Roosevelt Road and Maple CHANGE ORDER: 7 (Final)

CONTRACTOR: Utility Dynamics Co. DATE: 11/2/2009

DESCRIPTION OF CHANGE ORDER: Repair of Sanitary Sewer service @ Phillips Florist 1110 S. Main St

[1]	\$	1,516,900.65	ORIGINAL CONTRACT AMOUNT:
[2]	\$	24,004.83	TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:
[3]	\$	1,540,905.48	CURRENT CONTRACT AMOUNT: ([1]+[2])
[4]	\$	15,871.82	PROPOSED CHANGE ORDER: (PENDING APPROVAL)
[5]	\$	1,556,777.30	PROPOSED REVISED CONTRACT AMOUNT: ([3]+[4])
	\$	39,876.65	NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])
			TIME EXTENSION OR REDUCTION:
			TOTAL CONTRACT TIME: (PENDING APPROVAL)
			BUDGET ESTIMATE:
			ENGINEER'S ESTIMATE:

RECOMMENDED FOR ACCEPTANCE:

Approved By: [Signature] Date: 11/2/09
 Resident Engineer

Approved By: [Signature] Date: 11/2/09
 Contractor

Approved By: [Signature] Date: 11/4/2009
 Village Engineer

Attest: [Signature] Date: _____
 Village Clerk

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.

NO	ITEM	CURRENT QUAN	UNIT	UNIT PRICE	REVISED QUAN	DIFFERENCE	AMOUNT
7	Extra Work Report #16						
7A-1	Sewer Repair @ Phillips Florist 1110 S. Main St	0	L Sum	\$ 15,871.82	1	1	\$ 15,871.82
TOTAL							\$ 15,871.82

Main Street Lighting Phase 1

C.O. #7

11/21/2009