

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 Niehaus, Village Manager

DATE: November 24, 2021 (B of T) **Date:** December 16, 2021

TITLE: 2021 Crack Sealing Program
Final Balancing Change Order No. #1

SUBMITTED BY: Sean P. Kelly, P.E., Village Engineer 

BACKGROUND/POLICY IMPLICATIONS:

This is a Final Balancing Change Order intended to adjust the Contract quantities to reflect final measured quantities in the field. This Change Order will increase the Contract amount by \$10,157.89, resulting in a final Contract amount of \$107,446.07.

The Village Board ratified the Contract on July 17, 2021, Legistar #210167.

FISCAL IMPACT/FUNDING SOURCE:

\$10,157.89 INCREASE
TOTAL REVISED CONTRACT: \$107,446.07
PW Proj: RM PROG 47
P.O. #: 2021-1707 \$97,288.18
G/L 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.

Inter Office Memo



To: Scott Niehaus, Village Manager
 Through: Carl S. Goldsmith, Director of Public Works *CSG by DOK*
 From: Sean P. Kelly, P.E., Village Engineer *SK*
 Date: November 24, 2021
 Subject: FY 2021 Crack Sealing/Pavement Preservation Program

2021 SURFACE TREATMENT/PAVEMENT PRESERVATION PROGRAM

Please find attached Change Order No. 1 (Final and Balancing) for this project in the amount of a net increase of \$10,157.89, bringing the final revised Contract value to \$107,446.07. The Change Order represents final agreed contract quantities for existing pay items and AUP #1 which was for sealcoating walking paths along 16th Street and a second one between 19th and 20th Streets. Please refer to the Change Order Summary Sheet for details.

The Village Board ratified the Contract on July 17, 2021, Legistar # 210167.

FINANCIAL IMPACT:

CONTRACTOR: DENLER, INC.

\$10,157.89 INCREASE

BUDGET: \$239,000.00

P.O.: 2021-1707 \$97,288.18

G/L: 410.710.725.75420

RECOMMENDATION:

This Final Balancing Change Order is to be presented to the Public Works Committee on Tuesday, December 14, 2021. If recommended for approval by the Committee, please present this Change Order to the President and Board of Trustees for approval at the next regularly scheduled meeting on December 16, 2021. If approved, please have two (2) signed copies returned to PW-Engineering for further processing.

RESOLUTION
R _____

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. 1 to the Contract between the Village of Lombard and Denler, Inc. regarding the FY2021 Crack Sealing 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 \$10,157.89.

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:

Elizabeth Brezinski
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

Registrar No. - 210389

PROJECT NAME: FY 2021 Crack Sealing/Pavement Preservation Program
 PROJECT NO.: RM 47
 LOCATION: Various streets CHANGE ORDER: 1 and Final
 CONTRACTOR: Denler, Inc. DATE: 11/24/2020

DESCRIPTION OF CHANGE ORDER: This is a final balancing change order that will increase the current Contract amount to reflect the measured quantities of work completed.

ORIGINAL CONTRACT BUDGET AMOUNT:	[1]	<u>\$97,288.18</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$97,288.18</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$10,157.89</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$107,446.07</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$10,157.89
 TIME EXTENSION OR REDUCTION: N/A
 TOTAL CONTRACT TIME: (PENDING APPROVAL) N/A
 BUDGET ESTIMATE: \$239,000.00
 ENGINEER'S ESTIMATE: \$101,000.00

RECOMMENDED FOR ACCEPTANCE :

<u>Thomas Dixon</u> Resident Engineer	<u>11/23/21</u> Date	Approved By:	
		Director of Finance	Date
<u>[Signature]</u> Contractor	<u>11/24/21</u> Date	Approved By: (<small><\$10K or 25%</small>)	
		Village Manager	Date
<u>[Signature]</u> Village Engineer	<u>12/6/21</u> Date	Approved By: (<small>>\$10K or 25%</small>)	
		Village President	Date
<u>[Signature]</u> Director of Public Works	<u>12/6/21</u> Date	Attest:	
		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.

2021 Crack Sealing/Pavement Preservation Change Order Summary Sheet

11/24/2021

<i>Item</i>	<i>Awarded Quantity</i>	<i>Unit</i>	<i>Add or Deduct</i>	<i>Final Quantity</i>	<i>Unit Price</i>	<i>Amount</i>
RUBBERIZED CRACK SEALING ASPHALT PAVEMENT	0	LB	0.0	0.0	\$1.30	\$0.00
FIBER-CRACK SEALING ASPHALT PAVEMENT	54,283	LB	(1,825.0)	52,458.0	\$1.32	(\$2,409.00)
RUBBERIZED CRACK SEALING PCC PAVEMENT	0	LB	0.0	0.0	\$2.47	\$0.00
PAVIX CONCRETE & MASONRY SEALANT	39,673	SF	0.0	39,673.0	\$0.65	\$0.00
SEALCOAT WALKING PATHS	0	L SUM	1.0	1.0	\$12,566.89	\$12,566.89

TOTAL \$10,157.89