

DISTRICTS ALL

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

<input checked="" type="checkbox"/>	Resolution or Ordinance (Blue)
<input type="checkbox"/>	Waiver of First Requested
<input type="checkbox"/>	Recommendations of Boards, Commissions & Committees (Green)
<input type="checkbox"/>	Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Huliseberg – Village Manager *DAH*

DATE: September 18, 2008 (B of T) **Date:** August 29, 2008

TITLE: 101 S. Main Street Remediation Project
Change Order No. 1 - Final Balancing

SUBMITTED BY: David A. Dratmol, P.E., Village Engineer *Res J. MD*

BACKGROUND/POLICY IMPLICATIONS:

See Memo

FISCAL IMPACT/FUNDING SOURCE:

THIS CHANGE ORDER: \$31,600.00 INCREASE
TOTAL REVISED CONTRACT: \$103,120.00
P.O. No.: 60875
HTE Project No.: 0813
Public Works Project Number: ENV-08-01

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. Hulseberg, AICP, ICMA-CM
Through: Dave P. Gorman, P.E., Acting Director of Public Works *DWG*
From: David A. Dramol, P.E., Village Engineer *DAG & DW*
Date: August 29, 2008
Subject: 101 S. Main Street Remediation Project
Change Order No. 1 - Final

Attached please find three copies of Change Order No. 1 (Final) representing an increase of \$31,600.00 to the contract amount for the 101 S. Main Street Remediation Project. This change order represents the final as field measured quantities for the project.

Background:

In September, 1998, the Village contracted Beijing Consultants to provide a Phase I/II Environmental Site Assessment, in which two (2) Leaking Underground Storage Tanks (LUST's) were located in the northeast corner of the site (in proximity to a former gas station). In November, 1999, the Village received a recorded copy of an IBPA NFR (No Further Remediation) Letter for the site regarding the two (2) LUST's.

In September, 2007, while constructing a public parking access road in the northeast corner of the site, Village personnel detected a strong gasoline odor. The Village had SEBCO Consultants, Inc. (one of two firms currently under contract with the Village performing Environmental services work) to perform an investigation of the area with ground penetrating radar. This process detected the presence of another underground storage tank. In December, 2007, this tank was removed by RW Collins Company. However, the State Fire Marshall declared that the site was still compromised. In response to the State Fire Marshall's determination, soil and groundwater samples were taken by SEBCO Consulting, Inc., an IBPA LUST report filed, and a Stage I Environmental Investigation initiated. By March 25, 2008, seven (7) soil borings and five (5) monitoring wells were sampled, identifying an estimated 278 cubic yards of contaminated soils and 20,000 gallons of contaminated groundwater near the new LUST. Remediation options were presented to the Village Board, resulting in the directive to remove the contamination at an estimated cost of \$77,000.00. The project was awarded to Robinette Demolition, Inc. in June, 2008, with a bid of \$71,520.00.

On July 28, 2008, Robinette Demolition, Inc. began excavation of the LUST site with True North Consultants, Inc. as their Environmental Sub-Consultant. SEBCO Consultants, Inc. was retained by the Village for Quality Assurance and environmental oversight. After removal of the estimated 280 cubic yards of soil, field contamination readings remained consistently low, but were not diminishing as expected. At the end of the first day of excavation, it became apparent the site soil contamination extended beyond the affects of the one LUST discovered in September, 2007. By noon the following day, the Village Board, through a telephone poll, provided a directive to halt excavation, backfill the site, and obtain an expanded environmental site investigation report to determine the extent of actual site contamination for further remedial consideration. A total of 818 cubic yards of contaminated soil was removed and backfilled. No groundwater was remediated and field samples demonstrated the site was not completely remediated.

Summary of Costs:

Original Contract Amount	\$71,520.00
Total of Previous Authorized Change Orders	\$0
This Change Order	\$31,600.00
Revised Contract Amount	\$103,120.00
Budget Estimate	N/A
Engineer's Estimate	\$77,000.00

This item will be reviewed for recommendation to the Village Board by the Public Works Committee at their September 9, 2008 meeting. If recommend for approval by the Public Works Committee, please present this change order to the President and Board of Trustees for ratification at the September 18, 2008 meeting. Upon approval, please return the signed copies to Public Works Engineering for further processing.

cc: Public Works Committee
 File: ENV 08-01

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. 1 to the contract between the Village of Lombard and Robinette Demolition, Inc. regarding the 101 S. Main Street Remediation Project, 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 \$31,600.00.

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 _____, 2008.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2008.

William J. Mueller
Village President

ATTEST:

Brightie O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: 101 S. Main Street Remediation PROJECT NO.: ENV-08-01

LOCATION: 101 S. Main Street CHANGE ORDER: 1

CONTRACTOR: Robinette Demolition, Inc. DATE: 8/28/2008

DESCRIPTION OF CHANGE ORDER: Reduction in Scope, Increase in Quantities, Final Balance

ORIGINAL CONTRACT AMOUNT:	TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	CURRENT CONTRACT AMOUNT: ([1]+[2])	PROPOSED CHANGE ORDER: (PENDING APPROVAL)	PROPOSED REVISED CONTRACT AMOUNT: ([3]+[4])
[1] \$71,520.00	[2] \$0.00	[3] \$71,520.00	[4] \$31,600.00	[5] \$103,120.00

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$31,600.00

TIME EXTENSION OR REDUCTION: N/A

TOTAL CONTRACT TIME: (PENDING APPROVAL)

BUDGET ESTIMATE: Not Budgeted

ENGINEER'S ESTIMATE: \$77,000.00

RECOMMENDED FOR ACCEPTANCE:

Approved By: Frank K. K... [Signature] Date: 9/3/08
Resident Engineer

Approved By: [Signature] Date: 9/3/08
Contractor

Approved By: [Signature] Date: 9/2/08
Village Engineer

Approved By: [Signature] Date: 9/2/08
Director of Public Works

Approved By: _____ Date: _____
Asst. Director of Finance

Approved By: _____ Date: _____
Director of Finance

Approved By: _____ Date: _____
Village Manager

Approved By: _____ Date: _____
Village President

Attest: _____ Date: _____
Deputy 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	FINAL QUAN	UNIT	UNIT PRICE	AMOUNT
44000600	Sidewalk Removal	0	Sq Ft	\$2.00	\$0.00
44000500	Combination Curb and Gutter Removal	0	FT	\$3.00	\$0.00
66900500	BETX Soil Analysis	6	EA	\$60.00	\$360.00
66900630	Lead Soil analysis	6	EA	\$80.00	\$480.00
66900505	BETX Groundwater Analysis	0	EA	\$60.00	\$0.00
66900637	Lead Groundwater Analysis	0	EA	\$80.00	\$0.00
66900205	Special Waste Disposal	818	CU YD	\$85.00	\$69,530.00
66900400	Special Waste Groundwater Disposal	0	GAL	\$0.70	\$0.00
20800250	Trench Backfill, Special	798	CU YD	\$35.00	\$27,930.00
60603800	Comb. Conc. Curb and Gutter TB6.12	0	FT	\$85.00	\$0.00
42400430	Portland Cement Concrete Sidewalk, SP	0	Sq Ft	\$17.50	\$0.00
44201796	Class D Patches, Type IV, 12"	0	SQ YD	\$100.00	\$0.00
NA	Special Waste Plans and Reports	1	LS	\$6,500.00	\$6,500.00
NA	Traffic Control Protection, STD 701901	1	LS	\$1,200.00	\$1,200.00
NA	Sediment Control, Drainage Structure Inlet Filter	0	EA	\$200.00	\$0.00
NA	Sediment Control, Drainage Structure Inlet Filter Cleaning	0	EA	\$250.00	\$0.00
20800250	Credit for utilizing CA-1 rather than CA-6	798	EA	(\$3.61)	(\$2,880.00)
TOTAL WORK COMPLETED					\$103,120.00
AWARDED CONTRACT AMOUNT					\$71,520.00
AMOUNT OF CHANGE ORDER INCREASE					\$31,600.00