

**DISTRICT ALL**

**VILLAGE OF LOMBARD**

**REQUEST FOR BOARD OF TRUSTEES ACTION**

For Inclusion on Board Agenda

Resolution or Ordinance (Blue)	_____	X
Waiver of First Requested	_____	
Recommendations of Boards, Commissions & Committees (Green)	_____	
Other Business (Pink)	_____	

PRESIDENT AND BOARD OF TRUSTEES

**TO:**

David A. Hulseberg, Village Manager *DH*

**FROM:**

October 6, 2008 (COW) (B of T) **Date:** 10/16/08

**DATE:**

FY 2009 Asphalt Paving and Patching Program  
Change Order No. #1

**TITLE:**

**SUBMITTED BY:** David A. Dratol, P.E., Village Engineer *DD*

**BACKGROUND/POLICY IMPLICATIONS:**

This bid was awarded on April 21, 2008 to Brothers Asphalt Paving, Inc. This change order increases the work to insure road fabric is completely removed prior to placing new fabric and pavement. Currently, sections of Lewis, Lodge, Edgewood, Chase, St. Charles Place, and Greenfield are programmed to receive 2 inches of grinding and overlay. However, as the grinding commenced, staff noted the depth of existing fabric varied, and not all of the fabric was removed with a 2" grind. The remaining fabric was within 1" of the ground surface and exhibited poor bond with the remaining pavement. In order to insure an acceptable product, staff is recommending a 3" grind and overlay in lieu of the programmed 2" on these streets.

The awarded contract amount was \$1,382,445. For FY2009, the Village budgeted \$1,465,000 for this program. This change order proposes a net increase of \$385,133.00 to the contract, which equates to an increase of \$302,578 over the budgeted amount. This item was initially estimated to cost \$335,000 over the budgeted amount. This item will be reviewed by the Public Works Committee on October 14, 2008.

**FISCAL IMPACT/FUNDING SOURCE:**

\$385,133.00 INCREASE  
TOTAL CONTRACT: \$1,767,578.00  
PW Proj: ST-09-03  
P.O. #: 5509, 5514, 5545

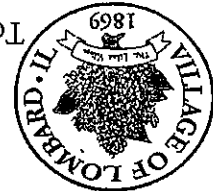
Review (as necessary):

Village Attorney X	_____	Date	10/16/08
Finance Director X	_____	Date	10/16/08
Village Manager X	_____	Date	10/16/08

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, Village Manager  
Through: Carl Goldsmith, Director of Public Works  
From: David A. Dratmol, P.E., Village Engineer  
Date: October 7, 2008  
Subject: FY2009 Asphalt Paving and Patching Program  
Change Order (#1)

*CH*

Attached please find Change Order No. 1 for this project. This bid was awarded on April 21, 2008 to Brothers Asphalt Paving, Inc. This change order increases the work to insure road fabric is completely removed prior to placing new fabric and pavement. Currently, sections of Lewis, Lodge, Edgewood, Chase, St. Charles Place, and Greenfield are programmed to receive 2 inches of grinding and overlay. However, as the grinding commenced, staff noted the depth of existing fabric varied, and not all of the fabric was removed with a 2" grind. The remaining fabric was within 1" of the ground surface and exhibited poor bond with the remaining pavement. In order to insure an acceptable product, staff is recommending a 3" grind and overlay in lieu of the programmed 2" on these streets.

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Please present this change order to the President and Board of Trustees for their review and approval at their regular meeting on October 16, 2008. If approved, please have two signed copies returned to Engineering for further processing.

c: File: ST-09-03



R E S O L U T I O N  
R 09

A RESOLUTION AUTHORIZING A CHANGE ORDER  
INVOLVING AN INCREASE IN THE DOLLAR AMOUNT OF  
THE CONTRACT OF \$20,000 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 \$20,000 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 Brothers Asphalt Paving, Inc. regarding The FY 2009 Asphalt Paving and Patching 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 \$385,133.00

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:

Deputy Village Clerk  
Brightie O'Brien  
APPROVAL AS TO FORM:

Thomas P. Bayer  
Village Attorney

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: The FY 2009 Asphalt Paving and Patching Project

PROJECT NO.: ST-09-03

LOCATION: Various Locations

CONTRACTOR: Brothers Asphalt Paving, Inc.

DATE: 10/7/2008

CHANGE ORDER: 1

DESCRIPTION OF CHANGE ORDER: See Memo

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])
\$1,382,445.00	\$0.00	\$1,382,445.00	\$385,133.00	\$1,767,578.00

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])

\$385,133.00

TIME EXTENSION OR REDUCTION:

N/A

TOTAL CONTRACT TIME: (PENDING APPROVAL)

N/A

BUDGET ESTIMATE:

\$1,465,000.00

ENGINEER'S ESTIMATE:

\$1,494,537.00

**RECOMMENDED FOR ACCEPTANCE:**

<p>Resident Engineer <i>John Martins</i> Date: 10/7/08</p> <p>Approved By: _____ Date: _____</p>	<p>Director of Finance Date: _____</p>
<p>Contractor <i>Brothers Asphalt Paving</i> Date: 10-8-08</p> <p>Approved By: _____ Date: _____</p>	<p>Village Engineer <i>Marko Albrink</i> Date: 10/8/08</p> <p>Approved By: _____ Date: _____</p>
<p>Director of Public Works Date: 10/8/08</p> <p>Attest: _____ Date: _____</p>	<p>Assistant Director of Finance Date: _____</p>

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.

ITEM	ORIGINAL QUANTITIES	UNIT	UNIT PRICE	REVISED QUANTITIES	DIFFERENCE	AMOUNT
EARTH EXCAVATION	60	CY	\$40.00	60	0.00	\$0.00
REM & DISP OF UNSUITABLE MATERIAL	1,352	CY	\$30.00	1,352	0.00	\$0.00
BIT BASE CSE 4 3/4"	5,408	SY	\$25.00	5,408	0.00	\$0.00
AGGREGATE BASE REPAIR CA-6 4"	5,408	SY	\$6.00	5,408	0.00	\$0.00
BITUMINOUS SURFACE REMOVAL 1"	0	SY	\$2.00	9,318	9,318.00	\$18,636.00
BITUMINOUS SURFACE REMOVAL 2"	64,261	SY	\$2.50	42,455	21,806.00	(\$54,515.00)
BITUMINOUS SURFACE REMOVAL 3"	0	SY	\$4.00	21,806	21,806.00	\$87,224.00
BITUMINOUS SURFACE REMOVAL 4"	5,408	SY	\$4.00	5,408	0.00	\$0.00
HMA BC IL-19 N50 2 1/4"	5,408	SY	\$12.60	5,408	0.00	\$0.00
HMA SC "C" N50 2"	58,723	SY	\$10.00	22,191	36,532.00	(\$365,320.00)
HMA SC "C" N50 3" (2 lifts)	0	SY	\$17.00	31,124	31,124.00	\$529,108.00
HMA SC "D" N70 2"	10,946	SY	\$11.00	10,946	0.00	\$0.00
AREA REFLECTIVE CRACK CONTROL TREATMENT SYSTEM A	64,637	SY	\$1.60	64,637	0.00	\$0.00
CLD PATCH T4 4"	0	SY	\$85.00	2,000	2,000.00	\$170,000.00
CLD PATCH T4 15"	276	SY	\$150.00	276	0.00	\$0.00
DRAIN & UTIL STRUCT ADJ.	5	EA	\$700.00	5	0.00	\$0.00
TRAFFIC CONTROL & PROTECT	1	LS	\$30,000.00	1	0.00	\$0.00
PREF PL PM TB LTR & SYM	108	SF	\$33.00	108	0.00	\$0.00
PREF PL PM TB LINE 4	1,709	LF	\$5.00	1,709	0.00	\$0.00
PREF PL PM TB LINE 6	823	LF	\$7.50	823	0.00	\$0.00
PREF PL PM TB LINE 8	300	LF	\$10.00	300	0.00	\$0.00
PREF PL PM TB LINE 12	624	LF	\$15.00	624	0.00	\$0.00
PREF PL PM TB LINE 18	214	LF	\$22.50	214	0.00	\$0.00
Total:						\$385,133.00