

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) _____

X

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: December 02, 2008 (COW) (B of T) Date: December 18, 2008

TITLE: Westmore-Meyers Road Underground Utility Project
Change Order #6, Final

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

BACKGROUND/POLICY IMPLICATIONS:

Final Balancing Change Order in the amount of a net decrease of \$1,280.58.

FISCAL IMPACT/FUNDING SOURCE:

\$1,280.58 DECREASE
Project #: ST-06-03-A
HTE Project #: 0607 7901.809500
PO #: 055631
Water / Sewer Capital Reserve Fund

Review (as necessary):

Village Attorney X _____
Finance Director X _____
Village Manager X _____
Date 12/2/08
Date 12/2/08

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
From: David A. Dratmol, P.E., Village Engineer
Through: Carl Goldsmith, Public Works Director
Date: December 02, 2008
Subject: Westmore-Meyers Road Underground Utility Project

Change Order No. 6 Final

Attached please find the Final Balancing Change Order (Change Order No. 6) for this project in the amount of a net decrease of \$1,280.58. The change order represents quantity adjustments to the existing contract items, and time and materials billings, all based on field measured quantities. The items below address the major changes:

FORCE ACCOUNT (TIME AND MATERIAL) BILLINGS:

This change order includes one force account (time and material) billing for work outside of the original scope of the contract associated with landscaping restoration. It is based on actual, documented labor, materials and equipment used by the contractor to accomplish the work. The invoice for this work was reviewed by the resident engineer and staff and agreement has been reached with the contractor. Description of the force account work is included on the attached pages. The agreed upon force account billing results in an increase in the cost of the project of \$379.19.

FIELD MEASURED QUANTITIES:

The item Bituminous Driveway Pavement 9" is an adjustment to quantity based on field measured as-built quantity. The item results in a decrease in the cost of the project of \$1,659.77.

This item will be presented to the Public Works Committee on December 09, 2008. 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 December 18, 2008. If approved, please have two signed copies returned to Engineering for further processing.

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 \$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. 6 to the contract between the Village of Lombard and John Neri Construction Co., Inc. regarding Westmore-Meyers Road Underground Utility 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 decrease the dollar amount of the contract by \$1,280.58.

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 _____ 18 day of _____ December _____, 2008

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ 18 day of _____ December _____, 2008

ATTEST:

William J. Mueller
Village President

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

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.

Accountant _____ Date Approved By: _____ President of BOLI _____ Date _____

Director of Public Works _____ Date _____ Attest: _____ Village Clerk _____ Date _____

Village Engineer _____ Date _____ Approved By: _____ Village President _____ Date _____

Contractor _____ Date _____ Approved By: _____ Village Manager _____ Date _____

Resident-Engineer _____ Date _____ Approved By: _____ Director of Finance _____ Date _____

RECOMMENDED FOR ACCEPTANCE:

ENGINEER'S ESTIMATE:	_____
BUDGET ESTIMATE:	_____
TOTAL CONTRACT TIME: (PENDING APPROVAL)	N/A
TIME EXTENSION OR REDUCTION:	N/A
NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	\$1,098,502.18

ORIGINAL CONTRACT AMOUNT:	[1] \$1,589,281.25
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] \$1,099,782.76
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] \$2,689,064.01
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4] (\$1,280.58)
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] \$2,687,783.43

PROJECT NAME: Westmore-Meyers Road Underground Utility Project
 LOCATION: Westmore Meyers Road Between St. Charles Road and Madison.
 CONTRACTOR: John Neri Construction Co., Inc.
 DESCRIPTION OF CHANGE ORDER: See attachment for explanation of changes
 PROJECT NO.: ST-06-03A
 CHANGE ORDER: 6
 DATE: 11/13/2008

**VILLAGE OF LOMBARD
CHANGE ORDER**

NO	ITEM	CURRENT QUAN	UNIT	UNIT PRICE	REVISED QUAN	DIFFERENCE	AMOUNT	DESCRIPTION
Item #1:	Force account items. Shrub Replacement as Directed by Village of Lombard							
FA008	SHRUB REPLACEMENT AS DIRECTED BY VILLAGE OF LOMBARD	0.00	L.S.	\$378.18	1.00	1.00	\$378.18	REPLACEMENT OF SHRUBS AT DIRECTION OF VILLAGE OF LOMBARD
	Summary Price =						\$378.18	
Item #2:	Final Balance of Pay Item Openings							
	BIRMINGHAM DRIVEWAY PAVEMENT, FT.	150.00	SO YD	\$4.00	119.28	(30.72)	\$1,650.00	REPLACEMENT OF SHRUBS AT DIRECTION OF VILLAGE OF LOMBARD
	Summary Price =						\$1,650.00	
							Grand Total=	\$1,280.58

July 18, 2008

Mr. Paul F Kuehnlenz
 Village of Lombard
 1051 S. Hammerschmidt Ave.
 Lombard, Illinois 60148

Report #: _____
 Section: _____
 County: _____
 DuPage
 Authorization: _____
 CONTRACT NO. _____

Force account bill for: Replaced shrubs as directed.

July-08	16	17	18	S.T.	O.T.	P.T.	Total Hours	Rate	Amount	Insurance	Payroll	Earnings	P.U.T.	S.U.T.
Northerto Luna (Laborer)	2	0	0	2	0	0	4	\$ 15.52	\$ 62.08		\$ 62.08	\$ -	\$ -	\$ -
Juan Morales (Laborer)	2	0	0	2	0	0	4	\$ 34.75	\$ 139.00		\$ 139.00	\$ -	\$ -	\$ -
Subtotals, Labor														
*Laborers Pension & Welfare Funds							4	\$ 15.52	\$ 62.08		\$ 62.08	\$ -	\$ -	\$ -
*Operator Pension & Welfare Funds							0	\$ 20.53	\$ -		\$ -	\$ -	\$ -	\$ -
*Truck Drivers Pension & Welfare Funds							0	\$ 11.35	\$ -		\$ -	\$ -	\$ -	\$ -
Subtotals, Labor														
Plus 35% of Subtotal									\$ 70.38		\$ 70.38	\$ -	\$ -	\$ -
Subtotals, Labor									\$ 201.08		\$ 201.08	\$ -	\$ -	\$ -
Plus 10% of Payroll Additives									\$ 20.11		\$ 20.11	\$ -	\$ -	\$ -
Subtotals, Labor									\$ 221.19		\$ 221.19	\$ -	\$ -	\$ -
Plus: Workmen's Compensation Ins.									\$ 9.73		\$ 9.73	\$ -	\$ -	\$ -
Public Liability and Property Damage Ins., excluding payroll									\$ 3.29		\$ 3.29	\$ -	\$ -	\$ -
of Truck Drivers									\$ -		\$ -	\$ -	\$ -	\$ -
**Federal Unemployment Tax									\$ -		\$ -	\$ -	\$ -	\$ -
**State Unemployment Tax									\$ -		\$ -	\$ -	\$ -	\$ -
Federal Social Security Tax									\$ 10.63		\$ 10.63	\$ -	\$ -	\$ -
Total Payroll Additives									\$ 23.66		\$ 23.66	\$ -	\$ -	\$ -
Plus 10% of Payroll Additives									\$ 2.37		\$ 2.37	\$ -	\$ -	\$ -
Subtotals, Labor									\$ 297.48		\$ 297.48	\$ -	\$ -	\$ -

I hereby certify that the above statement is a copy of that portion of the payroll which applies to the above stated work and that the rates show for taxes and insurance are actual costs.

Signed _____
 John Neri Construction Co., Inc. President

Total on following page.

JOHN NERI CONSTRUCTION CO., INC.
 SEWER AND WATER CONTRACTOR
 770 FACTORY ROAD
 ADDISON, IL 60101

Equipment Expense

R-150 Pick-up
Sub-Total

Material Used

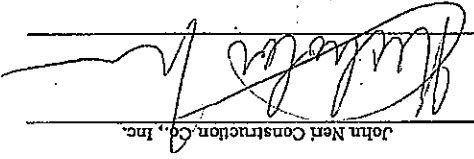
Shemln Invoice
Subtotal Material
15% Markup
Total Material Used

16	17	18	2	0	2
Total Hours					
			Rate		
			\$ 13.82		
Amount			\$ 27.64		
			\$ 27.64		

Source	Quantity	Unit	Price	Amount
Shemln	1	Ba.	\$ 47.02	\$ 47.02
				\$ 47.02
				\$ 7.05
				\$ 54.07

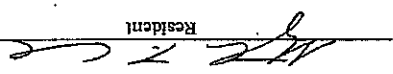
APPIDAVIT

This is to certify that the material entered on this force account bill which was taken from stock is shown at our cost.

By 
John Neri Construction Co., Inc.

TOTAL LABOR:
TOTAL EQUIPMENT EXPENSE:
TOTAL MATERIALS:
TOTAL
Bond 0.75%
Plus 10% of Bond
Total Bill

\$ 297.48
\$ 27.64
\$ 54.07
\$ 379.19
0.00
0.00
\$ 379.19


Resident