

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: David A. Hulseberg - Village Manager

DATE: July 1, 2009 (B of T) **Date:** August 20, 2009

TITLE: FY 2009 Dust Control Program
Change Order No. 1 -FINAL (Ratification of Phone Poll)

SUBMITTED BY: David A. Dratnol, P.E., Village Engineer *DA*

BACKGROUND/POLICY IMPLICATIONS:

The Village did not utilize the full services as provided by the contract. This change order reduces the contract by \$10,150.00.

FISCAL IMPACT/FUNDING SOURCE:

Reduction of \$10,150.00
HTE #: 5511
PW Project: M 09-01
P.O. No.: 061061

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.



InterOffice Memo

To: David A. Hulseberg, AICP, ICMA-CM
Through: Carl Goldsmith, Director of Public Works
From: David A. Dratnol, P.E., Village Engineer *Dratnol*
Date: July 2, 2009
Subject: FY2009 Dust Control Program
Change Order No. 1 (Final)

Attached please find Change Order No. 1 to the FY2009 Dust Control Program contract. This change order completes the contract and is a net reduction of (\$10,150.00) to the contract.

Because of weather conditions and the progress of projects during the 2008 construction period, The Village did not need to utilize dust suppressant on work sites as anticipated in the contract.

Prior to the Board meeting the proposed Change Order will be presented to the Public Works Committee on their regularly scheduled meeting on July 14th, 2009.

If recommended by Public Works Committee, please present this change order to the President and Board of Trustees for their review and approval via phone poll. If approved, please have two (2) signed copies returned to Public Works-Engineering for further processing.

cc: File: M-09-01

RESOLUTION
R _____ 10

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING A DECREASE 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 CAM LLC regarding the FY 2009 Dust Control Contract, 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 \$10,150.00

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 _____, 2009

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2009

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: FY 2009 Dust Control Program PROJECT NO.: M-09-01
 LOCATION: Various throughout Lombard CHANGE ORDER: # 1 FINAL
 CONTRACTOR: Cam, LLC, Inc. DATE: 7/1/2009
 DESCRIPTION OF CHANGE ORDER: Final Quantities

ORIGINAL CONTRACT AMOUNT:	[1]	<u>\$19,900.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$19,900.00</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>(\$10,150.00)</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$9,750.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) (\$10,150.00)
 PREVIOUS TIME EXTENSION OR REDUCTION: _____
 TOTAL CONTRACT TIME: (PENDING APPROVAL) 365 Days
 BUDGET ESTIMATE: \$19,900.00
 ENGINEER'S ESTIMATE: \$19,900.00

RECOMMENDED FOR ACCEPTANCE :

<u>Paul Bm</u> Resident Engineer	<u>7/1/09</u> Date	Approved By: _____ Director of Finance	_____ Date
<u>[Signature]</u> Contractor	<u>7/7/09</u> Date	Approved By: _____ (-<\$10K or 25%) Village Manager	_____ Date
<u>[Signature]</u> Village Engineer	<u>7/7/09</u> Date	Approved By: _____ (>\$10K or 25%) Village President	_____ Date
<u>[Signature]</u> Director of Public Works	<u>7/8/09</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.

<i>NO</i>	<i>ITEM</i>	<i>Orig. Quan.</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Revised Quan.</i>	<i>Change</i>	<i>Amount</i>
1	DUST CONTROL, COHEREX	10	LOAD	\$1,950.00	5.00	(5.00)	(\$9,750.00)

TOTAL FBCO	(\$10,150.00)
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