# 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:	<u>December 30, 2022</u> (COW) ( <u>B of T</u> ) <b>Date:</b> <u>January 19, 2023</u>
TITLE:	Snow and Debris Hauling – Nagel Trucking & Materials Inc. Change Order No. 1
SUBMITTED BY:	Brian Jack, Utilities Superintenden

# **BACKGROUND/POLICY IMPLICATIONS:**

Change Order No. 1 is an increase of \$16,506.29. The change order represents a increase in contract due to an increase of hauling spoils for FY2022.

## FISCAL IMPACT/FUNDING SOURCE:

Project #: PWO 22-03 Budget Amount: \$49,000 Current Contract Amount: \$49,000 Change Order #1: \$16,506.29 Total Revised Contract Amount: \$65,506.29 PO #: 2022-0000380

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.

#### MEMORANDUM



### **Background**

The Village Board approved a contract for Snow and Debris Hauling to Nagel Trucking & Materials on February 3, 2022 in the amount of \$49,000 for hauling of spoils from water, sewer, and street excavations to also include snow hauling. Change Order #1 will be an increase in contract amount for \$16,506.29 for a new contract total of \$65,506.29.

This change order is needed due to the increase in hauling spoils for FY 2022 from an increase in emergency excavation repairs as well as planned water and sewer system repairs and maintenance. There was also a remaining amount of debris from FY 2021 that was not able to be hauled away before 2021 ended. The nature of this contract is variable as the amount of emergency excavations varies and can only be estimated.

The increase in contract amount will be funded from the Water/Sewer Capital Reserve Fund RM PROG 10 Sewer Maintenance and Improvements 520.790.715.75420.

#### **Recommendation**

I am requesting approval for Change Order #1 for an increase of \$16,506.29 to Nagel Trucking & Materials Inc. of Batavia, IL for FY2022 for Snow & Debris Hauling.

### RESOLUTION R

## A RESOLUTION AUTHORIZING A CHANGE ORDER INVOLVING AN INCREASE/DECREASE IN THE DOLLAR AMOUNT OF THE CONTRACT OF \$10,000 OR MORE AND/OR EXTENDING/ SHORTENING THE TIME IN WHICH THE CONTRACT IS TO BE COMPLETED BY THIRTY (30) DAYS 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 (30) 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 Nagel Trucking & Materials Inc. regarding the Snow and Debris Hauling contract, as attached hereto as Exhibit "A" and made part hereof, (the "Change Order") 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 \$16,506.29.

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.

Resolution	

Adopted this 19<sup>th</sup> day of January, 2023, pursuant to a roll call vote as follows:

Ayes:		 
Nays:		
Absent:		
Approved by me this 19	day of January, 2023	

Keith Giagnorio Village President

ATTEST:

Elizabeth Brezinski Village Clerk

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME:	Snow and Debris Hauling			PRC	DJECT NO.:	P	WO 22-03
LOCATION:	Village of Lombard			СН	ANGE ORDER:	1	
CONTRACTOR:	Nagel Trucking & Material	ls Inc.		DAI	E:	1	2/30/2022
DESCRIPTION OF for 2022	CHANGE ORDER:	ase in c	ontract amount	due to an ir	crease in haulin	g of s	poils
ORIGINAL CONT	RACT AMOUNT:					[1]	49,000.00
TOTAL OF PREV	IOUS AUTHORIZED CHA	NGE OF	RDERS:			[2]	\$0.00
CURRENT CONT	RACT AMOUNT: ([1]+[2])					[3]	\$49,000.00
PROPOSED CHA	ANGE ORDER: (PENDING	G APPRO	OVAL)			[4]	\$16,506.29
PROPOSED REV	ISED CONTRACT AMOU	NT: (PEI	NDING APPRO	VAL) ([3]+[	4])	[5]	\$65,506.29
	ANGE ORDERS: (PENDIN N OR REDUCTION:	ig appf	ROVAL) ([2]+[4]	)	\$16,506.29		
TOTAL CONTRA				-	365 Cal Days		
BUDGET ESTIM	ATE:				\$49,000.00		
ENGINEER'S ES	TIMATE:			-			
RECOMMENDE	D FOR ACCEPTANCE :						
Bm	12/30/	122	Approved By:				
Utilities Superinte		Date		Director of	Finance		Date
			Approved By:				
Contractor		Date	(<\$10K or 25%)	Village Ma	inager		Date
N/A			Approved By:				
Village Engineer		Date	(>\$10K or 25%)	Village Pre	sident		Date
			Attest:				
Director of Public	Works	Date		Village Cle	erk		Date
		<u> </u>					
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.

# VILLAGE OF LOWBARD CHANGE ORDER

. .

....

			· .			
PROJECT NAME: Snow and Debris He	uling		PROJECT NO .:	<u>.</u> 5	WO 22-03	
LOCATION: Village of Lombard			CHANGE ORDER:	1	· 12.	
CONTRACTOR: Nagel Trucking & Materials Inc.			DATE:	DATE: 12/3		
DESCRIPTION OF CHANGE ORDER: for 2022	increase in a	contract amount	t due to an increase in haulir	ng cí s	poils	
ORIGINAL CONTRACT AMOUNT:				[1]_	49,000.0	
TOTAL OF PREVIOUS AUTHORIZED		RDERS:		[2]	\$0.00	
CURRENT CONTRACT AMOUNT: ([1]				[3]	\$49,000.00	
PROPOSED CHANGE ORDER: (PER				[4]	\$16,506.29	
PROPOSED REVISED CONTRACCA	MOUNT: (PE	NDING AF PRO	JVA) ([3]+[4])	[6] _	\$65,506.29	
NET OF ALL CHANGE ORDERS: (PS		ROVAL) ([2]+]4	5) \$16,506.29	-		
TIME EXTENSION OR REDUCTION:			۵	~		
TOTAL CONTRACT TIME:			365 Cal Days	<u> </u>		
BUDGET ESTIMATE:			\$49,000.00	_		
ENGINEER'S ESTIMATE:						
EECOMMENSED FOR ACCEPTANC	<u>E.:</u>	hining (Continue) in continued				
Bmr 10,	132/4e	te manue con e con al Mer s				
Utilities Superintendent	Cate	Approved By:	Director of Finance		Data	
Att dagel Texting						
Contracto:	Data	- Approved By: (<\$10% or 25%)	Village Manager		Date	
-			ತಿ ಭಾವತಿ ಮಾಡಲನಗಳಿವೆ.		Uart	
N/A		<i>E</i>				
Village Engineer	Date	ADDTOVED By: (>310% or 25%)	1 Plana Davidana			
· · · · · · · · · · · · · · · · · · ·	12142-2		Village President		Date	
				- 4 7 8 7		
			Village Clerk			
incoror of Public Marks	م بر مان بر من مان المان ا مان المان مان المان ال		1.5 SPACE AND A TRANSPORT		Date	
Director of Public Works	Dets		אמקים האפוע	*		
Director of Public Works	Dets		אמנים הזפוא		Date	
Director of Public Works	Dets Date		LUNGEO ONDER		Ualo	

. . . .

.....

и () то тото () - тото ()

: .

:

÷

.....