

DISTRICT 4

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on the Board Agenda

 X Resolution or Ordinance (Blue) X 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: June 27, 2024 (COW) (B of T) **Date:** July 18, 2024

TITLE: North Avenue Pressure Adjusting Station Rehab & Building Replacement
Construction Management/Construction Contract (Design/Build Contract)
Change Order #2 (Final)

SUBMITTED BY: David Gorman, P.E., Assistant Director of Public Works 

BACKGROUND/POLICY IMPLICATIONS:

Modification to the contract concerning a meter, a valve motor, and a dehumidifier.

FISCAL IMPACT/FUNDING SOURCE:

Current Contract Amount: \$2,770,685.00

Change Order Amount: \$27,966.00

Revised Contract Amount: \$2,798,651.00

CIP Budget: \$1,500,000.00

PW Project #: WA 20 09

P.O. #: 2024-00000352

Funding \$27,966.00 (*Water/Sewer Capital Reserve Fund (520.790.715.75420)*)

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.

AGENDA.DOC

MEMORANDUM



To: Scott Niehaus, Village Manager
From: David Gorman, P.E., Assistant Director of Public Works *DRZ*
Through: Carl Goldsmith, Director of Public Works
Date: June 27, 2024
Subject: North Avenue Pressure Adjusting Station
 Change Order #2 (Final)

Change Order #2 for \$27,966.00 includes supplying and installing a meter and a valve motor. Neither item was included as part of the original scope of the project. Additionally, the change order deletes a dehumidifier which was part of the original contract.

Background:

On October 15, 2020, the Board of Trustees approved a design/build agreement with Burke Design-Build, LLC, a separate legal entity closely affiliated with Christopher B. Burke Engineering LTD. of Rosemont (CBBEL). Under this agreement, Burke Design-Build, LLC was designated to serve as both the designer and construction manager. The rationale behind choosing the design/build process was risk mitigation. This method caps the construction contract amount, thereby holding the Construction Manager responsible for overruns unrelated to Village-initiated modifications/changes or unforeseen site conditions. During construction, the Water/Sewer Pumping Division initiated requests for two out-of-scope items. Firstly, they requested the installation of an 8-inch meter located upstream from the pressure adjusting station, as the existing valve is over 30 years old and nearing the end of its service life. Secondly, they requested an 8-inch butterfly motor operator, which was not included in the original contract documents. Previously, manual operation of the booster pump was standard procedure at the former pressure adjusting station. However, integrating a motor operator controlled by SCADA allows for automated opening of the bypass pipe and activation of the pump when the standpipe falls below the setpoint pressure during fire flow or main break conditions. This automation eliminates the need for personnel to manually operate valves at the station, enhancing safety and efficiency. The last item involves the dehumidifier for the station. The same model dehumidifier is used at all the pressure-adjusting stations and was specified for the North Avenue Station. When it came time to order the dehumidifier, it was discovered that the stipulated model was no longer in production, and the replacement model cost an additional \$667.00. Given that the Village specified the exact model and did not wish to accept a substitute manufacturer's model, it was decided to remove the item from the contract at the last available pricing point. The Underground Utility Division will purchase and install the new replacement model.

Recommendation:

The Change Order will be presented to the Public Works Committee on July 9, 2024. Pending the Committee's recommendation, please present Change Order No. #2 to the President and Board of Trustees for review and approval at their July 18, 2024, meeting. If approved, please return a signed copy to Engineering for further processing.

R E S O L U T I O N
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. # 2 to the contract between the Village of Lombard and Burke LLC regarding the North Avenue Pressure Adjusting Station project, 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 \$27,966.00.

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 18th day of July 2024, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 18th day of July 2024.

Keith Giagnorio
Village President

ATTEST:

Liz Brezinski
Village Clerk

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: North Avenue Pressure Adjusting Station
PROJECT NO.: WA 20 09
LOCATION: West Road (north of North Avenue) CHANGE ORDER: 2
CONTRACTOR: Burke LLC 06/27/24
DESCRIPTION OF CHANGE ORDER: 8" Flow Meter, 8" Butterfly Actuator & Dehumidifer Credit

ORIGINAL CONTRACT AMOUNT: (Construction Contract)	[1]	<u>\$2,770,685.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$2,770,685.00</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>\$27,966.00</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$2,798,651.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$27,966.00
TIME EXTENSION (Design/Build Contract: Nov 1, 2021 to Oct 15, 2023) 99 calendar days
TOTAL CONTRACT TIME: (PENDING APPROVAL) 713 calendar days
BUDGET ESTIMATE (Construction Contract) \$1,500,000.00
ENGINEER'S ESTIMATE (Construction Contract) \$2,444,255.00

RECOMMENDED FOR ACCEPTANCE :

<u>Ray Schwab</u> <u>06/27/24</u>	Approved By:	
Project Manager Date	Director of Finance	Date
<u>[Signature]</u> <u>06/28/24</u>	Approved By:	
Contractor Date	(\leq \$10K or 25%) Village Manager	Date
	Approved By:	
Village Engineer Date	(\geq \$10K or 25%) Village President	Date
<u>[Signature]</u> <u>6/28/2024</u>	Attest:	
Director of Public Works Date	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

North Avenue Pressure Adjusting Station

Date: 6/27/2024
Change Order #: 2
PROJECT NO.: WA 20 09

#	Item	Current Quantity	Unit	Unit Price	Revised Quantity	Difference	Amount	Description
1	8" OMNI T2 WATER METER	0	L. SUM	\$12,880.00	1.0	1.0	\$12,880.00	Added per Pumping Division Request
2	AUMA ACTUATOR	0	L. SUM	\$18,036.00	1.0	1.0	\$18,036.00	Added per Pumping Division Request
3	HLE DRY 120 Dehumidifer	1	L. SUM	\$2,950.00	0.0	(1.0)	(\$2,950.00)	Credit
							<u>\$27,966.00</u>	