

**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:** Scott Niehaus, Village Manager

**DATE:** October 14, 2022 (COW) (B of T) **Date:** November 3, 2022

**TITLE:** FY 2022 Sewer Lateral Lining Program  
Change Order No. 1

**SUBMITTED BY:** Brian Jack, Utilities Superintendent 

**BACKGROUND/POLICY IMPLICATIONS:**

Change Order No. 1 is a net decrease of \$13,400.00. The change order represents a reduction in quantities estimated from the original contract.

**FISCAL IMPACT/FUNDING SOURCE:**

Project #: RM PROG 13  
Budget Amount: \$63,000  
Current Contract Amount: \$78,750  
Change Order #1: \$(13,400)  
Total Revised Contract Amount: \$65,350  
PO #:2022-00001963


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



**To:** Scott Niehaus, Village Manager  
**From:** Brian Jack, Utilities Superintendent   
**Through:** Carl Goldsmith, Director of Public Works  
**Date:** October 14, 2022  
**Subject:** **Change Order #1 Sewer Lateral Lining  
Performance Pipelining Inc.**

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### **Background**

At their July 21, 2022 meeting, the Village Board of Trustees authorized a contract for Sewer Lateral Lining in the amount of \$78,750.00 to Performance Pipelining of Ottawa, IL. This project lines the public portion of residential sewer laterals that need repair and have been identified by Village staff.

Change order number one will be a decrease in the amount of \$13,400.00 due to a reduction in quantities originally estimated in the project. This will also be the final change order as the project is completed. The new contract amount will be a total of \$65,350.00.

### **Recommendations:**

Please request the Board of Trustees to approve Change Order #1 for a reduction in the amount of \$13,400.00 due to a reduction in quantities from the original contract at their November 3, 2022 meeting.

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: FY 2022 Sewer Lateral Lining PROJECT NO.: RM PROG 13  
 LOCATION: Village of Lombard CHANGE ORDER: 1  
 CONTRACTOR: Performance Pipelining DATE: 10/13/2022

DESCRIPTION OF CHANGE ORDER: Reduction in contract due to reduced quantities.

ORIGINAL CONTRACT AMOUNT:	[1]	<u>78,750.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ((1)+[2])	[3]	<u>\$78,750.00</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4]	<u>(\$13,400.00)</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ((3)+[4])	[5]	<u>\$65,350.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ((2)+[4])		<u>(\$13,400.00)</u>
TIME EXTENSION OR REDUCTION:		<u>N/A</u>
TOTAL CONTRACT TIME:		<u>192 Cal Days</u>
BUDGET ESTIMATE:		<u>\$63,000.00</u>
ENGINEER'S ESTIMATE:		<u>\$63,000.00</u>

**RECOMMENDED FOR ACCEPTANCE :**

 10/12/22 Date  
 Utilities Superintendent Date

Approved By: \_\_\_\_\_ Date  
 Director of Finance Date

 10/13/22 Date  
 Contractor Date

Approved By: \_\_\_\_\_ Date  
 (<\$10K or 25%) Village Manager Date

N/A Date  
 Village Engineer Date

Approved By: \_\_\_\_\_ Date  
 (>\$10K or 25%) Village President Date

 10/13/2022 Date  
 Director of Public Works Date

Attest: \_\_\_\_\_ 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.

**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.4 to the contract between the Village of Lombard and Performance Pipelining Inc. regarding the FY2022 Sewer Lateral Lining Program, 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 decrease the dollar amount of the contract by \$13,400.00 to finalize and close the contract.

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 3<sup>rd</sup> day of November, 2022, pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this 3<sup>rd</sup> day of November, 2022.

\_\_\_\_\_  
**Keith Giagnorio**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Elizabeth Brezinski**  
**Village Clerk**