

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: September 3, 2024 (COW) (B of T) **Date:** September 19, 2024

TITLE: 641 N. Main Drainage Basin Project - Change Order No. # 1

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

BACKGROUND/POLICY IMPLICATIONS:

This is a change order for the increased quantity of "Non-Special Waste" following addition soil testing and work to sewer structures adjacent to the project limits.

FISCAL IMPACT/FUNDING SOURCE:

Original Contract Amount: \$1,296,611.50
Change Order Amount: \$488,202.50
Revised Contract Amount: \$1,784,814.00

Funding Accounts: Construction Fund (410.710.725.75420)

PW Project #: ST 24 27
P.O. #: 2024-00001577

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.



To: Scott Niehaus, Village Manager
From: Mike Barbier, P.E., Civil Engineer II *MB*
Through: Dave Gorman P.E., Assistant Director of Public Works *DG*
Date: August 30, 2024
Subject: 641 N. Main Drainage Basin Project – Change Order No. 1

Attached please find Change Order No. 1 for this project in the amount of a net increase of \$488,202.50.

The revised contract amount represents the cost increase associated with Change Order No. 1 for the 641 N. Main Street Drainage Basin Project.

Overview

The 641 N. Main Drainage Basin Project was awarded on July 18, 2024 for a contract value of \$1,296,611.50. This project will provide drainage relief in the form of stormwater detention on North Main Street as well as providing recreation benefits to the community with the installation of 3 pickleball courts.

The largest portion of this change order is due to the soil classification for a large portion of the project area. By its nature, there is a large quantity of excavation and disposal of soil from the site. Due to the raised levels of arsenic and other elements found in the soil, much of the site was classified as “Non-Special Waste”. This means that the contractor cannot use the soil for standard fill on other projects and cannot dispose of the material as CCDD. This increased quantity in “Non-Special Waste” includes the hauling and disposal this soil.

This change order also includes work to improve manholes on Main Street in the immediate vicinity of the project area. After coordination with the Public Works Utility Division, it was discovered that a flat top of a storm water manhole structure needs its top replaced and that a sanitary manhole needs to be raised as its frame is currently under pavement.

The value of the contract would increase to \$1,746,795.00. This change order would represent an increase of 37.7% in the overall contract amount. However, we are still under the engineer’s estimate and budget for this project, which was \$2,000,000.00.

Recommendation

This change order will be presented to the Public Works and Environmental Concerns Committee on September 9, 2024. Pending the Committee recommending approval, please present Change Order #1 to the President and Board of Trustees for their review and approval at their regular meeting on September 19, 2024. If approved, please have a signed copy returned 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. # 1 to the contract between the Village of Lombard and Lima Contractors, Inc. Regarding the 641 N. Main Street Drainage Basin 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 \$488,202.50, increasing the total dollar amount to \$1,784,814.00: and

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 _____

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Adopted this 19th day of September 2024, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 19th day of September 2024.

Keith Giagnorio
Village President

ATTEST:

Liz Brezinski
Village Clerk

VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Stormwater Detention Improvements at 641 North Main Street PROJECT NO.: SS-24-05

LOCATION: 641 North Main Street CHANGE ORDER: 1

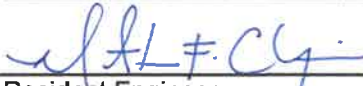


CONTRACTOR: Lima Excavating Contractors DATE: September 3, 2024

DESCRIPTION OF CHANGE ORDER: Raise a buried sanitary manhole, replace storm manhole flat-top, and increase quantity of "NON-SPECIAL WASTE DISPOSAL."

ORIGINAL CONTRACT AMOUNT:	[1] \$ <u>1,296,611.50</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] \$ <u>-</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] \$ <u>1,296,611.50</u>
PROPOSED CHANGE ORDER: (PENDING APPROVAL)	[4] \$ <u>488,202.50</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5] \$ <u>1,784,814.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4])	\$ <u>488,202.50</u>
TIME EXTENSION OR REDUCTION:	<u>None</u>
TOTAL CONTRACT TIME: (PENDING APPROVAL)	<u>-</u>
BUDGET ESTIMATE:	\$ <u>2,000,000.00</u>
ENGINEER'S ESTIMATE:	\$ <u>2,000,000.00</u>

RECOMMENDED FOR ACCEPTANCE :

<p> <u>Resident Engineer</u> <u>9/3/2024</u> Date</p>	<p>Approved By: _____ Director of Finance Date</p>
<p> <u>Contractor</u> <u>9/3/24</u> Date</p>	<p>Approved By: _____ (<\$10K or 25%) Village Manager Date</p>
<p> <u>Village Engineer</u> <u>9/3/24</u> Date</p>	<p>Approved By: _____ (>\$10K or 25%) Village President Date</p>
<p> <u>Director of Public Works</u> <u>9/4/2024</u> Date</p>	<p>Attest: _____ Village Clerk Date</p>
<p>_____ Assistant Director of Finance Date</p>	

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.

ITEM NO.	ITEM DESCRIPTION	CURRENT QUANTITY	UNIT	UNIT PRICE	REVISED QUANTITY	DIFFERENCE	AMOUNT	DESCRIPTION
AUP001	RAISE EXISTING BURIED SANITARY MANHOLE	0.0	L.SUM	\$ 8,747.50	1.00	1.00	\$ 8,747.50	An existing sanitary manhole was buried within the southbound lanes of Main Street. Village staff requested the Contractor to raise and repair sanitary manhole frame and lid.
AUP002	REMOVE AND REPLACE EXISTING MANHOLE FLAT-TOP	0.0	L.SUM	\$ 11,113.00	1.00	1.00	\$ 11,113.00	An existing storm manhole was found to have a damaged flat top within the intersection of Goebel Drive & Main Street. Village staff requested the Contractor to remove and replace the damaged flat top.
1	NON-SPECIAL WASTE DISPOSAL	100.0	CU YD	\$ 79.38	6,000.00	5,900.00	\$ 468,342.00	After soil samples were taken, the existing soils were classified as "Non-Special Waste." This soil classification results in the Contractor unable to haul and dispose of the material at a CCDD dumping facility. The revised quantity is an estimated quantity based off soil sampling locations and estimated volume calculations.
TOTAL =							\$ 488,202.50	