



AGENDA ITEM #13C

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
9/13/2022**

Item Title: 2022 Storm Sewer Improvement Program Change Order No. 1

Staff Contact: Kristin Mehl, Assistant Director of Public Works

OLD BUSINESS

VILLAGE BOARD ACTION:

Adopt a Resolution authorizing the Mayor to execute Change Order No. 1 for the 2022 Storm Sewer Improvement Program between the Village of Roselle and Scanlon Excavating and Concrete for the additional work in the amount of \$20,757.15.

Executive Summary:

On August 8, 2022 the Village Board approved a contract with Scanlon Excavating and Concrete for the 2022 Storm Sewer Improvements Project in the amount of \$167,944.00. Since the contract was awarded, additional work has been identified:

- 350 feet of additional re-ditching beyond the original contract amount
- An additional failing structure was identified and needs to be replaced
- Stone needed for ditches on Turner Avenue due to continuous water flow

Staff's recommendation is to approve Change Order #1 to complete the work while Scanlon Excavating and Concrete is still completing work within the Village.

Implications:

Is this item budgeted? Funds are budgeted in the General Capital Fund.

Estimated cost: \$20,757.15

Any other implications to be considered? None

Strategic Priority:

Reliable Infrastructure

Attachments:

Resolution
Change Order No. 1

THE VILLAGE OF ROSELLE
DUPAGE AND COOK COUNTIES, ILLINOIS

RESOLUTION
NUMBER _____

A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF A CHANGE ORDER
BY AND BETWEEN
THE VILLAGE OF ROSELLE AND
SCANLON EXCAVATING AND CONCRETE, INC.

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

BRUCE BERKSHIRE
WAYNE D. DOMKE
CHERYL LENISA
TOM DELLA PENNA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 13th day of September, 2022

RSOLUTION NO. _____

**A RESOLUTION
APPROVING AND AUTHORIZING
THE EXECUTION OF A CHANGE ORDER
BY AND BETWEEN
THE VILLAGE OF ROSELLE AND
SCANLON EXCAVATING AND CONCRETE, INC.**

WHEREAS, the Village of Roselle is a municipal corporation organized pursuant to the laws of the State of Illinois possessing certain powers and perform certain functions pertaining to its local government and affairs as provided for by and through the Illinois Municipal Code and Illinois Statute;

WHEREAS, the Village of Roselle (hereinafter referred to as "Village") upon approval of the corporate authorities may enter into an Agreement with another party pursuant to Illinois Statute;

WHEREAS, the Village previously awarded a contract to Scanlon Excavating and Concrete, Inc. (hereinafter referred to as the "Company") as the lowest responsible bidder for the 2022 Storm Sewer Improvement Program (hereinafter referred to as the "Program") in the amount of \$167,944.00 (one hundred sixty-seven thousand nine hundred forty-four dollars and no cents);

WHEREAS, during the course of Program work the Company identified additional work which includes additional re-ditching, replacement of a failing residential structure and additional stone on and along Turner Avenue;

WHEREAS, pursuant to the original agreement and bid specifications certain contingencies were anticipated and provided for within the budget and if occurred, the Company is required to seek approval of a change order from the Village; and

WHEREAS, the Corporate Authorities of the Village of Roselle have determined that it is in the best interests of the health, welfare and safety of the residents of the Village of Roselle to approve the change order submitted by Scanlon Excavating and Concrete, Inc. for the purposes referenced herein.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

Section Two – Approval of Change Order

The Village hereby approves Change Order No. 1 (hereinafter referred to as the “Change Order”) substantially in the form attached hereto and made a part hereof as Exhibit A and further approves the additional expenditure of \$20,757.15 (twenty thousand seven hundred fifty-seven dollars and fifteen cents).

Section Three – Authorization and Direction

The Village Administrator is hereby authorized to execute, Change Order, substantially in the form of such change order attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such change order.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Six - Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the change order, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements of the change order and of this resolution.

Section Seven – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Eight - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Nine – Conflict Clause

All resolutions, parts of resolutions or board actions in conflict herewith are hereby repealed to the extent of such conflict.

Section Ten – Saving Clause

If any section, paragraph, clause or provision of this resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this resolution which are hereby declared to be separable.

Section Eleven – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Roselle.

DECIDED pursuant to a Roll Call Vote:

	YES	NO	ABSENT	PRESENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski				
TOTAL				

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 13th day of September, 2022:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

STATE OF ILLINOIS)
) SS
 COUNTIES OF DUPAGE AND COOK)

CLERK’S CERTIFICATION

I, Amanda Hausman hereby certify that I am the duly appointed and qualified Village Clerk in and for the Village of Roselle, DuPage and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Resolution No. _____

**A RESOLUTION
 APPROVING AND AUTHORIZING
 THE EXECUTION OF A CHANGE ORDER
 BY AND BETWEEN**

THE VILLAGE OF ROSELLE AND SCANLON EXCAVATING AND CONCRETE, INC.

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on September 13, 2022 and that the vote on the motion for adoption was as follows:

	YES	NO	ABSENT	PRESENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski				
TOTAL				

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of Roselle, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of Roselle as required in the Illinois Compiled Statues 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of Roselle, DuPage and Cook Counties, Illinois on the date set forth herein.

 Amanda Hausman, Village Clerk

(SEAL)

Exhibit A
Change Order

DRAFT



Request for Approval of Change of Plans



Local Public Agency Village Of Roselle	County DuPage	Route	Section Number
Request Number 1 <input type="checkbox"/> Final	Contractor Scanlon Excavating and Concrete		
Address 630 S 7000W Rd	City Kankakee	State IL	Zip Code 60901
Date 08/31/22			

I recommend that this Addition be made to the above contract.

The estimated quantities are shown below and the contractor agrees to furnish the materials and do the work at the unit prices.

Item Description	Unit of Measure	Quantity	Unit Price	Addition (A) or Deduction (D)	Total Addition	Total Deduction
- Seeding, Class 2A, Salt Tolerant	SY	350	\$12.000	A	\$4,200.00	\$0.00
- Grading and Shaping Ditches	FT	331	\$12.000	A	\$3,972.00	\$0.00
- Erosion Control Blanket	SY	350	\$4.000	A	\$1,400.00	\$0.00
- Remove and Replace Additional Structure	LSum	1	\$4,685.150	A	\$4,685.15	\$0.00
- 3" Stone Placement - Turner Ave	LSum	1	\$6,500.000	A	\$6,500.00	\$0.00
-				A		\$0.00
-				A		\$0.00
-				A		\$0.00
Total Changes					\$20,757.15	\$0.00

Total Net Change	\$20,757.15
Amount of Original Contract	\$167,944.00
Amount of Previous Change Orders	\$0.00
Amount of adjusted/final contract	\$188,701.15

Total net addition to date \$20,757.15 which is 12.36% of the contract price.

State fully the nature and reason for the change

Additional work to assist Street Division and address resident concerns

When the net increase or decrease in the cost of the contract is \$10,000.00 or more, or the time of completion is increased or decreased by 30 days or more, one of the following statements must be checked:

- The Local Public Agency has determined that the circumstances which necessitate this change were not reasonably foreseeable at the time the contract was signed.
- The Local Public Agency has determined that the change is germane to the original contract is signed.
- The Local Public Agency has determined that this change is in the best interest of the Local Public Agency and is authorized by law.

Prepared By	Title of Preparer
Matthew Rasmussen	Civil Engineer

Submitted/Approved

	Local Public Agency	Date
BY:		
Title:		

For a Road District project County Engineer signature required.

County Engineer/Superintendent of Highways	Date

Approved:
Illinois Department of Transportation

Regional Engineer	Date