



Agenda Item Executive Summary

Bittersweet Water Reclamation Facility
Improvements - Approving Change Order #5
between Joseph J. Henderson & Son, Inc. and the
Village of Bartlett: PW Complex & Ruzicka Parking

AGENDA ITEM: Lot Paving

BOARD OR COMMITTEE: Board

BUDGET IMPACT

Amount	NTE \$ 230,000	Budgeted	300,000
Fund: Streets (General Fund)	Corresponding Activity Measure: Roadway Pave/Patch Hours		

EXECUTIVE SUMMARY

A resolution for the board's approval to approve Change Order #5 with Joseph J. Henderson & Son Inc. (JJ Henderson) to have their subcontractor paving the Water Reclamation Facility as part of that contract to include the paving of the Public Works Employee lots and the handicap parking stalls surrounding the concession stand and adjacent areas at Ruzicka Field to alleviate safety concerns for disabled/older visitors. The additional cost to pave the employee lot and Ruzicka will utilize funding approved in the FY 24/25 capital budget.

ATTACHMENTS (PLEASE LIST)

Memo, Exhibit Map, Resolution, Change Order #5

RELATIONSHIP TO STRATEGIC PLAN GOAL

Strategic Plan Goal: Continue to enhance and improve efficiency of service delivery methods and approaches

Short Term (1-3 Years): Routine Complex

Long Term (3-5 Years): Routine Complex

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion

MOTION: I move to approve RESOLUTION #2024- ____ - R, A RESOLUTION APPROVING OF CHANGE ORDER #5 TO THE CONTRACT BETWEEN JOSEPH J. HENDERSON & SON, INC. AND THE VILLAGE OF BARTLETT FOR THE BITTERSWEET WATER RECLAMATION FACILITY IMPROVEMENTS FOR A NOT-TO-EXCEED \$230,000.00 INCREASE IN THE ORIGINAL CONTRACT SUM.

Staff: Tyler Isham, Assistant Director of Public Works

Date: August 12, 2024

Memo

To: Paula Schumacher, Village Administrator
From: Tyler Isham, Assistant Director of Public Works
Subject: Ruzicka Parking Lot Paving Award and Agreement
Date: August 12, 2024

As part of the approved FY 24/25 Capital Improvement Program, the Village allocated \$300,000 for the repaving of the Public Works Employee Lots. Due to the nature of the work and efficiencies both in time and cost effectiveness, staff reached out to Joseph J. Henderson & Son, Inc. (JJH), the contractor performing the work for the Bittersweet Water Reclamation Facility (WRF), to obtain a price for the continued paving of the employee lots and drive south of the gate.

Staff was also aware of the safety concerns and condition of the parking lot at Ruzicka Field. The contractor provided a price to resurface the existing asphalt pad, along with the handicap parking stall and entrance at Ruzicka to alleviate as much of the safety concerns and accessibility issues as possible for those visitors coming to football and baseball games. An exhibit showing the proposed paving at Ruzicka is attached for review. This increase will have no impact on the completion of the WRF and will not impact rates or the loan amount. The Village is still in discussions with ComEd concerning the overall parking lot at Ruzicka. The additional cost came in well under the budget with a not-to-exceed proposal of \$230,000:

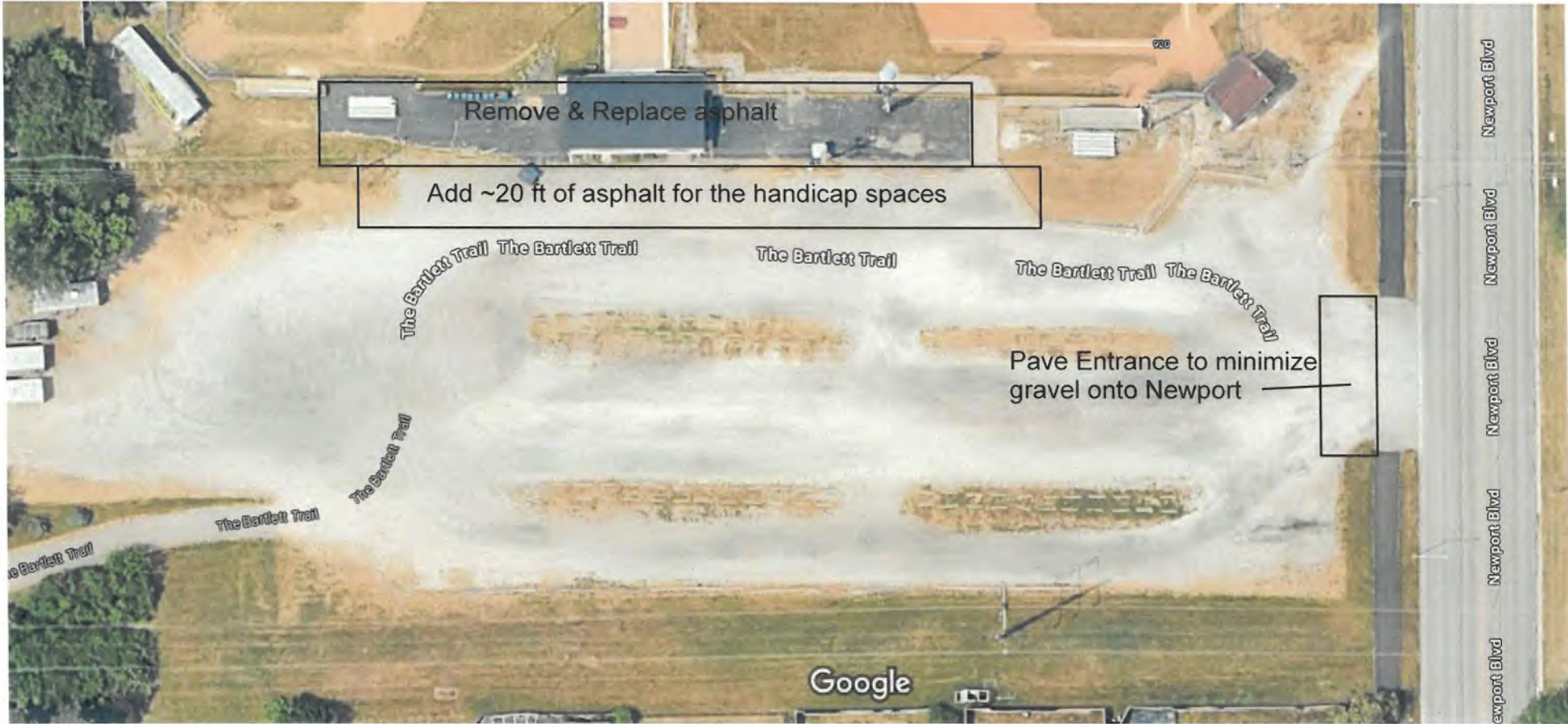
- Paving the public works lots from north of the plant to the entrance gate and north of the garage to the brine tanks. Total Cost = \$180,000.00
- Resurfacing of the asphalt pad at Ruzicka and paving the handicap parking stalls along the length of the north end of the parking lot. Total Cost ~ \$40,000.00

RECOMMENDATION

Staff recommends approving Change Order #5 with JJH.

MOTION

MOTION TO APPROVE RESOLUTION #2024- _____ A RESOLUTION APPROVING OF CHANGE ORDER #5 TO THE CONTRACT BETWEEN JOSEPH J. HENDERSON & SON, INC. AND THE VILLAGE OF BARTLETT FOR THE BITTERSWEET WATER RECLAMATION FACILITY IMPROVEMENTS FOR A NOT-TO-EXCEED \$230,000.00 INCREASE IN THE ORIGINAL CONTRACT SUM.



August 20, 2024

CHANGE ORDER NO. 5



PROJECT: Bittersweet Water Reclamation Facility Improvements
CONTRACTOR: Joseph J. Henderson & Son, Inc.

Description of Change

Add additional paving of the public works employee lots and the handicap stalls at the Ruzicka Field Parking Lot
Increase of \$230,000.00

Contract Price Adjustment

Original Contract Price:	\$35,320,000.00
Previous Change Order Adjustments:	(121,387.51)
Adjustment Due to Change Order:	<u>230,000.00</u>
New Contract Price:	\$35,307,224.98

This document shall become a supplement to the Contract and all provisions apply hereto

VILLAGE OF BARTLETT:

JOSEPH J. HENDERSON & SON, INC.:

By: _____
Kevin Wallace
Village President

By: _____
Title: _____

Attest:
By: _____
Lorna Gilles
Village Clerk

Attest:
By: _____
Title: _____

Date: _____

Date: _____

RESOLUTION NO. 2024 - _____

**A RESOLUTION APPROVING OF CHANGE ORDER NO. 5 TO THE
CONTRACT BETWEEN THE VILLAGE OF BARTLETT AND
JOSEPH J. HENDERSON & SON, INC. FOR THE BITTERSWEET WATER
RECLAMATION FACILITY IMPROVEMENTS FOR A NOT-TO-EXCEED \$230,000.00
INCREASE IN THE ORIGINAL CONTRACT SUM**

WHEREAS, the Village of Bartlett (the "Village") and Joseph J. Henderson & Son, Inc. (the "Contractor") entered into an Agreement approved by the Village on November 2, 2021, but last signed on and dated November 30, 2021 (the "Contract") for the Bittersweet Water Reclamation Facility Improvements in an original contract amount of \$35,320,000.00 (the "Original Contract Sum"); and

WHEREAS, the Contract was awarded to the Contractor because it was the lowest responsible and responsive bidder for the Project after advertisement for public bids; and

WHEREAS, the Project came in over budget, so the Village looked for ways to reduce the cost of the Project by modifying the scope and specifications for the Project, Change Orders No. 1 - 4 resulted in a credit/decrease/reduction in the Original Contract Sum of \$121,387.51; and

WHEREAS, the Village has continued to work with the Contractor to look for additional ways to modify the scope and specifications for the Project to retain the overall quality of the Project, and has come up with a series of additional changes that combined will increase the cost of the Project by \$230,000, which are more fully described in Change Order No. 5 which is attached hereto; and

WHEREAS, the proposed change in the scope of the work and specifications may be authorized by a change order to the Contract, provided the Corporate Authorities make a determination in writing that (1) the circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the Contract was signed; (2) the change is germane to the original contract as signed; OR (3) the change order is in the best interest of the unit of local government and authorized by law (720 ILCS 5/33E-9); and

WHEREAS, the increase in the cost of the Project combining Change Orders No. 1-5 is \$108,612.49; and

WHEREAS, the amended Contract Sum for the Project with Change Orders No. 1-5 is \$35,307,224.98;

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of Bartlett (the "Corporate Authorities"), Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: The Board hereby finds and determines that the circumstances necessitating the change in the scope and specifications of the Project included in Change Order No. 5 were not reasonably foreseeable at the time the Contract was signed; that Change Order No. 5 is germane to the original Contract as signed; and/or that Change Order No. 5 is in the best interest of the Village and is authorized by law.

SECTION TWO: That Change Order No. 5 attached hereto, which increases the Original Contract Sum for the Project by \$230,000.00, is hereby approved, and the Village Administrator is hereby authorized and directed to sign Change Order No. 5 on behalf of the Village, making the new Contract Sum, after a "INCREASE" in that amount (and including the previous reductions approved by Change Order No. 1 and No. 4), \$35,307,224.98 (the "Fourth Amended Contract Sum").

SECTION THREE: SEVERABILITY. The various provisions of this Resolution are to be considered as severable, and of any part or portion of this Resolution shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution.

SECTION FOUR: REPEAL OF PRIOR RESOLUTIONS. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Resolution shall be in full force and effect upon passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

Kevin Wallace, Village President

ATTEST:

Lorna Giles, Village Clerk

CERTIFICATION

I, Lorna Giles, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Resolution 2024 - _____ enacted on August 20, 2024 and approved on August 20, 2024 as the same appears from the official records of the Village of Bartlett.

Lorna Giles, Village Clerk