



Agenda Item Executive Summary

Item Name Bittersweet Water Reclamation Facility
 Improvements-Approving Change Order #2
 between Joseph J. Henderson & Son, Inc. and the Committee
 Village of Bartlett or Board Board

BUDGET IMPACT

Amount:	\$266,915.54 Decrease	Budgeted	\$37,000,000.00 (Loan)
List what fund	Sewer Fund - IEPA Low Interest Loan		

EXECUTIVE SUMMARY

As we discussed previously, we have been working with Joseph J. Henderson & Son (JJH), Inc. to look at ways to lower the cost of the Bittersweet Water Reclamation Facility improvements. Five items are included in change order #2 for a total reduction of \$266,915.54:

- Remove gutters from the aluminum flat panel covers for the digesters.
- Change the 8 ft sidewalk to asphalt.
- Remove the canopy over the ultraviolet system. Staff will build at a later date.
- Remove the concrete encasement for duct bank.
- Delete demolition of nitrification towers from the contract.

We recommend that the Village Board approve Change Order #2 with Joseph J. Henderson & Son, Inc.

This will reduce the JJH contract from \$35,320,000 to \$34,559,834.46 including Change Order #1. We will continue to look at ways to reduce costs.

ATTACHMENTS (PLEASE LIST)

Memo, Resolution, Exhibit A

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion:

MOTION: I move to approve Resolution 2022-_____, a Resolution Approving of Change Order #2 to the Contract Between Joseph J. Henderson & Son, Inc. and the Village of Bartlett for the Bittersweet Water Reclamation Facility Improvements for a \$266,915.54 Decrease in the Original Contract Sum.

Staff: Dan Dinges, Director of Public Works Date: 3/24/22

Memo

DATE: March 24, 2022

TO: Paula Schumacher
Village Administrator

FROM: Dan Dinges, PE
Director of Public Works

SUBJECT: Bittersweet Water Reclamation Facility Improvements
- Change Order #2

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MOTION: I move to approve Resolution 2022-_____, a Resolution Approving of Change Order #2 to the Contract Between Joseph J. Henderson & Son, Inc. and the Village of Bartlett for the Bittersweet Water Reclamation Facility Improvements for a \$266,915.54 Decrease in the Original Contract Sum.

RESOLUTION NO. 2022 - _____

**A RESOLUTION APPROVING OF CHANGE ORDER NO. 2 TO THE
CONTRACT BETWEEN THE VILLAGE OF BARTLETT AND
JOSEPH J. HENDERSON & SON, INC. FOR THE BITTERSWEET WATER
RECLAMATION FACILITY IMPROVEMENTS FOR A \$266,915.54
DECREASE 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, the first of which was to change the insulated aluminum flat panel cover system for the aerobic digester originally specified to an uninsulated aluminum panel cover system which was approved by Change Order No. 1 that resulted in a credit/decrease/reduction in the Original Contract Sum of \$493,250.00; 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 further reduce the overall cost, but retain the overall quality of the Project, and has come up with a series of five additional changes that combined will further reduce the cost of the Project by \$266,915.54, which are more fully described in Change Order No. 2 which is attached hereto as Exhibit A; 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 reduction in the cost of the Project combining Change Orders No. 1 and No. 2 is \$760,165.54; and

WHEREAS, the amended Contract Sum for the Project with Change Orders No. 1 and No. 2 is \$34,559,834.46;

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. 2 were not reasonably foreseeable at the time the Contract was signed; that Change Order No. 2 is germane to the original Contract as signed; and/or that Change Order No. 2 is in the best interest of the Village and is authorized by law.

SECTION TWO: That Change Order No. 2 attached hereto as Exhibit A, which reduces the Original Contract Sum for the Project by \$266,915.54, is hereby approved, and the Village Administrator is hereby authorized and directed to sign Change Order No. 2 on behalf of the Village, making the new Contract Sum, after a "DEDUCT" in that amount (and including the previous reduction approved by Change Order No. 1), \$34,559,834.46 (the "Second 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 2022 - _____ enacted on April 5, 2022 and approved on April 5, 2022 as the same appears from the official records of the Village of Bartlett.

Lorna Giles, Village Clerk



Strand Associates, Inc.[®]
 910 West Wingra Drive
 Madison, WI 53715
 (P) 608.251.4843

EXHIBIT A

March 17, 2022

CHANGE ORDER NO. 2

PROJECT: Bittersweet Water Reclamation Facility Improvements
OWNER: Village of Bartlett, Illinois
CONTRACT: 1-2021
CONTRACTOR: Joseph J. Henderson & Son, Inc.

Description of Change

2a	Remove the gutters from the aluminum flat panel cover system in accordance with Cost Proposal Request (CPR) No. 001 issued October 25, 2021.	(DEDUCT)	(\$8,000.00)
2b	Change the 8-foot-wide sidewalk from concrete sidewalk to asphalt pavement in accordance with CPR No. 002 issued October 25, 2021.	(DEDUCT)	(\$60,926.67)
2c	Remove canopy over the ultraviolet (UV) system in accordance with CPR No. 004 issued December 8, 2021.	(DEDUCT)	(\$42,736.72)
2d	Remove the concrete encasement of duct bank from EMH-7 to the RAS/WAS Pumping Building in accordance with CPR No. 003 issued October 25, 2021.	(DEDUCT)	(\$7,359.65)
2e	Delete demolition of the Nitrification Reactors. Contractor shall remove Nitrification Reactors from service. Contractor shall plug 24-inch Nitrification Reactor effluent piping ends at Nitrification Reactors. Nitrification Reactors to be completely removed by others. Contractor shall remove piping from Intermediate Pumping Station to Nitrification Reactors and piping beneath the Nitrification Reactor concrete slab.	(DEDUCT)	(\$147,892.50)

TOTAL VALUE OF THIS CHANGE ORDER: (DEDUCT) (\$266,915.54)

Contract Price Adjustment

Original Contract Price	\$35,320,000.00
Previous Change Order Adjustments	(\$493,250.00)
Adjustment in Contract Price this Change Order	(\$266,915.54)
Current Contract Price including this Change Order	\$34,559,834.46

Village of Bartlett, Illinois–Joseph J. Henderson & Son, Inc.
Contract 1-2021, Change Order No. 2
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Contract Substantial Completion Date Adjustment

Original Contract Substantial Completion Date	December 31, 2023
Contract Substantial Completion Date Adjustments due to previous Change Orders	0 Days
Contract Substantial Completion Date Adjustments due to this Change Order	0 Days
Current Substantial Contract Completion Dates including all Change Orders	December 31, 2023

Contract Final Completion Date Adjustment

Original Contract Final Completion Date	May 15, 2024
Contract Final Completion Date Adjustments due to previous Change Orders	0 Days
Contract Final Completion Date Adjustments due to this Change Order	0 Days
Current Final Contract Completion Dates including all Change Orders	May 15, 2024

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

RECOMMENDED

_____ ENGINEER–Strand Associates, Inc.®	_____ Date
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APPROVED

_____ CONTRACTOR–Joseph J. Henderson & Son, Inc.	_____ Date
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APPROVED

_____ OWNER–Village of Bartlett, Illinois	_____ Date
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