

**VILLAGE OF DOWNERS GROVE**  
**REPORT FOR THE VILLAGE COUNCIL WORKSHOP**  
**OCTOBER 27, 2009 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Change Order and Contract Extension: Washington Park Stormwater Improvement Project (CIP Project SW-042)	Resolution Ordinance ✓ Motion Discussion Only	Naneil Newlon Director of Public Works

**SYNOPSIS**

A motion is requested to authorize a change order to an existing contract with Copenhaver Construction, Inc. of Gilberts, IL, for the Washington Park Stormwater Improvement Project (SW-042) in amount of \$41,727.96 and grant a contract time extension until June 1, 2010.

**STRATEGIC PLAN ALIGNMENT**

The Five Year Plan and Goals for 2008-2013 identified *Top Quality Village Infrastructure and Facilities*. A supporting objective of this goal is *Improve Neighborhood Infrastructure Curbs, Gutters, Streets, Sidewalks, Stormwater and Drainage System*.

**FISCAL IMPACT**

The amount of the proposed change order, \$41,727.96, would increase the existing contract amount from \$2,948,621.00 to \$2,990,348.96. The Village's proposed portion of this change order is \$16,699.49, with the remaining amount of \$25,028.47 to be paid by the Downers Grove Park District. This would increase the Village's contract portion of the project costs from \$2,825,846.00 to \$2,842,545.49.

The budget for all planned projects within the St. Joseph North, Subwatershed E (SW-042) is \$9,250,000 and spans three fiscal years (FY09, FY10 and FY11). The FY09 budget includes \$2,300,000 for the Washington Park project. The proceeds from the stormwater bond issuance of 2008 will be used to pay for this project. Per the terms of the Intergovernmental Agreement (IGA) with the Downers Grove Park District, the original Village contract portion of the costs would be \$2,789,888 and the Park District portion of the costs would be \$82,775.

**RECOMMENDATION**

Approval on the November 3, 2009 consent agenda.

**BACKGROUND**

On April 7, 2009, the Village Council awarded a contract to Copenhaver Construction, Inc. of Gilberts, IL, for the Washington Park Stormwater Improvement Project (SW-042). The contract is to provide stormwater detention in the form of two separate detention facilities located within the northwest and southeast areas of Washington Park. The detention facilities, in conjunction with other projects proposed for the St. Joseph North E Subwatershed, will alleviate drainage issues and will allow many of the poorly-drained depressional areas to drain more efficiently.

In 2008 the Village and Park District executed an IGA that requires the Village to design and construct certain recreational improvements in exchange for the use of the land for stormwater improvements. The recreational improvements include new playgrounds, picnic area, fountain, new soccer and baseball fields with underdrain and irrigation systems, and various park amenities.

This is the second change order for the Washington Park Stormwater Improvement Project. The first change order was approved by Village Council on August 18, 2009 for an amount of \$75,958.00, of which \$35,958.00 was paid by the Village. The remaining \$40,000 was paid by the project's design consultant and the Park District. This second change order would increase the existing contract amount from \$2,948,621.00 to \$2,990,348.96. The proposed change order includes additional costs for the following items:

#### Cast-in-place Retaining Walls (Village Costs)

- New item for placing Masonite material at retaining wall control joints spaced 6' apart. The masonite helps control cracking in the concrete retaining walls.
- New item for coring weep holes in walls poured before the need for weep holes was known
- New item for retaining wall form rentals. The contractor's costs for form rental increased due directly to delays caused by design issues with the retaining walls.
- Installation of one new retaining wall near the north side of the southeast basin. The new wall will save two large Park District and resident-owned trees located on the northern property line. The elimination of two smaller retaining walls (1'-6" and 3'-0") will help offset the additional cost for the new, taller wall.

#### Utility Conflicts (Village Costs)

- New item for extra work related to installation of the utility sleeves for underground relocates for AT&T, ComEd, and Comcast lines. Extra work was dictated by ComEd's relocation schedule.
- New item for watermain fittings. Watermain fittings were needed to adjust two watermains in conflict with the proposed storm sewer at Franklin and Elm; however, this line item was left out of the contract.
- New item for installing an 8" valve with valve box and an increase in quantity for contract item valve in vault per the request of the Village Water Department. This work is related to the adjusting the watermains in conflict with the proposed storm sewer at the intersection of Franklin and Elm.
- Installing storm manhole M-108 along Washington St. Extra work experienced due to conflicts with existing street and curb grades.

#### Plan Omission (Village Cost)

- Revised unit price for installation of the irrigation system for the southeast basin. The irrigation system needs to be installed deeper than specified on plans due to a conflict with the underdrain system.

#### Other (Cost Associated with Project Delay, Village Cost)

- Increase in quantity for engineer's field office and perimeter construction fence (tree protection fence) due to project time extension

#### Park Amenity Changes (Park District Costs)

- Additional costs for revised formliners for the cast-in-place concrete retaining walls. The new formliner has a half-inch chamfer around the perimeter, which was not called out on the plans. Cost = \$2,250.00, Anticipated Park District Reimbursement = \$2,250.00
- Park District revisions to the Tot-Lot playground will need the following new items: cast-in-place concrete retaining wall (9"), cast-in-place concrete retaining wall (18"), and cast-in-place concrete retaining wall (28"). The revisions will increase quantities for the following contract items: 6" underdrain, and earth excavation. Cost = \$30,259.07, Anticipated Park District Reimbursement = \$22,778.47

In addition to these project costs, the proposed change order includes a credit to the Village for the following items:

- Adjusted unit price for the removal and replacement of sidewalk taken out by installation of the proposed storm sewers along Franklin and Elm. The new price has been agreed-upon by the Village and the contractor to reflect current sidewalk removal and replacement prices.
- Retaining wall drain systems (types 1 through 5) will be replaced with more cost-effective wall drainage systems (types 6 through 8) for retaining walls around the perimeter of the basins.
- Elimination of synthetic safety surface alternate for Tot-Lot playground. This was an error in the bid documents which results in a credit.

In addition to a request for a change in the contract cost Copenhaver Construction, Inc. also requested a time extension to complete the project. The primary causes for delay are attributable to issues related to the construction of the cast-in-place retaining walls and weather delays. The original completion date for the project was scheduled for December 11, 2009. A revised construction schedule submitted by the contractor shows work occurring throughout the winter on non-weather dependent items and the resumption of work on weather dependent items on May 1, 2010, with final project completion on June 1, 2010.

#### **ATTACHMENTS**

Change Order #2 – Washington Park Stormwater Improvement Project (two sheets)

Bid Contract Form

Copenhaver Construction, Inc. Time Extension Request Letter

Capital Project Sheet (SW-042)

Soil Protection Chart



# Village of Downers Grove Change Order

**Project Name:** Washington Park Storm Water Improvements      **Date:** 10/16/2009  
**Project No:** SW-042-09      **No:** 2  
**Contractor:** Copenhaver Construction, Inc.

**You are directed to make the following changes to this contract:**

Credits for following pay items: SIDEWALK REMOVAL, PCC SIDEWALK 5", CONC. CURB TYPE B, CAST-IN-PLACE CONC. RET. WALL (1'-6"), CAST-IN-PLACE CONC. RET. WALL (3'-0"), IRRIG. SYSTEM, SYNTHETIC SAFETY SURFACE, RET. WALL DRAIN SYSTEM (TYPE 1), RET. WALL DRAIN SYSTEM (TYPE 2), RET. WALL DRAIN SYSTEM (TYPE 3), RET. WALL DRAIN SYSTEM (TYPE 4), RET. WALL DRAIN SYSTEM (TYPE 5), Additional for the following items: ENG. FIELD OFFICE TYPE B, TREE PROTECTION FENCE (MODIFIED), PIPE UNDERDRAIN, 6", PVC SDR 26, FABRIC LINED TRENCH, RET. WALL DRAIN SYSTEM (TYPE 6), RET. WALL DRAIN SYSTEM (TYPE 7), RET. WALL DRAIN SYSTEM (TYPE 8), REVISED CAST-IN-PLACE CONC. RET. WALL (6'-6"), MASONITE FOR CONTROL JOINTS, CORING WEEP HOLES, FORM RENTAL, SIDEWALK REMOVAL AND REPLACE, IRRIG. SYSTEM (MODIFIED), REVISED FORMLINER, WM FITTINGS, UTILITY SLEEVE INSTALLATION, FORCE ACCOUNT-SS STRUCTURE M-108, TOT-LOT CAST-IN-PLACE CONC. RET. WALL (9"), TOT-LOT CAST-IN-PLACE CONC. RET. WALL (18"), TOT-LOT CAST-IN-PLACE CONC. RET. WALL (28"), RET. WALL DRAIN SYSTEM (TYPE 9), RET. WALL DRAIN SYSTEM (TYPE 10), RET. WALL DRAIN SYSTEM (TYPE 11), EARTH EX. (TOT-LOT), VALVE VAULTS, TYPE A, T1F, CL, 5' DIA., 8" VALVE WITH VALVE BOX

The original contract sum was:.....	(1)	\$ 2,872,663.00
Net amount of previous change orders:.....	(2)	\$ 75,958.00
Current contract amount (1) + (2):.....	(3)	\$ 2,948,621.00
This Proposed Change Order:.....	(4)	\$ 41,727.96
Proposed Revised Contract Amount (3) + (4):.....	(5)	\$ 2,990,348.96

Net of Change Orders Pending Approval (4):      \$ 41,727.96  
Budget Estimate:.....      \$ 2,500,000.00  
Original Completion Date:.....      12/11/2009  
Time Extension or Reduction:.....      172 days  
Total Contract Time (Pending Approval):.....      6/1/2010

**RECOMMENDED FOR ACCEPTANCE:**

**APPROVED:**

\_\_\_\_\_  
Project Engineer      Date

\_\_\_\_\_  
 Village Manager      Date

Director of Public Works

\_\_\_\_\_  
Contractor      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.**

Project Name: Washington Park Storm Water Improvements

Date: 10/16/2009

Project No: SW-042-09

No: 2

Item No.	Item	Orig. Quan.	Unit	Add or Deduct	Revised Quan.	Unit Price	Total Price
44000600	SIDEWALK REMOVAL	3,737.5	SQ FT	(2,937.5)	800.0	\$2.00	(\$5,875.00)
20400800	PCC SIDEWALK 5"	13,187.5	SQ FT	(2,937.5)	10,250.0	\$6.00	(\$17,625.00)
67000500	ENGINEER'S FIELD OFFICE TYPE B	8.0	MONTH	6.0	14.0	\$500.00	\$3,000.00
60107600	PIPE UNDERDRAIN, 6", PVC SDR 26, FABRIC LINED T	4,410.0	FOOT	62.0	4,472.0	\$14.00	\$868.00
60600605	CONCRETE CURB TYPE B	820.0	FOOT	(129.0)	691.0	\$16.00	(\$2,064.00)
60248900	VALVE VAULTS, TYPE A, T1F, CL, 5' DIA.	1.0	EACH	1.0	2.0	\$4,000.00	\$4,000.00
*	CAST-IN-PLACE CONC. RET. WALL (1'-6")	3,140.0	FOOT	(78.0)	3,062.0	\$56.00	(\$4,368.00)
*	CAST-IN-PLACE CONC. RET. WALL (3'-0")	780.0	FOOT	(78.0)	702.0	\$56.00	(\$4,368.00)
*	IRRIGATION SYSTEM	1.0	LSUM	(1.0)	0.0	\$28,000.00	(\$28,000.00)
*	SYNTHETIC SAFETY SURFACE	2,000.0	SQ FT	(2,000.0)	0.0	\$17.00	(\$34,000.00)
X5.1	RET. WALL DRAIN SYSTEM (TYPE 1)	1.0	LSUM	(1.0)	0.0	\$9,000.00	(\$9,000.00)
X5.2	RET. WALL DRAIN SYSTEM (TYPE 2)	1.0	LSUM	(1.0)	0.0	\$28,000.00	(\$28,000.00)
X5.3	RET. WALL DRAIN SYSTEM (TYPE 3)	1.0	LSUM	(1.0)	0.0	\$18,000.00	(\$18,000.00)
X5.4	RET. WALL DRAIN SYSTEM (TYPE 4)	1.0	LSUM	(1.0)	0.0	\$3,600.00	(\$3,600.00)
X5.5	RET. WALL DRAIN SYSTEM (TYPE 5)	1.0	LSUM	(1.0)	0.0	\$2,400.00	(\$2,400.00)
X5.6	RET. WALL DRAIN SYSTEM (TYPE 6, AMERDRAIN)	0.0	LSUM	1.0	1.0	\$22,007.50	\$22,007.50
X5.7	RET. WALL DRAIN SYSTEM (TYPE 7, AMERDRAIN)	0.0	LSUM	1.0	1.0	\$10,375.00	\$10,375.00
X5.8	RET. WALL DRAIN SYSTEM (TYPE 8, AMERDRAIN)	0.0	LSUM	1.0	1.0	\$9,806.00	\$9,806.00
X7	REVISED CAST-IN-PLACE CONC. RET. WALL (6'-6")	0.0	FOOT	102.0	102.0	\$376.56	\$38,408.67
X8	MASONITE FOR CONTROL JOINTS	0.0	LSUM	1.0	1.0	\$9,000.00	\$9,000.00
X9	CORING OF WEEP HOLES	0.0	LSUM	1.0	1.0	\$1,350.00	\$1,350.00
X10	FORM RENTAL	0.0	LSUM	1.0	1.0	\$3,900.00	\$3,900.00
X11	SIDEWALK REMOVAL AND REPLACE	0.0	SQ FT	2,937.5	2,937.5	\$4.00	\$11,750.00
X12	IRRIGATION SYSTEM, MODIFIED	0.0	LSUM	1.0	1.0	\$35,690.15	\$35,690.15
X13	REVISED FORMLINER	0.0	LSUM	1.0	4.0	\$2,250.00	\$2,250.00
X14	WATERMAIN FITTINGS	0.0	POUND	526.0	526.0	\$4.00	\$2,104.00
X15	UTILITY SLEEVE INSTALLATION	0.0	LSUM	1.0	1.0	\$5,709.50	\$5,709.50
X16	FORCE ACCOUNT - SS STRUCTURE M-108	0.0	LSUM	1.0	1.0	\$3,964.06	\$3,964.06
X17	TOT-LOT CAST-IN-PLACE CONC. RET. WALL (9")	0.0	FOOT	32.0	32.0	\$132.93	\$4,253.87
X18	TOT-LOT CAST-IN-PLACE CONC. RET. WALL (18")	0.0	FOOT	65.0	65.0	\$236.99	\$15,404.26
X19	TOT-LOT CAST-IN-PLACE CONC. RET. WALL (28")	0.0	FOOT	32.0	32.0	\$249.03	\$7,968.87
X23	EARTH EXCAVATION (TOT-LOT)	0.0	CUYD	36.4	36.4	\$20.00	\$728.00
X24	8" VALVE WITH VALVE BOX	0.0	EACH	1.0	1.0	\$1,600.00	\$1,600.00
X25	TREE PROTECTION FENCE, MODIFIED	0.0	FOOT	1.0	1.0	\$4,890.09	\$4,890.09
<b>TOTAL PRICE ADJUSTMENT:</b>							<b>\$41,727.96</b>

**V. BID and CONTRACT FORM (Village)**

**\*\*\*THIS BID WHEN ACCEPTED AND SIGNED BY AN AUTHORIZED SIGNATORY OF THE VILLAGE OF DOWNERS GROVE SHALL BECOME A CONTRACT BINDING UPON BOTH PARTIES.**

**Entire Form Must Be Completed If a Submitted Bid Is To Be Considered For Award**

**BIDDER:**

Copenhaver Construction, Inc.  
Company Name

3-13-09  
Date

121 Center Drive  
Street Address of Company

copenhaverinc@yahoo.com  
E-mail Address

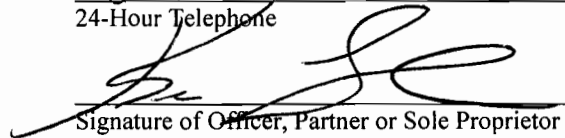
Gilberts, IL 60136  
City, State, Zip

Ken Copenhaver  
Contact Name (Print)

847-428-6696  
Business Phone

847-627-0080  
24-Hour Telephone

847-428-6798  
Business Fax

  
Signature of Officer, Partner or Sole Proprietor

Ken Copenhaver - President  
Print Name & Title

ATTEST: if a Corporation

Mary Cibauskas  
Signature of Corporation Secretary

We hereby agree to furnish the Village of Downers Grove all necessary materials, equipment, labor, etc. to complete the project within 240 calendar days from the date of the Notice to Proceed in accordance with the provisions, instructions and specifications for the unit prices shown on the Schedule of Prices.

**VILLAGE OF DOWNERS GROVE:**

**ATTEST:**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

In compliance with the specifications, the above-signed offers and agrees, if this Bid is accepted within 90 calendar days from the date of opening, to furnish any or all of the services upon which prices are quoted, at the price set opposite each item, delivered at the designated point within the time specified above.

**V. BID and CONTRACT FORM (Contractor)**

**\*\*\*THIS BID WHEN ACCEPTED AND SIGNED BY AN AUTHORIZED SIGNATORY OF THE VILLAGE OF DOWNERS GROVE SHALL BECOME A CONTRACT BINDING UPON BOTH PARTIES.**

**Entire Form Must Be Completed If a Submitted Bid Is To Be Considered For Award**

**BIDDER:**

Copenhaver Construction, Inc.  
Company Name

3-13-09  
Date

121 Center Drive  
Street Address of Company

copenhaverinc@yahoo.com  
E-mail Address

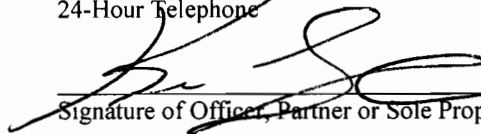
Gilberts, IL 60136  
City, State, Zip

Ken Copenhaver  
Contact Name (Print)

847-428-6696  
Business Phone

847-627-0080  
24-Hour Telephone

847-428-6798  
Business Fax

  
Signature of Officer, Partner or Sole Proprietor

Ken Copenhaver - President  
Print Name & Title

ATTEST: if a Corporation

Max E. Charles  
Signature of Corporation Secretary

We hereby agree to furnish the Village of Downers Grove all necessary materials, equipment, labor, etc. to complete the project within 240 calendar days from the date of the Notice to Proceed in accordance with the provisions, instructions and specifications for the unit prices shown on the Schedule of Prices.

**VILLAGE OF DOWNERS GROVE:**

**ATTEST:**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

In compliance with the specifications, the above-signed offers and agrees, if this Bid is accepted within 90 calendar days from the date of opening, to furnish any or all of the services upon which prices are quoted, at the price set opposite each item, delivered at the designated point within the time specified above.

**SCHEDULE OF PRICES:**





# Copenhaver, Construction, Inc.

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121 Center Dr  
Gilberts, IL.

Phone: 847-428-6696  
Fax: 847-428-6798



September 22, 2009

Village of Downers Grove  
5101 Walnut Ave.  
Downers Grove, IL 60515

Re: Washington Park Extend CompletionTime

Dear Peter,

Copenhaver Construction, Inc. is requesting to extend their completion date to July 1, 2010. The reason for the extention is due to the following delays:

Delay 1:

We had 22 days of delays due to rain and wet conditions. We started the project April 16, 2009 with the following days of rain.

Rain ½ Days: 4/24, 4/29, 5/1, 6/6

Rain Full Days: 4/27, 4,28, 4/30, 5/7, 5/13, 5/14, 5/15, 5/18, 5/27,  
5/28, 6/1, 6/2, 6/8, 6/11, 6/12, 6/17, 6/18, 6/19,  
6/22, 6/23

Delay 2:

Jim Tock and V-3 called and said to stop the wall section because of a new concrete wall design. The new concrete wall design took 23 calendar days to redesign. That was 25 calendar days (July 13 – Aug. 4).

Delay 3:

We received a call from V-3 and Jim Tock with an issue on the joints cracking every six feet. The wall pours were stopped. That was from August 17<sup>th</sup> – August 24.

When we started the project we were going to have two crews, but because of the delays we had to send one of our crews to another project. We also were delayed during the dry part of the season. Because of the delays it brings us into winter. The weather would not allow us to complete our project on time.

We are asking for the July 1, 2010 extension because Article 108.04 in the IDOT manual it states that the calendar day shall be between May 1 and November 30. Therefore, we will need to extend the project until Spring of 2010.

Sincerely,

Ken Copenhaver

# 2009-2013 Capital Project Sheet

Project # **SW-042**

## Project Description **Watershed Improvements, St. Joseph N. Br., Sub E**

**Project summary, justification and alignment to Strategic Plan**

Improvements are included in the Watershed Infrastructure Improvement Plan. This project involves bank stabilization of approximately 2,200 centerline feet of the North Branch of St. Joseph Creek (4,400 linear feet of stream bank) between Cumnor Road and Stanley Avenue (extended). Erosion in some areas of the project is threatening the loss of street and railroad right-of-way. The shear drop and unstable bank also cause concern over safety of pedestrians and automobiles. The Five Year Strategic Plan for 2009-2013 identifies a goal of top quality Village infrastructure and facilities. Supporting objectives include improving neighborhood infrastructure and upgrading the water system.

Cost Summary				FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Future Years	TOTAL
	New	Maintenanc	Replaceme							
Professional Services		x		100,000	200,000	75,000			415,000	<b>790,000</b>
Land Acquisition	x			350,000						<b>350,000</b>
Infrastructure		x		2,050,000	3,800,000	2,550,000			9,500,000	<b>17,900,000</b>
Building										-
Machinery/Equipment										-
Other/Miscellaneous										-
<b>TOTAL COST</b>				2,500,000	4,000,000	2,625,000	-	-	9,915,000	<b>19,040,000</b>

Funding Source(s)		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Future Years	TOTAL
<b>243-Stormwater Fund</b>	▼	2,500,000	4,000,000	2,625,000			9,915,000	<b>19,040,000</b>
	▼							-
	▼							-
	▼							-
<b>TOTAL FUNDING SOURCES</b>		2,500,000	4,000,000	2,625,000	-	-	9,915,000	<b>19,040,000</b>

**Project status and completed work**

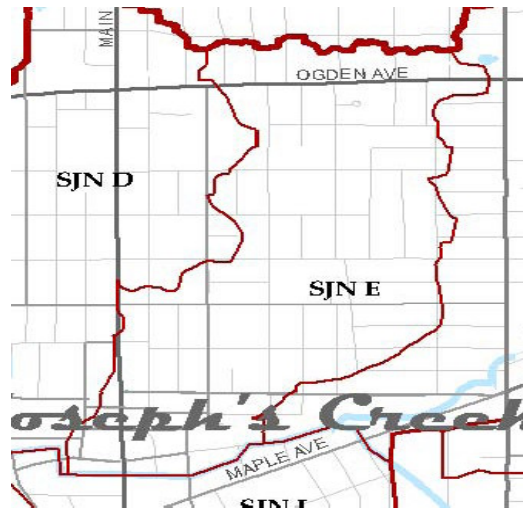
Detailed design began in 2008. Meetings with the Park District and affected residents were held. Construction is anticipated to begin in 2009.

**Grants (funded or applied for) related to the project.**

None

Impact-annual operating expenses	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Future Yrs	TOTAL
Projected Operating Expense Impact:							-

**Map/Pictures of Project**



**Internal staff information:**

Priority Score	1	Priority Setting Factor: H/S/W	81	Project Manager:	Michael D. Millette
Priority Status:	High	Program:	347	Department:	Public Works

STABILIZATION TYPE	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
PERMANENT SEEDING			+ A	—————*								
DORMANT SEEDING	+ B	—————>									+ B	—————>
TEMPORARY SEEDING			+ C	—————>				+ D	—————>			
SODDING			+ E**	—————>								
MULCHING	+ F	—————>										

A KENTUCKY BLUEGRASS 90 LBS/ACRE  
MIXED WITH PERENNIAL RYEGRASS  
30 LBS/ACRE.

B KENTUCKY BLUEGRASS 135 LBS/ACRE  
MIXED WITH PERENNIAL RYEGRASS  
45 LBS/ACRE + STRAW MULCH 2 TONS/ACRE.

C SPRING OATS 100 LBS/ACRE

D WHEAT OR CEREAL RYE  
150 LBS/ACRE.

E SOD

F STRAW MULCH 2 TONS/ACRE.

\* IRRIGATION NEEDED DURING JUNE AND JULY.

\*\* IRRIGATION NEEDED FOR 2 TO 3 WEEKS AFTER APPLYING SOD.

### SOIL PROTECTION CHART