

TO: The City Council

FROM: Rahat Bari, City Engineer

DATE: July 9, 2021

RE: Resolution 21-078-R: Approving a Change Order to the contract with Electric Conduit Construction to build a Fiber Hut/Critical Infrastructure Communication Node Shelter at Paramount Substation for an amount not to exceed \$26,699.99

**Background:**

Through Resolution 20-134, the City Council authorized Electric Conduit Construction (ECC) to construct a communication building at Paramount substation for an amount not to exceed \$266,677.

**Discussion**

The project has been completed and all communication fiber have been transferred to the communication building. However, during the final invoicing process, staff and the contractor discovered a math error on the unit items that were presented during the bid process. Instead of multiplying the unit price with the quantity and adding the total item cost as the final bid price, contractor just added the unit price for some items for the total bid price. As a result, ECC bid price was lower than what it should have been. If we correct this math error, then the total completed price for ECC contract would be \$293,376.99. The table below shows that if we would have found this math error prior to authorizing the contract, then ECC still would have been the lowest bidder and would have been authorized the contract.

<b>Contractor Name</b>	<b>Bid Amount</b>
Electric Conduit Construction	\$293,376.99 Completed Contract Amount (Bid amount \$243,433.57)
eX <sup>2</sup> Technology	\$348,954.96
Michels Power	\$369,236.19
<i>Engineer's Estimate</i>	<i>\$400,000.00</i>

ECC performed satisfactorily for this project. Given the facts that, it was a math error during the bidding process, and the math error does not change the apparent lowest bidder and a budget amendment will not be necessary for this change, staff is comfortable in recommending the change order for ECC.

**Budget**

The work is included in both 2020 and 2021 budget. The budgeted amount is

2020-\$300,000

2021-\$100,000

**Staff is recommending-**

Resolution 21-078-R Approving a Change Order to the contract with Electric Conduit Construction to build a Fiber Hut/Critical Infrastructure Communication Node Shelter at Paramount Substation for an amount not to exceed \$26,699.99

**CITY OF BATAVIA, ILLINOIS  
RESOLUTION 21-078-R**

**APPROVING A CHANGE ORDER TO THE CONTRACT WITH ELECTRIC CONDUIT CONSTRUCTION  
TO BUILD A FIBER HUT/CRITICAL INFRASTRUCTURE COMMUNICATION NODE SHELTER AT  
PARAMOUNT SUBSTATION FOR AN AMOUNT NOT TO EXCEED \$26,699.99**

**WHEREAS**, the City of Batavia owns and operates an electric utility whereby it purchases wholesale power and resells same to its citizens; and

**WHEREAS**, the City of Batavia owns and operates an electric transmission and distribution network; and

**WHEREAS**, the City of Batavia has identified the need to make certain improvements to the Paramount Substation; and

**WHEREAS**, the City of Batavia has identified the need to build a separate fiber/communication building at Paramount Substation; and

**WHEREAS**, through Resolution 20-134-R, the City of Batavia has approved a contract with Electric Conduit Construction for an amount not to exceed \$266,677; and

**WHEREAS**, Electric Conduit Construction has completed the project and final contract amount is \$293,376.99; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Batavia, Kane and DuPage Counties, Illinois, as follows:

**SECTION 1:** That the Mayor and City Clerk are hereby authorized to execute a change order to the Electric Conduit Construction contract, in the amount of \$26,699.99.

**CITY OF BATAVIA, ILLINOIS RESOLUTION 21-078-R**

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**PRESENTED** to the City Council of the City of Batavia, Illinois, this 19<sup>th</sup> day of July 2021.

**PASSED** by the City Council of the City of Batavia, Illinois, this 19<sup>th</sup> day of July 2021.

**APPROVED** by me as Mayor of said City of Batavia, Illinois, this 19<sup>th</sup> day of July 2021.

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Jeffery D. Schielke, Mayor

Ward	Aldersperson	Ayes	Nays	Absent	Abstain	Aldersperson	Ayes	Nays	Absent	Abstain
1	Baerren					Solfa				
2	Leman					Wolff				
3	Ajazi					Chanzit				
4	Malay					Knopp				
5	Uher					Beck				
6	Cerone					Russotto				
7	Vogelsinger					Miller				
Mayor Schielke										
<b>VOTE:</b>		Ayes	Nays	Absent	Abstentions					
Total holding office: Mayor and 14 aldermen										

ATTEST:

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Kate Garrett, City Clerk