

**RESOLUTION  
R 38-09**

**A RESOLUTION AUTHORIZING  
AMENDMENT OF A PROFESSIONAL  
SERVICES CONTRACT**

**WHEREAS**, the Board of Trustees of the Village of Lombard on March 20, 2008 adopted a resolution authorizing signature of President and Clerk on an agreement between the Village of Lombard and Baxter & Woodman, Inc.; and

**WHEREAS**, an amendment to said contract is required to legally bind the parties; and

**WHEREAS**, Illinois law exempts professional engineering contracts from the requirements of Illinois Compiled Statutes, Chapter 720, Section 5/33E-9 regarding preparation of change orders.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That the President and Village Clerk are hereby directed and authorized to execute an amendment to the contract with Baxter & Woodman, Inc., substantially in the form and manner of Exhibit "A" attached hereto and made a part hereof.

Adopted this the 6th day of November 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: None

Absent: None

Approved this the 6th day of November 2008.



**William J. Mueller  
Village President**

**ATTEST:**



**Brigitte O'Brien  
Village Clerk**

**APPROVAL AS TO FORM:**

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**Thomas P. Bayer  
Village Attorney**

**AGREEMENT TO AMEND A CONTRACT**

**THIS AGREEMENT** made and entered into this the 6th day of November 2008 by and between the Village of Lombard (the "VILLAGE") and Baxter & Woodman, Inc. (the "CONSULTANT").

**WHEREAS**, on March 20, 2008 the VILLAGE and CONSULTANT executed a contract regarding certain engineering services relative to the Olde Towne – East, Phase 3 project; and

**WHEREAS**, the VILLAGE and CONSULTANT have agreed to increase the amount of work to be performed by the CONSULTANT together with a resultant increase in the limit which the contract sum may not exceed;

**NOW, THEREFORE**, for and in consideration of the foregoing and various covenants in said agreement and the mutual covenants herein contained, it is agreed by and between the parties as follows:

**SECTION 1:** The aforementioned contract shall be amended as provided for in the CONSULTANT'S October 28, 2008 letter.

**SECTION 2:** The aforementioned contract shall be amended to show a contract sum not to exceed \$322,808.00

**SECTION 3:** All other terms, covenants and conditions of said contract heretofore executed which are not amended or deleted herein shall remain in full force and effect.

**IN WITNESS WHEREOF**, the VILLAGE and CONSULTANT have caused this document to be signed by duly authorized officers who have set their hands and seals the day and year set forth above.

**VILLAGE OF LOMBARD**

By: [Signature]  
Village President

ATTEST:

By: [Signature]  
Village Clerk

and Baxter & Woodman, Inc.

By: [Signature]  
VICE-PRESIDENT

ATTEST: NOTARY

By: [Signature]

