

**RESOLUTION
R 10-10**

**A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING AN DECREASE IN THE CONTRACT AMOUNT**

WHEREAS, pursuant to Illinois Compiled Statutes, Chapter 720, Section 5/33E-9, units of local government are required to make specific findings prior to authorizing any change order relative to a contract which would increase or decrease the dollar amount of the contract by \$10,000 or more, or would extend or shorten the time in which the contract is to be completed by thirty days or more; and

WHEREAS, staff has presented and recommended the proposed Final Balancing Change Order to the contract between the Village of Lombard and R. W. Dunteman Company, regarding The Village Complex Paving Program, as attached hereto as Exhibit "A" and made part hereof, to the Corporate Authorities of the Village of Lombard; and

WHEREAS, said change order attached hereto as Exhibit "A" would decrease the contract amount by \$71,801.60.

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 after reviewing the explanation of staff as to the necessity of and reasons for the change order attached hereto as Exhibit "A", the President and Board of Trustees find as follows:

- A That the circumstances which necessitated said change order were not reasonably foreseeable at the time the contract was entered into.
- B. That the basis of the change order was not within the contemplation of the contract when the contract was signed.
- C. That it is in the best interests of the Village of Lombard to approve the change order in its proposed form.
- D. That to the extent that it may have been necessary to go to bid relative to the work contemplated by said change order, bidding is hereby specifically waived as to the change order work.

SECTION 2: That having made the findings set forth in Section 1 above, the President and Board of Trustees hereby approve the change order attached hereto as Exhibit "A", and direct and authorize the Village President and Village Clerk to execute said change order on behalf of the Village.


Adopted this 20th day of August, 2009.

Ayes: Trustees Gron, Tross, Wilson, [redacted] Fitzpatrick and Ware

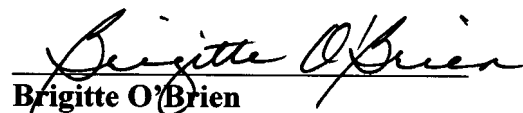
Nays: None

Absent: [redacted] Trustee Moreau

Approved this 20th day of August, 2009.


William J. Mueller
Village President

ATTEST:


Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney



Interoffice Memo

To: David A. Hulseberg, AICP, ICMA-CM
Through: Carl Goldsmith, Director of Public Works *Cy*
From: David A. Dratnol, P.E., Village Engineer *DAD*
Date: June 22, 2009
Subject: FY 2008 Village Complex Paving Project
Final Balancing Change Order

Attached please find two copies of The Final Balancing Change Order representing a decrease of \$71,801.60 for the Village Complex Paving Project. This change order represents the final as measured quantities for the project.

Background:

On September 4th, 2008 the Village Board awarded The Village Complex Paving Project to R.W. Dunteman Company. The project began on September 24th, 2008 and the contract required substantial completion by November 24th, 2008. The paving of the parking lots and Holloman Drive was completed on November 7th, 2008. After the paving was completed the air temperature dropped below the temperature requirements for the pavement crosswalk texturing. Therefore additional time during the spring of 2009 was required to complete the pavement crosswalk texturing, when the air temperature was above the 50 degree threshold.

All work on the contract was suspended for the winter on November 24th, 2008, due to adverse weather condition. Based on the amount of work and specific weather requirements, a time extension of twenty six (26) calendar days was negotiated with the contractor. Work on the project resumed in May and was completed on May 29th, 2009.

For a brief summary of each pay item, please refer to the second page of the change order form.

Prior to the Board meeting the proposed Change Order will be presented to the Public Works Committee on their regularly scheduled meeting on July 14th, 2009.

If recommended by Public Works Committee, please present this change order to the President and Board of Trustees for their review and approval via phone poll. If approved, please have two (2) signed copies returned to Public Works-Engineering for further processing.

cc: File: M-08-12