

**RESOLUTION**  
**R 33-09**

**A RESOLUTION AUTHORIZING A CHANGE ORDER**  
**INVOLVING AN INCREASE IN THE DOLLAR AMOUNT OF**  
**THE CONTRACT OF \$20,000 OR MORE**

**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 \$20,000 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 Change Order No. #1 to the contract between the Village of Lombard and Brothers Asphalt Paving, Inc. regarding The FY 2009 Asphalt Paving and Patching 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 increase the dollar amount of the contract by \$385,133.00

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 16 day of October, 2008.

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

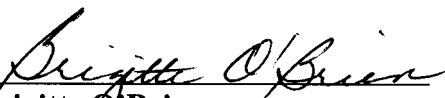
Nays: None

Absent: None

Approved this 16 day of October, 2008.

  
\_\_\_\_\_  
**William J. Mueller**  
**Village President**

ATTEST:

  
\_\_\_\_\_  
**Brigitte O'Brien**  
**Village Clerk**

APPROVAL AS TO FORM:

\_\_\_\_\_  
**Thomas P. Bayer**  
**Village Attorney**

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: The FY 2009 Asphalt Paving and Patching Project  
 PROJECT NO.: ST-09-03  
 LOCATION: Various Locations CHANGE ORDER: 1  
 CONTRACTOR: Brothers Asphalt Paving, Inc. DATE: 10/7/2008  
 DESCRIPTION OF CHANGE ORDER: See Memo

ORIGINAL CONTRACT AMOUNT:	[1]	<u>\$1,382,445.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2]	<u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3]	<u>\$1,382,445.00</u>
<b>PROPOSED CHANGE ORDER: (PENDING APPROVAL)</b>	[4]	<u>\$385,133.00</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]+[4])	[5]	<u>\$1,767,578.00</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+[4]) \$385,133.00

TIME EXTENSION OR REDUCTION: N/A

TOTAL CONTRACT TIME: (PENDING APPROVAL) N/A

BUDGET ESTIMATE: \$1,465,000.00

ENGINEER'S ESTIMATE: \$1,494,537.00

**RECOMMENDED FOR ACCEPTANCE :**

John Martano 10/7/08 Approved By: \_\_\_\_\_  
 Resident Engineer Date Director of Finance Date

Nicole Colletti 10-8-08 Approved By: \_\_\_\_\_  
 Contractor Date (<\$10K or 25%) Village Manager Date

David A. Drake 10/8/08 Approved By: Wally J. Smith 10/16/08  
 Village Engineer Date (>\$10K or 25%) Village President Date

[Signature] 10/8/08 Attest: Brigitte O'Brien 10/16/08  
 Director of Public Works Date Village Clerk Date

\_\_\_\_\_  
 Assistant Director of Finance 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.**

## The FY 2007 Asphalt Paving and Patching Project

C.O. #1

6/5/2007

ITEM	ORIGINAL QUANTITIES	UNIT	UNIT PRICE	REVISED QUANTITIES	DIFFERENCE	AMOUNT
EARTH EXCAVATION	60	CY	\$40.00	60	0.00	\$0.00
REM & DISP OF UNSUITABLE MATERIAL	1,352	CY	\$30.00	1,352	0.00	\$0.00
BIT BASE CSE 4 3/4"	5,408	SY	\$25.00	5,408	0.00	\$0.00
AGGREGATE BASE REPAIR CA-6 4"	5,408	SY	\$6.00	5,408	0.00	\$0.00
BITUMINOUS SURFACE REMOVAL 1"	0	SY	\$2.00	9,318	9,318.00	\$18,636.00
BITUMINOUS SURFACE REMOVAL 2"	64,261	SY	\$2.50	42,455	21,806.00	(\$54,515.00)
BITUMINOUS SURFACE REMOVAL 3"	0	SY	\$4.00	21,806	21,806.00	\$87,224.00
BITUMINOUS SURFACE REMOVAL 4"	5,408	SY	\$4.00	5,408	0.00	\$0.00
HMA BC IL-19 N50 2 1/4"	5,408	SY	\$12.60	5,408	0.00	\$0.00
HMA SC "C" N50 2"	58,723	SY	\$10.00	22,191	36,532.00	(\$365,320.00)
HMA SC "C" N50 3" (2 lifts)	0	SY	\$17.00	31,124	31,124.00	\$529,108.00
HMA SC "D" N70 2"	10,946	SY	\$11.00	10,946	0.00	\$0.00
AREA REFLECTIVE CRACK CONTROL TREATMENT, SYSTEM A	64,637	SY	\$1.60	64,637	0.00	\$0.00
CLD PATCH T4 4"	0	SY	\$85.00	2,000	2,000.00	\$170,000.00
CLD PATCH T4 15"	276	SY	\$150.00	276	0.00	\$0.00
DRAIN & UTIL STRUCT ADJ.	5	EA	\$700.00	5	0.00	\$0.00
TRAFFIC CONTROL & PROTECT	1	LS	\$30,000.00	1	0.00	\$0.00
PREF PL PM TB LTR & SYM	108	SF	\$33.00	108	0.00	\$0.00
PREF PL PM TB LINE 4	1,709	LF	\$5.00	1,709	0.00	\$0.00
PREF PL PM TB LINE 6	823	LF	\$7.50	823	0.00	\$0.00
PREF PL PM TB LINE 8	300	LF	\$10.00	300	0.00	\$0.00
PREF PL PM TB LINE 12	624	LF	\$15.00	624	0.00	\$0.00
PREF PL PM TB LINE 18	214	LF	\$22.50	214	0.00	\$0.00
					Total:	\$385,133.00