

**R E S O L U T I O N**

**R 78-09**

**A RESOLUTION AUTHORIZING A CHANGE ORDER  
INVOLVING AN INCREASE IN THE DOLLAR AMOUNT OF  
THE CONTRACT OF \$10,000 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 \$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 Change Order No. 1 to the contract between the Village of Lombard and The TLC Group, Ltd. regarding Landscape Restoration 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 \$19,499.18.

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 2<sup>nd</sup> day of April, 2009.

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

Nays: None

Absent: None

Approved this 2<sup>nd</sup> day of April, 2009.



**William J. Mueller**  
**Village President**

ATTEST:



**Brigitte O'Brien**  
**Village Clerk**

APPROVAL AS TO FORM:

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**Thomas P. Bayer**  
**Village Attorney**

# VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME: Landscape Restoration PROJECT NO.: PWO-0917A

LOCATION: Private Property Restoration of N/E Area CHANGE ORDER: #1

CONTRACTOR: The TLC Group, Ltd DATE: 24-Mar-09

DESCRIPTION OF CHANGE ORDER: Change Order #1 is needed to pay for Private Property restoration of sod, retaining walls, and planting damaged during sewer service connections.

ORIGINAL CONTRACT AMOUNT:	[1] <u>\$70,405.00</u>
TOTAL OF PREVIOUS AUTHORIZED CHANGE ORDERS:	[2] <u>\$0.00</u>
CURRENT CONTRACT AMOUNT: ([1]+[2])	[3] <u>\$70,405.00</u>
<b>PROPOSED CHANGE ORDER: (PENDING APPROVAL)</b>	[4] <u>\$19,499.18</u>
PROPOSED REVISED CONTRACT AMOUNT: (PENDING APPROVAL) ([3]-[4])	[5] <u>\$89,904.18</u>

NET OF ALL CHANGE ORDERS: (PENDING APPROVAL) ([2]+) \$19,499.18

TIME EXTENSION OR REDUCTION: NONE

TOTAL CONTRACT TIME: (PENDING APPROVAL) \_\_\_\_\_

BUDGET ESTIMATE: \$70,405.00

ENGINEER'S ESTIMATE: \$70,405.00

**RECOMMENDED FOR ACCEPTANCE :**

*Kurt J. Berger* 3/24/09  
Operations Superintendent Date

Approved By: *Timothy Sexton* 3/25/09  
Director of Finance Date

\_\_\_\_\_  
Village Engineer Date

Approved By: \_\_\_\_\_  
(<\$10K or 25%) Village Manager Date

N/A  
\_\_\_\_\_  
Contractor Date

Approved By: *William J. ...* 4/1/09  
(>\$10K or 25%) Village President Date

*[Signature]* 3/24/09  
Director of Public Works Date

Attest: *Bizette O'Brien* 4/2/09  
Deputy Village Clerk Date

\_\_\_\_\_  
Assistant Finance Director Date

**It is understood that as part of this change order that the Contractor agrees that all bonds, permits, insurance and guarantees hereby extended to incorporate this Change Order.**