

R E S O L U T I O N
R_____05

A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING A DECREASE 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. 2 Revised**, which corrects an error in the summation of the dollar amount in **Change Order No. 2** dated **September 1, 2004**, (as approved pursuant to **Resolution No. 49-05**, adopted on **September 16, 2004**) to the contract between the Village of Lombard and **R. W. Dunteman Company** regarding the **Lombard Hills East Phase V Project**, 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 dollar amount of the contract by **\$61,271.60**;

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.

SECTION 3: That as the change order attached hereto as Exhibit "A" corrects the change order dated September 1, 2004, as approved by Resolution No. 49-05 adopted on September 16, 2004, said Resolution No. 49-05 is hereby repealed, with the change order attached hereto as Exhibit "A" being substituted for the change order attached to said Resolution No. 49-05.

Adopted this _____ day of _____, 2004.

Pursuant to a roll call as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2004.

William J. Mueller
Village President

ATTEST:

Barbara A. Johnson
Deputy Village Clerk