

**RESOLUTION  
R 40-10**

**A RESOLUTION AUTHORIZING A CHANGE ORDER  
INVOLVING AN INCREASE OR 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 Final Balancing Change Order No. 2 to the contract between the Village of Lombard and John Neri Construction Co., Inc. regarding Olde Towne East – Phase IV, 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 \$11,783.71 and increase the contract time by 44 calendar days.

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.

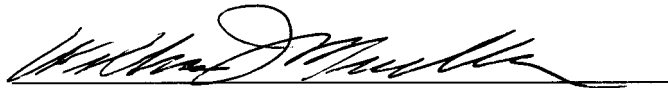
Adopted this 15<sup>th</sup> day of October, 2009

Ayes: Trustees Gron, Tross, Wilson, Moreau, Fitzpatrick and Ware

Nays: None

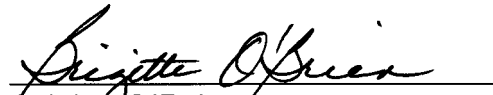
Absent: None

Approved this 15<sup>th</sup> day of October, 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