## RESOLUTION R 51-09

## A RESOLUTION AUTHORIZING A CHANGE ORDER INVOLVING AN INCREASE IN TIME OF COMPLETION BY 30 DAYS 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 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 extend the time for completion of the contract from October 31, 2008 to the end of FY2009 (May 31, 2009), balance quantities for work completed to date, and allow for work in the spring.

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 18th day of December, 2008.

Ayes: Trustees Gron, Tross, Moreau, Fitzpatrick and Soderstrom

Nays: None

Absent: Trustee O'Brien

Approved this 18<sup>th</sup> day of December, 2008.

William J. Maeller Village President

ATTEST:

Village Clerk Brigitte O'Brien

APPROVAL AS TO FORM:

Thomas P. Bayer Village Attorney

## VILLAGE OF LOMBARD CHANGE ORDER

PROJECT NAME:	The FY 2009 Asphalt Pa	aving and Patching Proj	iect		
PROJECT NO.:	ST-09-03				
LOCATION:	Various Locations	_	С	HANGE ORDER:	2
CONTRACTOR:	Brothers Asphalt Paving,	Inc.		DATE:	12/3/2008
DESCRIPTION OF	CHANGE ORDER:				
		Change Order #2 extends the let date, and adjusts quantities to al work associated with this change	llow for patching in the	stract, balances quantitie e spring. No additional	es for work completed to funds are requested for
ORIGINAL CONTR			[1]	\$1,382,445.00	
TOTAL OF PREVIO	OUS AUTHORIZED CHAN		[2]	\$385,133.00	
CURRENT CONTR	RACT AMOUNT: ([1]+[2])		[3]	\$1,767,578.00	
PROPOSED CHAN	IGE ORDER: (PENDING	APPROVAL)		[4]	\$0.00
PROPOSED REVIS	SED CONTRACT AMOUN	T: (PENDING APPROVA	AL) ([3]+[4])	[5]	\$1,767,578.00
NET OF ALL CHAN	IGE ORDERS: (PENDING	APPROVAL) (121-141)	\$295 422 A	^	
TIME EXTENSION		7 ([2]+[4])	\$385,133.0	_	
		_	7 months (To	<u>M</u> ay 31, 2009)	
	TTIME: (PENDING APPR	(OVAL)	1 Fiscal Year	_	
BUDGET ESTIMAT			\$1,465,000.00	<u>)                                    </u>	
ENGINEER'S ESTI	MATE:		\$1,494,537.00	<u>)                                    </u>	
Jan Marten	FOR ACCEPTANCE:	Approved By:			
Resident Engineer	Blelle 12-32	Director of Direct	of Finance		Date
Contractor	Date	(<\$10K or 25%) Village M	lanager	`	Date
Village Engineer	Date 12/3/05	Approved By: Village By	May 1	Zeelle.	- 12/10
	Date 12/2/m	(>\$10K or 25%) Village Pi	resident		Date
irector of Public Wo	orks Date	Attest: Village ()	itte 0/8 lerk	run	/ <i>3/18/08</i> Date
ssistant Director of	Finance Date				
is understood that as	part of this change order the guarantees are hereby exte	nat the Contractor agrees th	nat all bonds,		

				-	12/3/2008	5	
ITEM	ORIGINAL	C.O. #1	UNIT	UNIT	T DE 10 ==		
EARTH EXCAVATION	QUANTITIES	QUANTITIES		PRICE	REVISED	DIFFERENCE	AMOUNT
REM & DISPLOS LINGUISTA	60	60		\$40.00	QUANTITIES		
REM & DISP OF UNSUITABLE MATERIAL BIT BASE CSE 4 3/4"	1,352	1,352				\\00.00	
ACCRECATE DAGE REPORT	5,408	5,408		\$30.00		100.00	(\$2,790.00)
AGGREGATE BASE REPAIR CA-6 4"	5,408	5,408		\$25.00	-,,	10.00	
BITUMINOUS SURFACE REMOVAL 1"	0	9,318		\$6.00	-,,000		\$912.00
BITUMINOUS SURFACE REMOVAL 2"	64,261	42,455		\$2.00			\$0.00
BITUMINOUS SURFACE REMOVAL 3"	0	21,806		\$2.50	1,0		\$292.50
BITUMINOUS SURFACE REMOVAL 4"	5,408	5,408		\$4.00			\$0.00
HMA BC IL-19 N50 2 1/4" HMA SC "C" N50 2"	5,408	5,408	SY	\$4.00	5,560		\$608.00
HMA SC "O" N50 2"	58,723	22,191	SY	\$12.60		(371.00)	(\$4,674.60)
HMA SC "C" N50 3" (2 lifts)	0	31,124		\$10.00		8,376.00	\$83,760.00
HMA SC "D" N70 2"	10,946	10,946	SY	\$17.00		0.00	\$0.00
AREA REFLECTIVE CRACK CONTROL		10,040		\$11.00	10,946	0.00	\$0.00
TREATMENT, SYSTEM A CLD PATCH T4 4"	64,637	64,637	SY	64.00			
CLD PATCH 14 4"	0	2,000	SY	\$1.60	61,975	(2,662.00)	
DPAIN S LITH OTPHOTO	276	276	SY	\$85.00	523	(1,477.00)	(\$125,545.00)
DRAIN & UTIL STRUCT ADJ.	5	5	EA	\$150.00	562	286.00	\$42,900.00
TRAFFIC CONTROL & PROTECT	1	11	LS	\$700.00	4	(1.00)	(\$700.00)
PREF PL PM TB LTR & SYM PREF PL PM TB LINE 4	108	108	SF	\$30,000.00	1	0.00	\$0.00
PREF PL PM TB LINE 4	1,709	1,709	LF	\$33.00	36.4	(71.60)	(\$2,362.80)
PREEDI DIMITO LINE 6	823	823	LF -	\$5.00	1,800	91.00	\$455.00
PREF PL PM TB LINE 8	300	300	LF	\$7.50	743	(80.00)	(\$600.00)
PREF PL PM TB LINE 12 PREF PL PM TB LINE 18	624	624	LF	\$10.00	0	(300.00)	(\$3,000.00)
TRAFFIC CONTROL 6 BROWN	214	214	LF	\$15.00	578	(46.00)	(\$690.00)
TRAFFIC CONTROL & PROTECT (C.O. #2)	Ö	0	LS	\$22.50	97	(117.00)	(\$2,632.50)
		<u> </u>	<u> </u>	\$30,001.60	1	1.00	\$30,001.60
						Total:	\$0.00
						_	7 0