

**RESOLUTION
R 19-10**

**A RESOLUTION AUTHORIZING A CHANGE ORDER
INVOLVING A REDUCTION IN THE CONTRACT AMOUNT OF 25% 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 a contract of less than \$40,000 by 25% 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 Anthem Excavation & Demolition, Inc. regarding 101 S. Main Street Remediation Stage 2, as attached hereto as Exhibit "A" and made part hereof, to the Corporate Authorities of the Village of Lombard; and

WHEREAS, said contract is in the amount of \$14,995.00; and

WHEREAS, said change order attached hereto as Exhibit "A" would decrease the dollar amount of the contract by \$5,770.00 or 38.5%.

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 20th day of August, 2009.

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

Nays: None

Absent: Trustee Moreau

Approved this 20th day of August, 2009.



William J. Mueller
Village President

ATTEST:



Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney