
THE VILLAGE OF BLOOMINGDALE
DUPAGE COUNTY, ILLINOIS

RESOLUTION
NUMBER 2020-R-10

**A RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTION OF A CHANGE ORDER DECREASING THE
ORIGINALLY APPROVED CONTRACT IN AN AMOUNT
EXCEEDING TWENTY THOUSAND (\$20,000) FOR A CONTRACT
ORIGINALLY APPROVED IN AN AMOUNT EXCEEDING ONE
HUNDRED THOUSAND DOLLARS (\$100,000)**

FRANCO A. COLADIPIETRO, Mayor
JANE E. MICHELOTTI, Village Clerk

VINCE ACKERMAN
WILLIAM BELMONTE
BILL BOLEN
FRANK BUCARO
PATRICK SHANNON
JUDI VON HUBEN

Village Board

Published in pamphlet form by authority of the
President and the Board of Trustees of the Village of Bloomingdale
on this the 26th day of May, 2020

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WHEREAS, the Village of Bloomingdale, DuPage County, Illinois (hereinafter referred to as the "Village") is a home rule unit of local government, and as such may exercise any power and perform any function pertaining to its government and affairs, except as limited by Article VII, Section 6 of the 1970 Illinois Constitution; and

WHEREAS, a home rule unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt; and

WHEREAS, the Village Engineer has presented documentation recommending approval of Change Order No. 1 to the contract between Brothers Asphalt Paving, Inc. and the Village for the 2020 Street Improvement Program, which decreases the original contract amount by \$376,235.00 to a revised amount of \$1,270,603.92 based on the reduction in the scope of work due to circumstances which necessitate the change which were not reasonably foreseeable at the time the contract was signed. A copy of said Change Order is attached hereto as Exhibit "A"; and

WHEREAS, pursuant Illinois Compiled Statutes 720ILCS 5/33E-9 (Change Orders for Public Works Contracts), and Section 3-2-10: Change Orders For Public Works Contracts of the Village of Bloomingdale Code, the Village of Bloomingdale (the "Village") is required to make specific findings and written determination prior to authorizing any change order which would increase or decrease the dollar amount of any contract by \$20,000.00 or more relative to any contract originally approved in an amount exceeding one hundred thousand dollars (\$100,000).

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of Bloomingdale, DuPage County, Illinois pursuant to the Village of Bloomingdale's "Home Rule Powers" as follows:

Section One - Recitals

That the Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this Resolution as legislative findings.

Section Two – Written Determination

That after reviewing the documentation provided by the Village Engineer, as to the necessity of and reasons for Change Order No. 1 to the 2020 Street Improvement Program Contract, the Village Board makes the following findings as to said change order:

- A. That the circumstances which necessitated such change order were not reasonably foreseeable at the time the contracts were entered into.
- B. That the basis of such change order was not within the contemplation of such contracts when such contracts were signed.
- C. That it was in the best interests of the Village to approve said change order in the form recommended by Village Engineer.
- D. That to the extent that it may have been necessary to go to bid relative to the work contemplated by such change order, bidding is hereby specifically waived as to the change order work.

Section Three – Execution of Necessary Paperwork

That having made the findings set forth in Section One above, the Village Board hereby approves the subject Change Order No. 1 to the 2020 Street Improvements Program Contract which change order is attached hereto as Exhibit "A", and hereby authorizes the Village President to execute said change order on behalf of the Village of Bloomingdale.

Section Four - Acts of Village Officials

That all past, present and future acts and doings of the officers, officials, employees and/or agents of the Village that are in conformity with the purpose and intent of this Resolution, including the Village President's or his designee's pre-approval of the work that is the subject of this change order are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Five – Other Actions Authorized

That the officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Resolution and otherwise to consummate the transactions contemplated herein, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Six – Conflict Clause

That all Resolutions or parts of Resolutions in conflict with the terms of this Resolution shall be repealed to the extent of said conflict.

Section Seven – Passage Clause

That this Resolution shall take full force and effect from, and after its passage, approval and publication as provided by law.

Section Eight – Saving Clause

That if any section, paragraph, clause or provision of this Resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of the remaining provisions of the Resolution, which are hereby declared to be separable.

Section Nine - Recording

That this resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bloomingdale.

DECIDED pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Vince Ackerman	X			X
William Belmonte	X			X
Bill Bolen	X			X
Frank Bucaro	X			X
Patrick Shannon	X			X
Judi Von Huben	X			X
Franco A. Coladipietro (if necessary)				X
TOTAL	6	0	0	7

PASSED AND APPROVED by the Village of Bloomingdale Board of Trustees on the 26th day of May, 2020.



Franco A. Coladipietro
Village President

ATTEST:



Jane E. Michelotti
Village Clerk

CHANGE ORDER

DATE: May 21, 2020

OWNER: VILLAGE OF BLOOMINGDALE SHEET: 1 OF 1

CONTRACTOR: BROTHERS ASPHALT PAVING, INC.

PROJECT NAME: 2020 STREET IMPROVEMENT PROGRAM

CHANGE ORDER NUMBER: 1

DESCRIPTION OF CHANGE ORDER: SEE ATTACHED

NET CHANGE (\$376,235.00)

ORIGINAL CONTRACT AMOUNT \$1,646,838.92

PREVIOUS AUTHORIZED CHANGE ORDERS
ADDITION/DEDUCTION \$0.00


REVISED CONTRACT AMOUNT \$1,270,603.92

TIME EXTENSION NONE

OTHER CONTRACTS AFFECTED NONE

RECOMMENDED FOR ACCEPTANCE  5-20-2020
VILLAGE ENGINEER DATE

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

 6/4/20
CONTRACTOR DATE

Brothers Asphalt Paving, Inc. - Natalia Corella / President
In accordance with the provisions of Public Act 85-1245, as President and duly authorized representative of the Village of Bloomingdale, Illinois, I have determined that the foregoing Change Order is necessitated by conditions and circumstances which were not reasonably foreseeable on the Effective Date of the Agreement for the subject Project, were not within the contemplation of the Agreement as signed, and are in the best interest of the Village of Bloomingdale.

APPROVED BY:  5-27-2020
VILLAGE ADMINISTRATOR DATE



Local Public Agency Village of Bloomingdale		County DuPage	Route various	Section Number 20-00071-00-RS
Request Number 1		<input type="checkbox"/> Final		
Address 315 S. Stewart Avenue		City Addison	State IL	Zip Code 60101
Contractor Brothers Asphalt				
Date 05/21/20				

I recommend that this Deduction be made from the above contract.

The estimated quantities are shown below and the contractor agrees to furnish the materials and do the work at the unit prices.

Item Description	Unit of Measure	Quantity	Unit Price	Addition (A) or Deduction (D)	Total Addition	Total Deduction
SODDING	SY	400	\$16.480	D	\$0.00	\$6,592.00
HMA SURF. REM. - BUTT JOINT	SY	610	\$3.000	D	\$0.00	\$1,830.00
HMA SURF. REM. - 2.5"	SY	17146	\$2.000	D	\$0.00	\$34,292.00
HMA REM. - VAR. LOCATIONS	SY	3500	\$5.500	D	\$0.00	\$19,250.00
PCC SIDEWALK REMOVAL	SF	3330	\$1.180	D	\$0.00	\$3,929.40
PCC SIDEWALK, 5"	SF	3330	\$5.920	D	\$0.00	\$19,713.60
DETECTABLE WARNINGS	SF	160	\$20.600	D	\$0.00	\$3,296.00
CURB & GUTTER REM. & REPL.	FT	970	\$25.750	D	\$0.00	\$24,977.50
BIT. MATERIALS (TACK COAT)	LB	11954	\$0.100	D	\$0.00	\$1,195.40
FOG SEAL	SY	19051	\$0.980	D	\$0.00	\$18,669.98
LEVELING BINDER	TON	995	\$73.000	D	\$0.00	\$72,635.00
HMA SURFACE	TON	1491	\$72.000	D	\$0.00	\$107,352.00
INCIDENTAL HMA SURFACING	TON	50	\$100.000	D	\$0.00	\$5,000.00
PROTECTIVE COAT	SY	377	\$0.020	D	\$0.00	\$7.54
FIBER-ASPHALT	LB	7300	\$1.270	D	\$0.00	\$9,271.00
FRAMES & LIDS TO BE ADJ.	EACH	2	\$515.000	D	\$0.00	\$1,030.00
FRAMES & GRATES TO BE ADJ.	EACH	4	\$360.500	D	\$0.00	\$1,442.00
TRAFFIC CONT. & PROTECTION	LSUM	2039596	\$27,636.000	D	\$0.00	\$5,636.63
THPL. LINE - 4"	FT	200	\$0.660	D	\$0.00	\$132.00
THPL. LINE - 6"	FT	310	\$1.030	D	\$0.00	\$319.30
THPL. LINE - 24"	FT	105	\$7.930	D	\$0.00	\$832.65
LIGHT POLE CLEAN & PAINT	EACH	5	\$4,985.200	D	\$0.00	\$24,926.00
LIGHT FIXTURE REPLACEMENT	EACH	5	\$2,781.000	D	\$0.00	\$13,905.00
Total Changes					\$0.00	\$376,235.00

Add Row

Total Net Change	(\$376,235.00)
Amount of Original Contract	\$1,646,838.92
Amount of Previous Change Orders	\$0.00
Amount of adjusted/final contract	\$1,270,603.92

Total net deduction to date **(\$376,235.00)** which is **-22.85%** of the contract price.

State fully the nature and reason for the change

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When the net increase or decrease in the cost of the contract is \$10,000.00 or more, or the time of completion is increased or decreased by 30 days or more, one of the following statements must be checked:

- The Local Public Agency has determined that the circumstances which necessitate this change were not reasonably foreseeable at the time the contract was signed.
- The Local Public Agency has determined that the change is germane to the original contract is signed.
- The Local Public Agency has determined that this change is in the best interest of the Local Public Agency and is authorized by law.

Prepared By

Brian Sisco

Title of Preparer

Senior Civil Engineer

Submitted/Approved

	Local Public Agency	Date
BY:	<i>[Signature]</i>	5/20/2020
Title:	VILLAGE ENGINEER	

For a Road District project County Engineer signature required.

County Engineer/Superintendent of Highways	Date

Approved:
Illinois Department of Transportation
Regional Engineer

	Date