

*ORIGINAL*

**RESOLUTION NO. R-2015-07**

**A RESOLUTION APPROVING AND AUTHORIZING  
THE EXECUTION OF CHANGE ORDER NOS. 031, 032 AND 033 TO THE  
CONTRACT RELATING TO THE FIRE STATION NUMBER 1 REPAIR PROJECT  
ENTERED INTO BETWEEN THE VILLAGE OF MAYWOOD (OWNER)  
AND FBG CORPORATION (CONTRACTOR)**

**WHEREAS**, the Village of Maywood is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village President and Board of Trustees of the Village of Maywood (the "Village") have previously approved and authorized the execution of a contract for the rehabilitation of the exterior and interior components (siding, roof, windows, mechanical systems) of Fire Station Number 1 (the "Contract"), located at 700 St. Charles Road (the "Project") with FBG Corporation (the "Contractor"). The original amount of the Contract was One Million Sixty One Thousand and No/100 Dollars (\$1,061,000.00); and

**WHEREAS**, the Contractor has filed requests for change orders to the Contract relative to winter conditions ("Change Order No. 031"), costs for re-roofing the east and west lower wings of the roof ("Change Order No. 032"), and painting of the apparatus bay on the first floor and select basement areas ("Change Order No. 033"). These Change Orders shall increase the contract sum amount by \$17,083.77, \$37,966.00 and \$42,227.00 respectively, for a new contract sum of \$1,158,298.77. A copy of Change Order No. 031, 032 and 033 and their supporting materials are attached hereto as **Group Exhibit "A"** and made a part hereof; and

**WHEREAS**, based on the recommendation of Ryan Rathman of FGM Architects, the President and Board of Trustees of the Village make the following findings and determinations in accordance with the Illinois Compiled Statutes, Chapter 720, Section 5/33E-9 (720 ILCS 5/33E-9) regarding Change Order Nos. 031, 032 and 033 to the Contract:

1. Change Order Nos. 031, 032 and 033, both individually and as a series, increase the Contract sum by Ten Thousand and No/100 Dollars (\$10,000.00) or more.
2. Change Order Nos. 031, 032 and 033 do NOT increase the completion time for the Project, as set forth in the Contract, by thirty (30) days or more.
3. Change Order Nos. 031, 032 and 033 (a) are made necessary by

circumstances not foreseeable at the time the Contracts were signed; (b) are germane to the Contracts as originally signed; and (c) are in the best interests of the Village.

In addition, the President and Board of Trustees make the following finding and determination pursuant to Section 5 of the Public Works Contract Change Order Act (50 ILCS 525/5): Change Order Nos. 031, 032 and 033, either individually, or collectively, do not increase the original contract price by fifty percent (50%) or more of the original contract price, and thus the Village is not obligated to re-bid the additional work proposed under the Change Orders; and

**WHEREAS**, the President and Board of Trustees (the "Corporate Authorities") of the Village of Maywood, Cook County, Illinois (the "Village") approve and authorize Change Order Nos. 031, 032 and 033 in order to complete the Project.

**WHEREAS**, the President and Board of Trustees of the Village of Maywood, pursuant to their powers as provided by 720 ILCS 5/33E-9, find that it is in the best interests of the Village, its residents, property owners and businesses to approve Change Order Nos. 031, 032 and 033 because they relate to a public project and are for a public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

**SECTION 2:** The President and Board of Trustees of the Village of Maywood approve Change Order Nos. 031, 032 and 033 relative to the cost of the Contract, due to increased labor and material costs. A copy of Change Order Nos. 031, 032 and 033 and their supporting materials are attached hereto as **Group Exhibit "A"** and made a part hereof. The President and Board of Trustees further authorize and direct the Village President, the Village Clerk and, if necessary, the Village Engineer or FGM Architects, or their designees, to execute Change Order Nos. 031, 032 and 033 and any other necessary documents to implement Change Order Nos. 031, 032 and 033.

**ADOPTED** this 31<sup>st</sup> day of March, 2015, pursuant to a roll call vote as follows:

**AYES:** Mayor Edwenna Perkins, Trustee(s) C. Ealey-Cross, A. Jaycox  
M. Rogers, M. Lightford.

**NAYS:** None.

**ABSTAIN:** None.

**ABSENT:** Trustee(s) A. Dorris and R. Rivers.

**APPROVED** by me, and attested by the Village Clerk, on this 1<sup>st</sup> day of April, 2015.



VILLAGE PRESIDENT

**ATTEST:**



VILLAGE CLERK



**Group Exhibit "A"**

**Change Order Nos. 031, 032 and 033  
With Supporting Documents**

(attached)







