

ORDINANCE NO. 2018-07

**AN ORDINANCE APPROVING CHANGE ORDER NUMBER 1
TO THE AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD AND NORVILLA, LLC
FOR THE PERFORMANCE OF CONSTRUCTION SERVICES
FOR THE COMBINED 17TH AVENUE AND 18TH AVENUE IMPROVEMENTS PROJECT**

**(Project: 17th Avenue and 18th Avenue Resurfacing Improvements
From Madison Street To Washington Boulevard,
Including Sidewalk, Driveway Aprons, ADA Ramps And Drainage Improvements)**

WHEREAS, the President and Board of Trustees of the Village of Maywood (the "Corporate Authorities of the Village"), operating as a home rule municipality, have 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, on July 18, 2017, the Corporate Authorities of the Village adopted Resolution Number R-2017-34 approving a Construction Services Agreement with Norvilla, LLC of Broadview, Illinois (the "Contractor") relative to performance of construction activities, including the installation of certain street, sidewalk, driveway aprons, ADA ramps and drainage improvements to 17th Avenue and 18th Avenue, from Madison Street to Washington Boulevard (the "Project") (the "Project Contract"). The total Project cost set forth in the Project Contract was Five Hundred Seventy-Eight Thousand Three Hundred Sixty and 50/100 Dollars (\$578,360.50) (the "Contract Price"). A copy of the Project Contract is incorporated herein by reference and made a part hereof; and

WHEREAS, because the Contractor was required to performed additional construction activities that were not contemplated in the original Project Contract, a change order is necessary. The Contractor replaced an additional trip hazard sidewalk along 17th Avenue, which was found to be in poor condition, contain potential trip hazards, and did not maintain an acceptable ADA slope. These sidewalk defects were of especially high concern due to the proximity of a school. The Contractor also replaced additional pavement base course within 18th Avenue, which was found to be in poor condition. Upon milling the existing asphalt from the roadway on 18th Avenue, construction engineers performed a visual inspection as well as a physical "proof-roll" test. The inspection and testing revealed a larger quantity of pavement base course than anticipated to be replaced due to its poor condition. The cost of the additional construction activities equals Twenty-Five Thousand Seventy-One and 20/100 Dollars (\$25,071.20), as set forth in Change Order No. 1 to the Project Contract, and is payable to Norvilla, LLC, the Contractor. A copy of Change Order No. 1 is attached hereto as Exhibit "A"; and

WHEREAS, upon approval of Change Order No. 1, the original Contract Price for the Project of \$578,360.50 shall be increased to \$603,431.70 (the "Amended Project Contract Price").

WHEREAS, the Corporate Authorities of the Village agree to authorize and approve the additional Project costs by approving Change Order No. 1 for the Project; and

WHEREAS, the sources of funding for the Project consist of funds from the Community Development Block Grant (“CDBG”) 2016 Program Year to be distributed to the Village by the County of Cook, Illinois under a Village-approved Community Development Block Grant Program Subrecipient Agreement, Grant No. 1606-018, the 2017 Cook County Infrastructure Grant, Motor Fuel Tax (“MFT”) Funds and General Corporate Funds of the Village; and

WHEREAS, based on the recommendation of the Village Engineer, the Corporate Authorities of the Village make the following findings and determinations (see bolded text) in accordance with the Illinois Compiled Statutes, Chapter 720, Section 5/33E-9 regarding changes to the Construction Contract:

1. The change order (or series of change orders) recommended in Exhibit "A", which is attached hereto and made a part hereof, increases or decreases the contract sum by \$10,000.00 or more **[YES]**, OR
2. The change order increases or decreases the contract time by thirty (30) days or more **[NO]**, OR
3. The change order (or series of change orders): (a) is (are) made necessary by circumstances not foreseeable at the time the Construction Contract was signed; (b) is (are) germane to the Construction Contract as originally signed; and (c) is (are) in the best interests of the Village **[YES for a, b and c]**.

In addition, the Corporate Authorities of the Village make the following finding and determination pursuant to Section 5 of the Public Works Contract Change Order Act (Public Act 93-0656): the amount of the Change Order (or series of change orders) does not increase the original contract price by 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 Order; and

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each Whereas paragraph set forth above is incorporated by reference into this Section 1.

SECTION 2: The Corporate Authorities of the Village of Maywood approve Change Order No. 1 to the Project Contract in the amount of Twenty-Five Thousand Seventy-One and 20/100 Dollars (\$25,071.20) payable to Norvilla, LLC, the Contractor, in accordance with Change Order No. 1, a copy of which is attached hereto as Exhibit "A".

SECTION 3: The Corporate Authorities of the Village of Maywood authorize and direct the Village President, the Village Clerk, the Village Treasurer, the Village Manager and the Village Engineer, or their designees, to execute, process and deliver the necessary checks, wire transactions, change order documents and such other instruments necessary to comply with the authorization and direction set forth in this Ordinance.

SECTION 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in the manner provided by law.

ADOPTED this 20th day of February, 2018 pursuant to a roll call vote as follows:

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington, M. Lightford and R. Rivers

NAYS: None

ABSENT: None

APPROVED by me as Village President, and attested by the Village Clerk, on the 20th day of February, 2018.

Edwenna Perkins, Village President

ATTEST:

Viola Mims, Village Clerk

This Ordinance was published by me in pamphlet form on the 21st day of February, 2018.

Viola Mims, Village Clerk

Exhibit "A"

Change Order No. 1

(attached)

CHANGE ORDER

Change Order No. 1
Date : January 30, 2018

Name of Project: Village of Maywood
17th and 18th Avenue Improvements Project – Madison Street to
Washington Boulevard

Owner: The President and Board of Trustees
Village of Maywood, Illinois

Contractor: Norvilla, LLC
2701 South 13th Avenue
Broadview, IL 60155

The following change in work is authorized by the President and Board of Trustees of the Village of Maywood to the above contract as follows:

ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT PRICE	ADDITION	DEDUCTION
1	See Attachment "A" for associated contract items and unit prices.	1 (Lump Sum)	\$25,071.20	\$25,071.20	
	TOTALS			\$25,071.20	
	NET CHANGE			\$25,071.20	

Location and reasons for the change: 18th Avenue - Additional roadway pavement base course observed to be in poor condition necessitating replacement, 17th Avenue - Additional sidewalks found to be out of ADA compliance necessitating replacement.

The above changes are additional work added to the contract and fulfill the original intent of the contract.

Original CONTRACT PRICE \$ 578,360.50

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ N/A

The CONTRACT PRICE due to this CHANGE ORDER will be (increased)(decreased) by: \$ 25,071.20

The CHANGE ORDER will result in a net:

(increase)(decrease) to Original CONTRACT PRICE of 4.33% to date.

(increase)(decrease) to Current CONTRACT PRICE of 4.33%.

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 603,431.70

The CONTRACT TIME will be (increased)(decreased) by 0 calendar days.

The date for completion of all work will be September 8, 2017.

The undersigned has determined that the change is germane to the original contract as signed, that circumstances which necessitate this change were not reasonably foreseeable at the time the contract was signed, and work of this type was included in the original contract, and the additional efforts of this work are within the intent of the contract and Village policy, and that this change is in the best interest of the Village of Maywood and is authorized by law.

OWNER: Village of Maywood
40 Madison Street
Maywood, Illinois 60153

(SEAL)

By _____

Attested by: _____

Edwenna Perkins, President

Viola Mims, Clerk

17th and 18th Avenue Improvements Project - Madison Street to Washington Boulevard
 Owner: Village of Maywood
 Contractor: Norvilla, LLC
 Engineer: Edwin Hancock Engineering Co.
 Change Order No. 1
 January 30, 2018
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Attachment "A"
 17th Avenue Improvements Project - CDBG Project No. 1606-018

No.	Item	Unit	Bid Quantity	Adjusted Quantity	Additional Quantity	Deleted Quantity	Unit Price	Change in Contract Price
1	Combination Curb & Gutter Removal	Foot	2,400	2,316	0	84	\$ 6.00	\$ (504.00)
2	Sidewalk Removal	SqFt	6,100	6,869	769	0	0.90	\$ 692.10
3	Driveway Pavement Removal	SqYd	150	54	0	96	12.00	\$ (1,152.00)
4	Pavement Removal	SqYd	700	862	162	0	17.00	\$ 2,754.00
5	HMA Surface Removal (Variable Depth)	SqYd	3,000	2,943	0	57	4.75	\$ (270.75)
6	Inlet, Type A, Type 1 Frame, Open Lid	Each	0	0	0	0	1,700.00	\$ -
7	Restricted Depth Catch Basin, 4' Dia, Ty 1 Frame, Open Lid	Each	2	2	0	0	2,920.00	\$ -
8	Restricted Depth Manhole, 4' Dia, Ty 1 Frame, Closed Lid	Each	0	0	0	0	5,800.00	\$ -
9	Trench Backfill	CuYd	10	5	0	5	43.00	\$ (215.00)
10	10" Dia., PVC Sewer Pipe	Foot	35	26	0	9	105.00	\$ (945.00)
11	10" Dia., DIP Sewer Pipe	Foot	0	0	0	0	92.00	\$ -
12	12" Dia., DIP Sewer Pipe	Foot	0	0	0	0	94.00	\$ -
13	Connection to Existing Structure	Each	1	1	0	0	1,500.00	\$ -
14	Frame and Grates to be Adjusted	Each	16	18	2	0	420.00	\$ 840.00
15	Frames and Lids	Each	6	6	0	0	420.00	\$ -
16	Structure to be Removed	Each	1	1	0	0	400.00	\$ -
17	Structure to be Abandoned	Each	2	1	0	1	700.00	\$ (700.00)
18	Structures to be Reconstructed	Each	2	2	0	0	400.00	\$ -
19	Fire Hydrant to be Removed and Replaced	Each	3	3	0	0	9,000.00	\$ -
20	Inlet Filters	Each	14	7	0	7	126.00	\$ (882.00)
21	Water Service Boxes and Valve Boxes to be Adjusted	Each	3	1	0	2	500.00	\$ (1,000.00)
22	Structures to be Cleaned	Each	8	5	0	3	400.00	\$ (1,200.00)
23	Comb Concrete Curb and Gutter, Ty B-6.12 (Modified)	Foot	2,000	2,316	316	0	22.30	\$ 7,046.80
24	Comb Concrete Curb and Gutter, Ty B-6.12 (Special)	Foot	0	0	0	0	22.00	\$ -
25	PCC Sidewalk, 5"	SqFt	6,100	6,869	769	0	5.90	\$ 4,537.10
26	PCC Driveway, 7"	SqYd	150	54	0	96	51.00	\$ (4,896.00)
27	Detectable Warnings	SqFt	140	159	19	0	48.00	\$ 912.00
28	PCC Pavement, 8"	SqYd	35	32	0	3	119.00	\$ (357.00)
29	Protective Coat	SqYd	1,300	1,300	0	0	0.75	\$ -
30	PCC Base Course, 8"	SqYd	700	835	135	0	47.00	\$ 6,345.00
31	Leveling Binder (Machine Method), N50	Ton	190	182	0	8	96.00	\$ (768.00)
32	HMA Surface Course, Mix D, N50	Ton	325	262	0	63	70.60	\$ (4,447.80)
33	Bituminous Materials (Jack Coat)	Pound	1,400	1,324	0	76	0.50	\$ (38.00)
34	Topsoil Placement, 3"	SqYd	800	808	8	0	6.00	\$ 48.00
35	Sodding	SqYd	800	808	8	0	9.00	\$ 72.00
36	Supplemental Watering	Unit	50	10	0	40	26.00	\$ (1,040.00)
37	Thermoplastic Pavement Marking - Line 6"	Foot	0	0	0	0	4.15	\$ -
38	Thermoplastic Pavement Marking - Line 12"	Foot	175	186	11	0	10.00	\$ 110.00
39	Thermoplastic Pavement Marking - Line 24"	Foot	60	57	0	3	19.00	\$ (57.00)
40	Traffic Control and Protection	LS	1.0	1.0	0	0	3,391.00	\$ -

Net Change in Contract Price (17th Avenue)

\$ 4,884.45

17th and 18th Avenue Improvements Project - Madison Street to Washington Boulevard
 Owner: Village of Maywood
 Contractor: Norvilla, LLC
 Engineer: Edwin Hancock Engineering Co.
 Change Order No. 1
 January 30, 2018
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Attachment "A"

18th Avenue Improvements Project - Cook County Infrastructure Grant 17-REHAB-00-PV

No.	Item	Unit	Bid Quantity	Adjusted Quantity	Additional Quantity	Deleted Quantity	Unit Price	Change in Contract Price
1	Combination Curb & Gutter Removal	Foot	1,600	2,300	700	0	\$ 6.00	\$ 4,200.00
2	Sidewalk Removal	SqFt	3,100	3,663	563	0	0.90	\$ 506.70
3	Driveway Pavement Removal	SqYd	325	198	0	127	12.00	\$ (1,524.00)
4	Pavement Removal	SqYd	650	1,140	490	0	17.00	\$ 8,330.00
5	HMA Surface Removal (Variable Depth)	SqYd	3,200	2,657	0	543	4.75	\$ (2,579.25)
6	Inlet, Type A, Type I Frame, Open Lid	Each	2	2	0	0	1,700.00	\$ -
7	Restricted Depth Catch Basin, 4' Dia, Ty I Frame, Open Lid	Each	1	1	0	0	2,920.00	\$ -
8	Restricted Depth Manhole, 4' Dia, Ty I Frame, Closed Lid	Each	1	1	0	0	5,800.00	\$ -
9	Trench Backfill	CuYd	45	14	0	31	43.00	\$ (1,333.00)
10	10" Dia., PVC Sewer Pipe	Foot	0	0	0	0	105.00	\$ -
11	10" Dia., DIP Sewer Pipe	Foot	55	31	0	24	92.00	\$ (2,208.00)
12	12" Dia., DIP Sewer Pipe	Foot	130	127	0	3	94.00	\$ (282.00)
13	Connection to Existing Structure	Each	1	1	0	0	1,500.00	\$ -
14	Frame and Grates to be Adjusted	Each	11	14	3	0	420.00	\$ 1,260.00
15	Frames and Lids	Each	4	4	0	0	420.00	\$ -
16	Structure to be Removed	Each	1	1	0	0	400.00	\$ -
17	Structure to be Abandoned	Each	0	0	0	0	700.00	\$ -
18	Structures to be Reconstructed	Each	3	3	0	0	400.00	\$ -
19	Fire Hydrant to be Removed and Replaced	Each	1	1	0	0	9,000.00	\$ -
20	Inlet Filters	Each	12	6	0	6	126.00	\$ (756.00)
21	Water Service Boxes and Valve Boxes to be Adjusted	Each	3	0	0	3	500.00	\$ (1,500.00)
22	Structures to be Cleaned	Each	8	3	0	5	400.00	\$ (2,000.00)
23	Comb Concrete Curb and Gutter, Ty B-6.12 (Modified)	Foot	1,600	1,956	356	0	22.30	\$ 7,938.80
24	Comb Concrete Curb and Gutter, Ty B-6.12 (Special)	Foot	400	344	0	56	22.00	\$ (1,232.00)
25	PCC Sidewalk, 5"	SqFt	3,100	3,663	563	0	5.90	\$ 3,321.70
26	PCC Driveway, 7"	SqYd	325	198	0	127	51.00	\$ (6,477.00)
27	Detectable Warnings	SqFt	60	110	50	0	48.00	\$ 2,400.00
28	PCC Pavement, 8"	SqYd	35	43	8	0	119.00	\$ 952.00
29	Protective Coat	SqYd	1,100	1,100	0	0	0.75	\$ -
30	PCC Base Course, 8"	SqYd	650	1,097	447	0	47.00	\$ 21,009.00
31	Leveling Binder (Machine Method), N50	Ton	210	155	0	55	96.00	\$ (5,280.00)
32	HMA Surface Course, Mix D, N50	Ton	350	287	0	63	70.60	\$ (4,447.80)
33	Bituminous Materials (Tack Coat)	Pound	1,600	1,477	0	123	0.50	\$ (61.50)
34	Topsoil Placement, 3"	SqYd	700	810	110	0	6.00	\$ 660.00
35	Sodding	SqYd	700	810	110	0	9.00	\$ 990.00
36	Supplemental Watering	Unit	50	0	0	50	26.00	\$ (1,300.00)
37	Thermoplastic Pavement Marking - Line 6"	Foot	150	244	94	0	4.15	\$ 390.10
38	Thermoplastic Pavement Marking - Line 12"	Foot	100	0	0	100	10.00	\$ (1,000.00)
39	Thermoplastic Pavement Marking - Line 24"	Foot	30	41	11	0	19.00	\$ 209.00
40	Traffic Control and Protection	J.S	1.0	1.0	0	0	3,391.00	\$ -

Net Change in Contract Price (18th Avenue)

\$ 20,186.75

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. 2018-07

**AN ORDINANCE APPROVING CHANGE ORDER NUMBER 1
TO THE AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD AND NORVILLA, LLC
FOR THE PERFORMANCE OF CONSTRUCTION SERVICES
FOR THE COMBINED 17TH AVENUE AND 18TH AVENUE IMPROVEMENTS PROJECT**

**(Project: 17th Avenue and 18th Avenue Resurfacing Improvements
From Madison Street To Washington Boulevard,
Including Sidewalk, Driveway Aprons, ADA Ramps And Drainage Improvements)**

which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 20th day of February, 2018, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 21st day of February, 2018.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, A. Sanchez, K. Wellington,
M. Lightford and R. Rivers

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 21st day of February, 2018.

Viola Mims, Village Clerk

[SEAL]