

ORDINANCE NUMBER CO-2022-03

**AN ORDINANCE APPROVING CHANGE ORDER NUMBER 1
TO THE AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD AND
J. NARDULLI CONCRETE, INC. FOR THE PERFORMANCE OF CONSTRUCTION SERVICES
FOR THE WARREN STREET ROADWAY IMPROVEMENTS PROJECT
(Warren Street from 19th Avenue to 17th Avenue)**

WHEREAS, on July 13, 2021, the Corporate Authorities of the Village adopted Resolution Number R-2021-25 approving a Construction Services Agreement with J. Nardulli Concrete, Inc. of Cicero, Illinois (the "Contractor") relative to the performance of construction activities, including the installation of certain roadway improvements, the removal and replacement of deteriorated sections of curb and gutter, removal and replacement of sections of deteriorated sidewalk, and installation of Americans With Disabilities Act ("ADA") compliant pedestrian roadway crossings, landscape restoration, and other appurtenant improvements (the "Project") (the "Project Contract"). The total Project cost set forth in the Project Contract was \$448,081.90 (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 perform additional construction activities that were not contemplated in the original Project Contract, a change order is necessary. The Contractor repaired a leaking water main, with two (2) new valves installed in order to aid in future operation of the water main and reduce the limits of disruption to residences along 21st Avenue. The water main was exceptionally deep and located beneath an existing combined sewer, storm relief sewer, and other storm sewer laterals. Due to the poor condition of the water main, the water main was replaced across the intersection to avoid future damage. The cost of the additional construction activities equals \$30,964.66, as set forth in Change Order Number 1 to the Project Contract, and is payable to J. Nardulli Concrete, Inc., the Contractor. A copy of Change Order Number 1 is attached hereto as Exhibit "A"; and

WHEREAS, upon approval of Change Order Number 1, the original Contract Price for the Project of \$448,081.90 shall be increased to \$479,046.56 (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 Number 1 for the Project; and

WHEREAS, the sources of funding for the Project consist of funds from the Community Development Block Grant ("CDBG") 2020 Program Year to be distributed to the Village by the County of Cook, Illinois under Village-approved Community Development Block Grant Program Subrecipient Agreement No. 2006-094, 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.

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 Number 1 to the Project Contract in the amount of \$30,964.66 payable to J. Nardulli Concrete, Inc., the Contractor, in accordance with Change Order Number 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: 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 18th day of January, 2022 pursuant to a roll call vote as follows:

AYES: Mayor Booker, Trustee(s) A. Sanchez, S. Reyes-Plummer, M. Jones, A. Peppers and
I. Brandon

NAYS: None

ABSENT: Trustee M. Lightford

APPROVED by me as Village President, and attested by the Village Clerk, on the 18th day of January, 2022.

Nathaniel George Booker, Village President

ATTEST:

Gwaine Dianne Williams, Village Clerk

This Ordinance was published by me in pamphlet form on the 19th day of January, 2022.

Gwaine Dianne Williams, Village Clerk

Exhibit "A"

Change Order Number 1

(attached)

MEMO

Date: December 22, 2021

To: Village of Maywood

Attn: Ms. Chasity Wells-Armstrong
Village Manager

From: Bill Peterhansen, P.E., CFM

Re: Warren Street CDBG Roadway Improvements Project
Change Order Request No. 1

Summary

An incidental finding of a leaking Village water main and complex emergency repair has necessitated a change order request for the subject project.

On September 7, 2021, the sewer subcontractor and field engineers discovered a wet area beneath the pavement at 21st Avenue and Warren Street when performing remediation work on a combined sewer manhole. Upon investigating the wet area, further complications arose including continual cracking of the 6" water main and the inability to shut down the water main in order to make an emergency repair.

Additionally, the water main was found to be exceptionally deep (7'+ deep), and located beneath an existing combined sewer, storm relief sewer, and other storm sewer laterals. Due to the observed poor condition of the water main, we recommended to staff that the water main be replaced across the intersection to avoid future damage to the soon to be constructed hot-mix asphalt pavement.

The water main has been repaired, with two (2) new valves installed in order to aid in future operation of the water main and reduce the limits of disruption to residents along 21st Avenue.

We believe the water main had been leaking for quite some time and infiltrating into existing voids in the combined sewer. However, after the combined sewer was sealed and lined as part of this project, the leaking water had nowhere to exit and was now discovered. The repair will mitigate future water loss at this location.

Costs

We have reviewed the contractor's detailed time and material invoices for this repair and concur with the labor, materials, and equipment that have been represented. The invoices match our project records and observations. The total overage costs for the project will be \$30,964.66 upon balancing all of the contract pay items. Attachment "A" provides a detailed breakdown for the project costs. The project is being funded through the general fund.

Action

Pending the board approval of this change order, the corresponding work may be paid for on Pay Estimate #5 and Final.

If you should have any questions, please call our office.

CHANGE ORDER

Change Order No. 1
Date : December 22, 2021

Name of Project: Village of Maywood
Warren Street CDBG Roadway Improvement Project

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

Contractor: J. Nardulli Concrete, Inc.
3517 South 60th Court
Cicero, IL 60804

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	DEDUCTIO N
1	See Attachment "A" for associated contract items and unit prices.	1 (Lump Sum)	\$30,964.66	\$30,964.66	
	TOTALS			\$30,964.66	
	NET CHANGE			\$30,964.66	

Location and reasons for the change: Emergency Water Main repairs located at 21st Avenue and Warren Street.

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

Original CONTRACT PRICE \$448,081.90

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

The CONTRACT PRICE due to this CHANGE ORDER will be (increased)(~~decreased~~) by: \$30,964.66

The CHANGE ORDER will result in a net:

(increase)(~~decrease~~) to Original CONTRACT PRICE of 6.91% to date.

(increase)(~~decrease~~) to Current CONTRACT PRICE of 6.91%.

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 479,046.56

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

The date for completion of all work will be *October 31, 2021*.

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 _____

Nathaniel George Booker, Mayor

Attested by: _____

Gwaine Dianne Williams, Clerk

Warren Street CD8G Roadway Improvements
 Owner: Village of Maywood
 Contractor: J. Nardulli Concrete, Inc.
 Engineer: Hancock Engineering Co.
 Change Order No. 1
 Date: 12/22/2021

Attachment "A"

No.	Item	Unit	Bid Quantity	Adjusted Quantity	Additional Quantity	Deleted Quantity	Unit Price	Change in Contract Price
1.	Combination Curb and Gutter Removal	Foot	1,650	1,584.00	-	66	\$ 5.00	\$ (330.00)
2	Sidewalk Removal	SqFt	11,000	10,038.00	-	962	1.15	\$ (1,106.30)
3	Driveway Pavement Removal	SqYd	200	298.00	98	-	13.00	\$ 1,274.00
4	Pavement Removal	SqYd	75	118.00	43	-	20.00	\$ 860.00
5	Pavement Removal (Reconstruct)	SqYd	2,000	1,840.00	-	160	12.00	\$ (1,920.00)
6	Hot Mix Asphalt Surface Removal (Variable Depth)	SqYd	320	412.00	92	-	13.50	\$ 1,242.00
7	Incidental Hot Mix Asphalt Surface Removal	SqYd	225	0.00	-	225	13.50	\$ (3,037.50)
8	Earth Excavation	CuYd	300	260.00	-	40	40.00	\$ (1,600.00)
9	Undercut Excavation	CuYd	120	33.00	-	87	20.00	\$ (1,740.00)
10	Porous Granular Embankment, 3"	CuYd	120	33.00	-	87	20.00	\$ (1,740.00)
11	Trench Backfill	CuYd	25	15.00	-	10	38.00	\$ (380.00)
12	Restricted Depth Catch Basin, 4' Diameter, Type 1 Frame, Open Lid	Each	3	3.00	-	-	3,930.00	\$ -
13	Inlet, Type A, Type 1 Frame, Open Lid	Each	3	3.00	-	-	1,498.00	\$ -
14	10" Diameter, PVC Storm Sewer Pipe	Foot	100	54.00	-	46	58.00	\$ (2,668.00)
15	Connection to Existing Sewer	Each	3	3.00	-	-	875.00	\$ -
16	Structures to be Adjusted	Each	6	8.00	2	-	360.00	\$ 720.00
17	Frames and Lids	Each	1	1.00	-	-	385.00	\$ -
18	Structures to be Reconstructed	Each	1	2.00	1	-	2,000.00	\$ 2,000.00
19	Inlet Filters	Each	14	14.00	-	-	145.00	\$ -
20	Combination Curb and Gutter, Type B-4.12 (Special)	Foot	1,650	1,754.00	104	-	22.00	\$ 2,288.00
21	Portland Cement Concrete Sidewalk, 5"	SqFt	11,000	10,038.00	-	962	5.60	\$ (5,387.20)
22	Portland Cement Concrete Driveway, 7"	SqYd	200	298.00	98	-	60.00	\$ 5,880.00
23	Detectable Warnings	SqFt	70	97.00	27	-	28.00	\$ 756.00
24	White Wax Compound	SqYd	1,650	0.00	-	1,650	1.25	\$ (2,062.50)
25	Portland Cement Concrete Base Course, 8"	SqYd	75	118.00	43	-	62.00	\$ 2,666.00
26	Deformed Tie Bars	Each	80	69.00	-	11	9.00	\$ (99.00)
27	Hot Mix Asphalt Binder Course, II-19.0, N50	Ton	480	409.00	-	71	85.00	\$ (6,035.00)
28	Leveling Binder (Machine Method), N50	Ton	40	0.00	-	40	92.00	\$ (3,680.00)
29	Hot Mix Asphalt Surface Course, Mix D, N50	Ton	300	292.00	-	8	92.00	\$ (736.00)
30	Incidental Hot Mix Asphalt Surfacing	Ton	10	0.00	-	10	275.00	\$ (2,750.00)
31	Bituminous Materials (Tack Coat) SS-1	Pound	4,540	1,207.00	-	3,333	0.01	\$ (33.33)
32	Geogrid for Ground Stabilization	SqYd	2,000	1,840.00	-	160	3.00	\$ (480.00)
33	Aggregate Base Course, Type B, 6"	SqYd	2,000	1,840.00	-	160	8.00	\$ (1,280.00)
34	Topsoil Placement	SqYd	1,200	396.00	-	804	5.00	\$ (4,020.00)
35	Sodding	SqYd	1,200	396.00	-	804	8.00	\$ (6,432.00)
36	Supplemental Watering	Unit	10	0.00	-	10	50.00	\$ (500.00)
37	Thermoplastic Pavement Marking - Line 6"	Foot	390	623.00	233	-	4.75	\$ 1,106.75
38	Thermoplastic Pavement Marking - Line 24"	Foot	100	129.00	29	-	18.50	\$ 536.50
39	Inversion Lining of 18" Sewer	Foot	1,020	1,008.00	-	12	79.00	\$ (948.00)
40	Hot Mix Asphalt - Longitudinal Joint Sealant	Foot	800	815.00	15	-	7.20	\$ 108.00
41	Structures to be Removed	Each	2	2.00	-	-	440.00	\$ -
42	Traffic Control and Protection	LS	1	1.0	0.0	-	19,500.00	\$ -
E1	Temporary Water Main repair at 21st Avenue and Warren Street	LS		1.0	1.0		8,677.22	\$ 8,677.22
E2	Down Time and Installation of line stops at 21st Avenue and Warren Street	LS		1.0	1.0		26,554.93	\$ 26,554.93
E3	Replacement of Water Main beneath sewer at 21st Avenue and Warren Street	LS		1.0	1.0		20,151.61	\$ 20,151.61
E4	Demobilization	LS		1.0	1.0		2,227.90	\$ 2,227.90
E5	General Contractor - 5% Mark-up	LS		1.0	1.0		2,880.58	\$ 2,880.58

Net Change in Contract Price

\$ 30,964.66

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Gwaine Dianne Williams, 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 NUMBER CO-2022-03

**AN ORDINANCE APPROVING CHANGE ORDER NUMBER 1
TO THE AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD AND
J. NARDULLI CONCRETE, INC. FOR THE PERFORMANCE OF CONSTRUCTION SERVICES
FOR THE WARREN STREET ROADWAY IMPROVEMENTS PROJECT
(Warren Street from 19th Avenue to 17th Avenue)**

which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Special Village Board Meeting on the 18th day of January, 2022, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 18th day of January, 2022.

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 Booker, Trustee(s) A. Sanchez, S. Reyes-Plummer, M. Jones, A. Peppers
and I. Brandon

NAYS: None

ABSENT: Trustee M. Lightford

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 19th day of January, 2022.

Gwaine Dianne Williams, Village Clerk

[SEAL]