ORDINANCE NO. CO-2023-05

AN ORDINANCE APPROVING CHANGE ORDER NUMBER 2
TO THE CONSTRUCTION CONTRACT WITH TRIGGI CONSTRUCTION, INC.
FOR THE 2021 ALLEY, WATERMAIN AND ROADWAY IMPROVEMENTS PROJECT,
AND AUTHORIZING THE EXPENDITURE OF MADISON STREET / FIFTH AVENUE TIF DISTRICT FUNDS,
WATER SYSTEM AND GARBAGE ENTERPRISE FUNDS,
AND GENERAL CORPORATE FUNDS TO PAY FOR SUCH CHANGE ORDER WORK
(Change Order Dollar Amount: \$196,436.15)

WHEREAS, the President and Board of Trustees of the Village of Maywood (the "Corporate Authorities"), 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, in 2021, the Corporate Authorities approved a Construction Contract with low-bidder Triggi Construction, Inc. (the "Contractor") for the 2021 Alley, Watermain and Roadway Improvements Project ("Project") ("Project Contract"). The original Project Contract amount was \$2,072,926.00 (the "Contract Price"). In 2021, the Corporate Authorities approved Change Order No. 1 in the amount of \$103,000.56 for the Project. Copies of the Project Contract and Change Order No. 1 are incorporated herein by reference and made a part hereof; and

WHEREAS, a change order is necessary because the Contractor was required to perform additional construction activities that were not contemplated in the original Project Contract. The cost of the additional construction activities equals \$196,436.15 as set forth in Change Order Number 2 to the Project Contract, and is payable to the Contractor. A copy of Change Order Number 2 is attached hereto as <a href="Exhibit "A". Upon approval of Change Order Number 2, the original Contract Price for the Project shall be increased to \$2,363,404.35 (the "Amended Project Contract Price"); and

WHEREAS, the Corporate Authorities of the Village agree to authorize and approve the additional Project costs by approving Change Order Number 2 for the Project. The sources of funding and the funding allocation for the Project are as follows: the Madison Street / Fifth Avenue TIF District Funds (73.1%), the Village's Water System and Garbage Enterprise Fund (20.3%), and the General Fund (6.6%); and

WHEREAS, based on the recommendation of the Village Engineer, the Corporate Authorities make the following findings and determinations (see bolded text) in accordance with 720 ILCS 5/33E-9 (Criminal Code; Change Order Statute) regarding changes to the Construction Contract:

- The change order (or series of change orders) recommended in <u>Exhibit "A"</u>, 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 make the following finding and determination pursuant to Section 5 of the Public Works Contract Change Order Act (50 ILCS 525/5): 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: Incorporation. Each Whereas paragraph set forth above is incorporated by reference into this Section 1.

SECTION 2: Approval of Change Order. The Corporate Authorities of the Village of Maywood approve Change Order Number 2 to the Project Contract in the amount of \$196,436.15 payable to Contractor Triggi Construction, Inc. in accordance with Change Order Number 2, a copy of which is attached hereto as Exhibit "A". The Corporate Authorities also authorize the expenditure and allocation of Madison Street / Fifth Avenue TIF District Funds (73.1%), the Village's Water System and Garbage Enterprise Funds (20.3%), and the General Funds (6.6%) to pay for the Change Order No. 2 work; and

<u>SECTION 3:</u> Execution and Delivery of Change Order and Other Related Documents. 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: Severability. 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: Effective Date. This Ordinance shall be in full force and effect from and after its adoption, approval and publication in the manner provided by law.

546296 1 2

ADOPTED this 7th day of February, 2023 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 7th day of February, 2023.

		Nathaniel George Boo	ker, Village President
ATTEST:			
Gwaine Dianne	Williams, Village Clerk		
This Ordinance	was published by me in pamphlet	form on the 8 th day of February,	2023.
		Gwaine Dianne W	illiams, Village Clerk

Exhibit "A"

Change Order Number 2

(attached)

CHANGE ORDER

Change Order No. 2 Date: January 27, 2023

Name of Project:

Village of Maywood

2021 Alley, Roadway, and Water Main Improvements

Owner:

The President and Board of Trustees

Village of Maywood, Illinois

Contractor:

Triggi Construction, Inc.

1975 Powis Road

West Chicago, IL 60185

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.	(Attached)	(Attached)	\$196,436.15	
	·				
			2		
	TOTALS			\$196,436.15	
	NET CHANGE			\$196,436.15	

Location and reasons for the change: Emergency water repairs and water system shut downs, additional spoils removals and cleanup, additional full depth pavement removal and patching, additional exploratory work, and additional requirements due to Cook County Permitting regulations. See attached memo dated January 27, 2023 for more information.

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

Original CONTRACT PRICE \$2,072,926.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 2,166,968.20

The CONTRACT PRICE due to this CHANGE ORDER will be (increased)(decreased)) by: \$196,436.15

The CHANGE ORDER will result in a net:

(increase)(decrease) to Original CONTRACT PRICE of 14.01% to date.

(increase)(decrease) to Current CONTRACT PRICE of 9.07%.

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 2,363,404.35

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

The date for completion of all work will be December 22, 2022.

The undersigned has determined that the change is germane to the original contact 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)
Ву		Attested by:
Natha	niel George Booker, Mayor	Gwiane Diane Williams, Clerk

2021 Alley, Roadway and Water Main Improvement
Downar: Village of Maywood
Contractor: Triggi Construction, Inc
Engineer:
Change Order No. 2 and Final
Date: December 27, 2022

				CHMENT "A"					Addisonal	
L Kom		Units	ADAPSTED QUANTITY CO #1	ADJUSTED QUANTITY CO RE Quartity	Ownge	Remaining I	Completed	Unit Price	Change in Contract Price	Change in Contract P
	PVCQ Water Main (Trench)	T Feet	1,465	1,375		25	1,575	\$ 350.00	\$	\$ 1,750
318" Diameter, Do	octile impo Pipe, Class SJ. Water Malm	Foot	150	152	35	- 28	362	300,09 300,00		\$ 7,800
3 s" Clameter, Ou 4 10" Gata Valve	ucille iron Fiee, Cless S2, Water Main	Fach	3	3			3	3,750.00	3 .	5
S I Gote Value		Each	4	5		1	5 2	3,500.00		
6 Valve Vault, 765 2 Valve Vault, Ter	pe A. S' Diemeter, Type 1 Frame, Classe Ud pe A. C' Diazzaner, Type 1 Frame, Classe Ud	Each Each	- 4	5	- 2	•	- 6	3,000.00	\$ 6,000.00	5
# Fire Hydrant	th Auxiliary Valve and Bits	Each	3,500	3,537	37		3,537	8,500.00 E.10	5 3.70	3
9 Special Duckle I D Acstrained Dis	. 12*	Found Each					8	1.00	3	\$
13 Restrained John	R, 20°	Each Each	50	30 40			50 40	1.80	1	-
2 Restrained Joint 3 Restrained Joint	n, 6"	fach	45	51	6		51	1.00	\$ 6.00	
4 Vices Gasket, 1	7	Each Each	65		-	45	-:-	100.00		\$ 4,50
Vitos Gasket, II	or .	Each	40		•	40	-	100,00	5	5 4,000
7 Vitoo Gasket, C	,	Each	45			45	- 2	300,90 7,890,08		\$ 450
IS Fire Hydrani 10	be flamoord and Registed nece, 1" (Open Cof)	Each	- :	2	1		2	3,000.00	\$ 3,000.00	
Water Main Go	Simpotions of Link Average	Each:				- :	7	7,580.00 5,500.00		\$
	parection of 11th Avenue	Each	1	1			1	5,500.00		
Water Main Co	noeclionat ton Avenue	Elch					1	5,500.00 7,502.00		
	enection at SQ: Average g arest Distribution	15		1	- 4 .		3	3,600,00		\$ 3,00
Les Detection		L5 facb				2	- :	3,500.00		\$ 3,00
17 12" Line Stop		Sach .		3		1	3	2,800.00	\$.	\$ 2,00
25 12 Diameter, P	PVC Combined Sesset Fige Replacement	Fooi	19			- 21	250	375.00 385.00		\$ 8.00
12 Applicanal 17" (PVC Combined States Fire Replacement Glameter, PVC Combined Sevent Pipe Auglistement	Foot	56	15		41	35	5.00	5	\$ 20
32 Additional 35" I	Districter, FVC Combined Sewer Prog Replacement	Foot	51			3 51	-:	5.06 55.00		5 7,80
14 10" Diameter,	PVC Sterm Sever Pige Replacement PvC Sterm Sever Pige Replacement	Foot	149		-	145	14	55.00	5 -	5 7.97
35 6" Diameter, FV	VC Starm Sower Pige Replacement	Foot	1			3	24	65.80 5.00		\$ 25
16 E" Diameter, So 37 Bontary Service	antary Sewer Service Pipe or Connection	Foot fach		2			2	235.00	\$	1
10 10" Diameter, I	DiF Storm Sener Fipe	Foot	110			15	119	75.50 55.60	3	\$ 83
DID Diameter, I	DIF Storm Sewer Pate PVC Storm Sewer Path	Feet Feet	200	292	37	-	251	35.00	\$ 1,760.00	\$
11 12" Diameter, I	PVC Sterm Sewer Pipg	Foot	111			1	113	\$5.80 350.60		5 11
	VC Combined Sevier Pipe Replacement Sameter, PVC Combined Sevier Pipe Replacement	Feet	1	2	-	14	2	5.00	5	5
44 Trench Backfill		Culta	1,46			415	1,043	1,00	\$ 200.60	
45 Frames and Ud 46 Structure to be		Eath	-	15	12	-	15	7,650,00	\$ 21,808.00	
CY Structure to be	e Ramovek	Each		30			30	160.00		
M Structure to be	th Commissed Straingle & Districtor, Type 1 Frame, Closed Lid				3		- 1	7,000.00	\$ 21,000.00	5
50 Mestificant Dept	oth Curren Barries, 4" Disameter, Type & Festine, Open 11d	Each	31				25	450.00		
	Busin Trap Anti Restrictor fainting Moustains	Each	1		-	5	9	59.00	5	1 2
53 Frames and Lid	di di	Lath	2			36	29 × 25			5 1,60
54 tolet Filters 55 Value Vault to I	he ditumbated	Each				4	7	200.00	\$ 600.00	5
56 Explanatory Exc	civation	HODE	224			13 1,048	382	25.60		3 1
	Doggo at of Regulated Substances	Foot	5,58	6,44	863		6,008	7.50	\$ 6,472.50	
55 Sidewall Remo	treal	5qFE	21,23	24,056		256	34,056	2.00	5 5,672.60	5 3,6
60 Omerway Pave 61 Pavement Res		Sara	76	1,850	1,150		1,255	15.09	\$ 17,250.00	5
iz Pavement flow	Rotal (flaconstruction)	Seprit	7,06			667	6,456	15.00 95.00		\$ 5,3
63 Perveznent Ass 64 Farth Excayotic		SqYd	1,70	3 1,547	-	156	3,547	45.00	\$.	5 7,0
ld (arth Exceptio	on (Special)	Cure				335	308	50,00		3 3,0
56 Underrut Exca	restion for Exphantenes, 3"	Culto	54			335	210	1.00	\$	3 3
68 Han-Mix Aspha	olt Surface Removal, Variable Depth	SqYd	2,02			203	2,623			5 3,6
69 Incidental Hot- In Class D Patche	Alth Anghair Eartain Respond	Selver Selver				275	-	110.90	5 .	\$ 30,7
71 Combination C	Costs sand Statter, Type 4-6.12 (Medified)	Foot	5,34			38	3,96£	25.00 35.00		5 13
77 Contrete Curt	n, Type 8 and Constrain Sistemath, 5"	Foel.	31,12				23,573	6.50	\$ 17,814.50	5
74 Datectable W	arrings	Soft	\$7	0 73:	1 161	31	731 715	25.00 55.00		\$ 1.5
75 Portland Ceme	esi Concrete Deiveway Paulment, 7" esi Concrete Deiveway Panement, 8"	SqYd		5 32	1	64	327	60,08	5 .	5 3,1
17 Portland Come	on Concrete Alley Pavement, 8"	SQYD	47	43	2	43	432 2,562			5 2,7
Portland Come	ers Concrete Poweness, 6" Bolisted) and Concrete State Course, 8"	SqYd		1,212	2 833		1,212	55.00	\$ 44,605.00	3
O Aggregate fixs	se Course, Type 6, 6"	Sqts	7,51	6,86		650	6,888 754	8.50 36.00		
StAggregate Bas	ie Course, Type B. B" round Stabilization	Sqttt		7,54	1 .	681	7,541	2.50	\$	\$ 1,
THE HOS-Silve Aspital	olt Levelina Binder Matthine Method), 1*	Ton	21	13		79	134			
M Hot-Mis Asph	ult Binder Courte, R. 19.0, NSO, (Parking Pavernett), 3* ult Binder Course, R. 19.0, NSO, 4*	Ton	1,03	79	9 -	240	799	76.50	\$.	5 18,
Mit Hist-Mis Asonu	alt Surface Course, Mix 0, MSO, 1"	Ton	95	2 61		1.40			14	5 11.
7 Hot-Min Alphi	alt - Longitutinal Joint Stofant pt-Mis Asphalt Pavement	Ton		0 1	1		11	350.00	\$ 358.00	3
5 incidental Her	- Mix Apphats Surfacing	Ton Gallor	31			791	245 680	3.50	\$	
IO Bisuminous M. IS White Was Co	faterials (Tack Cost) \$5-1 empaused	SeyYo	4,61	7	0	4,617		0.10	5 .	3
7 Toposil Flaces	ment, 4°	Serie	5,70	H 4,84		863 863			3 .	5 6.
S Sedang I Remove and II	Reset English Brick Pawers	Seft	37	5 59	5 -	16	359	10.00		
thermoplastic	C Pavement Marking - 1/nt 4"	Foot					2,907			
7 Thermoolastic	e Paverment Markey - Une B* Paverment Markey - Une 24"	Foot	31	4 35	4 6	3 .	36.0	16.00	3 640.00	\$
96 Pohearos Pave	emptot Morishag, Type 3 - Lion 52"	Foot			1 -	75	-	5,780,80		
Tree and firms	A Removal from June East Side of Brs Avenue a and Separation along Last Side of Sed Avenue	15		1	1 -		1 1	15,080.60	1	3
11 Sign Panel, Ty	po i	Seft.	1:	10 22 10 49			225 495			
D leieumping to	iteel Sign Support Rejected Laisting Light Park	Foot		3	4			2,750,00	5 3,750.00	5
04 Mahri Standara	al Aluminum, 25ft 34.7t, with Fore Tay LED turninging	Each			2	1 .	601			
85 Unit Duct, with	th 1-1/c a 6 & 1/C F & God, Solly (a. 1-7y List), 1° Dis February retail Part Top 15D Luminaire on Easting Later Parts	Facilities		1	3 -		3	2,600.00	1	5
0) Remove £xisti	ling Light Pele, the Salvage	Each			2 .		2			5
	of lighting System	I II		2	1 .	- :	1	95,000.00	3 -	5
Al fener to be for	emoved / Irjanued on School Street and Weitren Street	15			3 2.5	1	2.84	2580.00		
bri 11000 18 to m	Rejental Lenting Light Pole									

A4\$ Foce Removal and Replacement on S. Maywood Direc	LS	6	1 1	• 1	11	7,825.00	5	7,825.00	5 -
	G.	0	1 1	- 1	2	1,272.84	3	1,272.64	5
A5 Repaired Unmarked Water Service on 3rd Avenue			1 1		- 1	4,740.32	5	4,740.33	5
AG Downtime for Water Main Shutdown on S. Maywood Drive	L3.		1 1			CX19.35		4,819,35	
A7 Downtime White Village Attempted to Shut Off Water at 9th and Batzan	1.5.	0	4 -1	_	-:1	6,050,00		6,050.00	
AB 20' of 24' Stuctile Iron Casing Pipe with Spacers and End Seats on Status Drive	1.5.	0	1 1						-
Att Additional Work for Water Main Connection at 13th Avenue and Satasn Drive	LS.	6	1 1	- 1	- 1	4,358.12		4,390.12	2
A10 Additional Cost for Using #6 Wire to Match Existing Wire along Sutson Drive	Foet	6	608		605	1,75		3,664.00	\$.
A11 Reglace Damaged/Unmarked Unit Duct at 12th Avenue and Satzan Drive	LS	8	1 1	-	1	3,819.06	5	3,819.66	5 .
All Register Dismagen/Company Unit Out; 21 L216 Arteus and Sutana Order	LS.	0	1 1	-	1	804.52	3	854.52	5
A12 Additional Lighting Maintenance Transfer at 17th Avenue and Batton Orive			1 1		3	12,550.00	5	12,500.60	5
A 13 Additional Pavement Attennaties on 3rd Avenue and 5. Maywood Brise	LS.		1 1		90	50.68		4,900,00	
A14 Furnished Excavation in Pathway along 3rd Avenue	प्र					16,235,12		16,235.32	-
A157 Clean-Use of Village Let along 3rd Aveture	E.K.	D	1 1	-					
A 16 Temperary Hot Min Aughart Surface Course on Betran Drive	Ten	0	65 65		65	250.00		16,250.00	
AVI Japonir Guardral or 19th Avenue and Bassan Drive	LS	D	3 3		3	(615)	5	4,421.62	3

Total

Net Increase

196,496.15

392,255.65 \$

195,819,50

X.

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 NO. CO-2023-05

AN ORDINANCE APPROVING CHANGE ORDER NUMBER 2
TO THE CONSTRUCTION CONTRACT WITH TRIGGI CONSTRUCTION, INC.
FOR THE 2021 ALLEY, WATERMAIN AND ROADWAY IMPROVEMENTS PROJECT,
AND AUTHORIZING THE EXPENDITURE OF MADISON STREET / FIFTH AVENUE TIF DISTRICT FUNDS,
WATER SYSTEM AND GARBAGE ENTERPRISE FUNDS,
AND GENERAL CORPORATE FUNDS TO PAY FOR SUCH CHANGE ORDER WORK
(Change Order Dollar Amount: \$196,436.15)

which Ordinance was passed by a roll call vote of the Board of Trustees of the Village of Maywood at a Special Village Board Meeting on the 7th day of February, 2023, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 7th day of February, 2023.

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 8th day of February, 2023.

	Gwaine Dianne Williams, Village Clerk
[SEAL]	