

RESOLUTION NO. R2022-07

**A RESOLUTION APPROVING CHANGE ORDER NO. 1 TO
THE CONTRACT WITH BENCHMARK CONSTRUCTION CO., INC FOR
LAKEVIEW DRIVE AND RIVER OAKS DRIVE STORM SEWER PIPELINING**

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution authorizes the City to contract with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, on July 6, 2021 the City Council approved Resolution No. 2021-48, authorizing the City to enter into a contract ("**Contract**") with Benchmark Construction Co., Inc. ("**Contractor**") for certain storm sewer pipelining services ("**Work**"); and

WHEREAS, Resolution No. 2021-48 authorized the expenditure of an amount not to exceed \$203,000 for the completion of the Work; and

WHEREAS, upon commencing the Work, it was determined that it was necessary to add an additional 63 feet of 21-inch storm sewer pipe liner to the scope of work, which will increase the cost of the Project by \$7,560 ("**Updated Quantity**"); and

WHEREAS, the City and the Contractor desire to enter into Change Order No. 1 to the Contract ("**Change Order No. 1**") for the performance of the Project with the Updated Quantity for the total Contract price of \$210,560; and

WHEREAS, the City Council has determined that authorizing the Contractor to perform the Project with the Updated Quantity under the Contract pursuant to Change Order No. 1 is: (i) necessary to complete the Project; (iii) germane to the Contract in its original form as signed; and (iii) in the best interest of the City and authorized by law;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Resolution as if fully set forth in this Resolution.

SECTION 2: Approval of Change Order No. 1. The City Council hereby approves Change Order No. 1 in substantially the form attached to this Resolution as **Exhibit A**, and in a final form to be approved by the City Administrator.

SECTION 3: Authorization to Execute Change Order No. 1. The City Council hereby authorizes and directs the City Administrator to execute, on behalf of the City, Change Order No. 1.

SECTION 4: Effective Date. This resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

[Signatures and Voting Record on Following Page]

PASSED THIS ____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS ____ day of _____, 2022.

MAYOR

ATTEST:

CITY CLERK

EXHIBIT A
CHANGE ORDER NO. 1

