

**ORDINANCE NO. CO-2022-19**

**AN ORDINANCE APPROVING CHANGE ORDER NUMBER 1  
TO THE AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD  
AND J. NARDULLI CONCRETE, INC. FOR THE PERFORMANCE OF  
THE 2022 GREEN INFRASTRUCTURE ALLEY IMPROVEMENTS PROJECT  
(Reducing the Original Contract Price and  
Increasing the Village's Matching Share of the Project Costs)**

**WHEREAS**, on July 13, 2022, the Corporate Authorities of the Village of Maywood ("Village") adopted Resolution No. R-2022-32 approving a Construction Services Agreement with J. Nardulli Concrete, Inc. of Cicero, Illinois (the "Contractor") relative to the performance of construction activities, including the construction of three (3) green alleys at the following locations within the Village: Alley No. 313 – "T" Alley bounded by 20th Avenue, 19th Avenue, Washington Boulevard, and Randolph Street; Alley No. 415 – North-South Alley between 12th Avenue, 11th Avenue, Washington Boulevard, and Randolph Street; and Alley No. 432 – North-South Alley between 16th Avenue, 15th Avenue, Madison Street, and Warren Street (the "Project") (the "Project Contract"). The total Project cost set forth in the Project Contract was a "not-to-exceed" price of \$753,762.50 (the "Contract Price"). A copy of the Project Contract is incorporated herein by reference and made a part hereof; and

**WHEREAS**, after the start of the Project, it was determined that certain soils to be removed as part of the Project will require special soil management, which was not anticipated since the alleys abut residential properties, and which will increase the Village's share of the Project cost. Because the Contractor will be required to perform additional special waste soil disposal activities that were not contemplated in the original Project Contract, a change order is necessary. To minimize the increased Project costs, the Village Engineer recommends that the Alley No. 313 work ("T" Alley bounded by 20th Avenue, 19th Avenue, Washington Boulevard, and Randolph Street) be removed from the Project. Alley No. 313 would be completed at a later date under a new competitively bid contract, because all of the proposed excavated soils for this Alley are classified as special waste soil requiring the higher cost of disposal. With Alley No. 313 work removed from the Project and the increased costs associated with special waste soil disposal for Alley No. 415 and Alley No. 432, the Village Engineer has estimated the cost of the additional construction activities to complete the Project produces a net low to high change order range of \$34,612.23 to \$153,108.23 for the Village's share of the matching Project costs. Based on the Village Engineer's estimate, Change Order Number 1 to the Project Contract has been prepared to provide for a new total Project Contract amount of \$738,619.25 (a reduction of \$15,143.25) and an increase in the Village's matching share of the Project Costs of \$379,236.98 (an increase of \$153,108.23). 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 \$753,762.50 shall be decreased to \$738,619.25 (the "Amended Project Contract Price"); and

**WHEREAS**, the sources of funding for the Project as originally contemplated consist of seventy percent (70%) funding of construction of the Project through the Green Infrastructure Program of the MWRD with Grant Funds in the amount of \$527,633.75, with the remaining thirty percent (30%) of \$226,128.75 to be funded through the Village's General Fund. The estimated additional construction costs of Change Order No. 1 (\$153,108.23) will be 100% Village funded as part of its matching contribution; and

**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**, 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 Project Contract was signed; (b) is (are) germane to the Project 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 to authorize the payment of the Amended Project Contract Price amount of \$738,619.25 (a reduction of \$15,143.25) and the Village's increased matching share of the Project Costs of \$379,236.98 (an increase of \$153,108.23) payable to 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 20th day of September, 2022, pursuant to a roll call vote as follows:

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

**NAYS: None**

**ABSENT: None**

**APPROVED** by me as Village President, and attested to by the Village Clerk, on the 20th day of September, 2022.

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Nathaniel George Booker, Village President

**ATTEST:**

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Gwaine Dianne Williams, Village Clerk

Published in pamphlet form this 21<sup>st</sup> day of September, 2022.

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Gwaine Dianne Williams, Village Clerk

**Exhibit "A"**

**Change Order Number 1**

(attached)

# CHANGE ORDER

Change Order No. 1  
Date: September 9, 2022

**Name of Project:** Village of Maywood  
2022 Green Infrastructure Alley Improvements

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

**Contractor:** J. Nardulli Concrete, Inc.  
3517 S. 60<sup>th</sup> 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	DEDUCTION
1A	Non Special Waste Disposal	2,448 CUYD	\$92.00/ CUYD	\$225,216.00	
2A	Various Contract Pay Items (See attachment "A")				\$240,359.25
	TOTALS			\$225,216.00	\$240,359.25
	NET CHANGE				(\$15,143.25)

Location and reasons for the change: Environmental Soil Testing results are unsuitable for local landfill Clean Construction or Demolition Debris (CCDD) Fill Operations per Illinois Environmental Protection Agency (IEPA) requirements. Soil will need to be hauled and disposed of at a special facility.

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

Original CONTRACT PRICE \$ 753,762.50

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

The CONTRACT PRICE due to this CHANGE ORDER will be (~~increased~~)(decreased) by: \$ 15,143.25

The CHANGE ORDER will result in a net:

(~~increase~~)(decrease) to Original CONTRACT PRICE of 2.01% to date.

(~~increase~~)(decrease) to Current CONTRACT PRICE of 2.01%.

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 738,619.25

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

The date for completion of all work will be December 3, 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)

By \_\_\_\_\_

Attested by: \_\_\_\_\_

Nathaniel George Booker, President

Gwiane Dianne Williams, Clerk

2022 MWRD Green Infrastructure Alley Improvements

Owner: Village of Maywood  
 Contractor: J Nardulli Concrete, Inc.  
 Engineer: Hancock Engineering Co.  
 Change Order No. 1  
 Date: September 9, 2022

ATTACHMENT "A" - REVISION TO ORIGINAL CONTRACT PAY ITEMS

No.	Item	Unit	Bid Quantity	Adjusted Quantity	Additional Quantity	Deleted Quantity	Unit Price	Amount
1	Combination Curb & Gutter Removal	Foot	425	245	-	180	\$ 6.50	\$ 1,592.50
2	Sidewalk Removal	SqFt	1,000	400	-	600	2.00	\$ 800.00
3	Garage Apron Removal	SqYd	355	195	-	160	14.50	\$ 2,827.50
4	Pavement Removal	SqYd	250	135	-	115	16.00	\$ 2,160.00
5	Incidental HMA Surface Removal	SqYd	80	41	-	39	25.00	\$ 1,025.00
6	Earth Excavation for Alley Pavement	CuYd	2,700	1,905	-	795	45.00	\$ 85,725.00
7	Earth Excavation (Special)	CuYd	350	215	-	135	45.00	\$ 9,675.00
8	Trench Backfill	CuYd	300	290	-	10	45.00	\$ 13,050.00
9	Frames and Lids to be Adjusted	Each	1	-	-	1	1,500.00	\$ -
10	Structure to be Reconstructed	Each	2	-	-	2	3,500.00	\$ -
11	Rest. Depth CB, 4' Dia., Type 1 Frame, Open Lid	Each	4	3	-	1	4,700.00	\$ 14,100.00
12	Type 1 Frame and Lid	Each	3	-	-	3	500.00	\$ -
13	8" Diameter, PVC Sewer Pipe	Foot	655	640	-	15	90.00	\$ 57,600.00
14	Connection to Existing Sewer	Each	2	2	-	-	2,525.00	\$ 5,050.00
15	Connection to Existing Structure	Each	1	-	-	1	2,100.00	\$ -
16	Inlet Filters	Each	4	3	-	1	100.00	\$ 300.00
17	Inline Check Valve, 8"	Each	3	2	-	1	3,500.00	\$ 7,000.00
18	Concrete Curb, Type B	Foot	200	125	-	75	35.00	\$ 4,375.00
19	Comb CC&G, Type B-6.12 (Modified)	Foot	480	245	-	235	32.00	\$ 7,840.00
20	PCC Sidewalk, 5"	SqFt	1,400	650	-	750	7.00	\$ 4,550.00
21	PCC Garage Apron, 7"	SqYd	800	500	-	300	65.00	\$ 32,500.00
22	Detectable Warnings	SqFt	130	54	-	76	30.00	\$ 1,620.00
23	PCC Alley Pavement, 8"	SqYd	1,875	1,131	-	744	69.00	\$ 78,039.00
24	PCC Base Course, 8"	SqYd	40	40	-	-	60.00	\$ 2,400.00
25	PCC Alley Return, 8"	SqYd	185	90	-	95	64.00	\$ 5,760.00
26	Deformed Tie Bars	Each	20	20	-	-	10.00	\$ 200.00
27	Edge Grade Adjustment	Foot	80	80	-	-	10.00	\$ 800.00
28	Clay Check Dam	Each	6	3	-	3	950.00	\$ 2,850.00
29	Permeable Brick Pavers	SqFt	5,825	3,400	-	2,425	12.70	\$ 43,180.00
30	Incidental HMA Surfacing	SqYd	800	525	-	275	30.00	\$ 15,750.00
31	Waterproof Liner	SqFt	4,000	2,950	-	1,050	2.10	\$ 6,195.00
32	Geogrid for Ground Stabilization	SqYd	2,500	1,440	-	1,060	2.75	\$ 3,960.00
33	Filter Fabric	SqYd	2,600	2,600	-	-	5.00	\$ 13,000.00
34	Aggregate Base Course, CA-7.6"	SqYd	2,500	1,465	-	1,035	9.75	\$ 14,283.75
35	Aggregate Base Course, CA-1	CuYd	1,350	1,200	-	150	40.00	\$ 48,000.00
36	Aggregate Base Course, Type B, 9"	SqYd	500	500	-	-	10.50	\$ 5,250.00
37	Topsoil Placement, 3"	SqYd	100	100	-	-	12.00	\$ 1,200.00
38	Sodding	SqYd	100	100	-	-	7.00	\$ 700.00
39	Supplemental Watering	Unit	5	5	-	-	1.00	\$ 5.00
40	Tree Removal	In-Dia.	115	45	-	70	26.00	\$ 1,170.00
41	Fence to be Reset	Foot	110	75	-	35	25.00	\$ 1,875.00
42	Observation Well	Each	3	2	-	1	1,950.00	\$ 3,900.00
43	Informational Signage	Each	3	2	-	1	275.00	\$ 550.00
44	Construction Video	Unit	6	4	-	2	180.00	\$ 720.00
45	Traffic Control and Protection	LS	1	0.67	-	0.33	17,650.00	\$ 11,825.50

Total \$ 513,403.25  
 As-Bid Total \$ 753,762.50  
 Net Change in Contract Price \$ (240,359.25)

STATE OF ILLINOIS     )  
                                  ) SS.  
COUNTY OF COOK     )

**CLERK’S CERTIFICATE**

I, Gwaine Dianne Williams, Clerk of the Village of Maywood, Cook County, Illinois, certify that the attached document is a true and correct copy of the Ordinance now on file in my office, entitled:

**ORDINANCE NO. CO-2022-19**

**AN ORDINANCE APPROVING CHANGE ORDER NUMBER 1  
TO THE AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD  
AND J. NARDULLI CONCRETE, INC. FOR THE PERFORMANCE OF  
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which was passed by a roll call vote of the Board of Trustees of the Village of Maywood at a Special Meeting of the Board of Trustees held on the 20th day of September, 2022, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 20th day of September, 2022.

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

- AYES:** Mayor Booker, Trustee(s) A. Sanchez, S. Reyes-Plummer, M. Jones, M. Lightford, A. Peppers and I. Brandon
- NAYS:** None
- ABSENT:** None

I do further certify that the original Ordinance, of which the attached 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 21<sup>st</sup> day of September, 2022.

\_\_\_\_\_  
Gwaine Dianne Williams, Village Clerk

SEAL