

**A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT NO. 352 WITH
DUKANE ASPHALT COMPANY FOR ASPHALT MATERIALS TO BE PURCHASED ON AN AS
NEEDED BASIS AT THE PRICING SET FORTH IN DUKANE ASPHALT COMPANY'S COST PROPOSAL**

WHEREAS, the City of Wheaton, Illinois, ("City") is an Illinois home rule municipality pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution of 1970; and as such the City may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the City prepared a bid package (Bid Number 22-199) for Asphalt Materials; and

WHEREAS, the City solicited bids in a public bidding process and bids were publicly opened and read on January 18, 2023, at 11:15 AM and DuKane Asphalt Company was determined to be the lowest, responsive, responsible bidder; and

WHEREAS, the City budgeted funds in multiple accounts (General, Capital Projects, Water, Sanitary Sewer, and Storm Sewer Funds) for a total amount of \$497,250; and

WHEREAS, the budgeted amount for asphalt materials and reserves can only be estimated based on a myriad of variables that can affect the City's needs which in turn requires expenditure flexibility to accommodate those variables, in meeting the essential need of the Public Works department; and

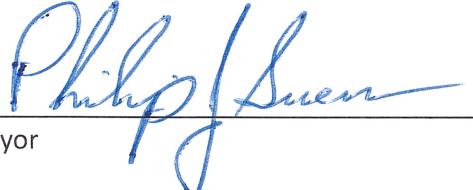
WHEREAS, both parties agree to the terms and conditions, and pricing set forth in the bid proposal and the agreement contained in the City's bid package for Asphalt Materials; and

WHEREAS, the corporate authorities of the City of Wheaton, DuPage County, Illinois find it reasonable and appropriate to enter into an agreement with DuKane Asphalt Company for Asphalt Materials.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois, that:

The Mayor is hereby authorized to execute, and the City Clerk is hereby directed to attest to City of Wheaton Agreement No. 352 with DuKane Asphalt Company for Asphalt Materials: a copy of that Agreement is on file with the City Clerk's office, and which is incorporated herein as if fully set forth as Exhibit A.

ADOPTED this 21st day of February 2023.


Philip J. Suer
Mayor

ATTEST:


Andrea Rosedale
City Clerk

Roll Call Vote:

Ayes: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Nays: None
Absent: None

Motion Carried Unanimously