

RESOLUTION R-2024-44

**A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER #2 TO AGREEMENT NO. 384 WITH
HERLIHY MID-CONTINENT COMPANY FOR ADDITIONAL SERVICES FOR THE CREEKSIDER DRIVE BRIDGE
REPAIRS PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$106,157.35**

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, on June 19, 2023, the City Council approved Resolution No. R-2023-50 authorizing the City to enter into Agreement No. 384 with Herlihy Mid-Continent Company ("Herlihy") for the Creekside Drive Bridge Repairs project in the amount of \$1,343,159.23; and

WHEREAS, on February 2, 2024, Change Order #1 increased the total of Agreement No. 384 by \$15,264, bringing the total agreement amount to \$1,358,423.23; and

WHEREAS, during construction unexpected field conditions requiring additional concrete on the tub girders, increase the length of piles, and relocating the proposed watermain due to an abandoned utility encased on concrete not identified during design were discovered that required corrective action to avoid costly delays therefore staff requested a cost estimate from Herlihy to complete the additional work; and

WHEREAS, Herlihy provided the City with a cost estimate in the amount of \$106,157.35 to perform the additional work; and

WHEREAS, staff evaluated the cost estimate and deemed it to be reasonable and consistent with unit costs submitted at the time of bid and instructed Herlihy to perform the additional work; and

WHEREAS, Change Order #2 will increase the amount of Agreement No. 384 by \$106,157.35, bringing the total agreement amount to \$1,464,580.58; and

WHEREAS, there are reserves available in the Capital Projects Fund to accommodate the additional cost of \$106,157.35 for added services for the Creekside Drive Bridge Repairs Project; and

WHEREAS, the corporate authorities of the City of Wheaton, DuPage County, Illinois find it reasonable and appropriate to enter into Change Order #2 to Agreement No. 384 with Herlihy Mid-Continent Company located at 1306 Marquette Drive, Romeoville, Illinois 60446 for Additional Work for the Creekside Drive Bridge Repairs Project for a total amount not to exceed \$106,157.35.

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 Change Order #2 to Agreement No. 384 with Herlihy Mid-Continent Company for Additional Work for the Creekside Drive Bridge Repairs Project; and that a copy of that certain City of Wheaton Change Order #2 to Agreement No. 384 is on file in the City Clerk's Office and is incorporated herein as if fully set forth as Exhibit A.

ADOPTED this 20th day of May 2024.

Philip Suess
Mayor

ATTEST:

Andrea Rosedale

City Clerk

Roll Call Vote:

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

Nays: None
Absent: None
Motion Carried Unanimously