

## **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 CREEKSIDE 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 fully set forth as Exhibit A.

**ADOPTED** this 20<sup>th</sup> day of May 2024.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
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
	<u>Motion Carried Unanimously</u>