

RESOLUTION R-2025-01

A RESOLUTION RATIFYING THE CITY MANAGER'S CHANGE ORDER AND AUTHORIZING THE EXECUTION OF CHANGE ORDER #2 TO AGREEMENT NO. 484 WITH ALLIANCE CONTRACTORS, INC. FOR THE COLE AVENUE RETAINING WALL REPLACEMENT PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$14,989.60 AND A TOTAL AWARD OF \$108,373.10

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 September 16, 2024, the City Council approved Resolution No. R-2024-81 authorizing the City to enter into Agreement No. 484 with Alliance Contractors, Inc. for the Cole Avenue Retaining Wall Replacement project in the amount of \$91,883.50 and a 5% contingency (\$4,594.18); and

WHEREAS, on October 29, 2024, the City Manager approved Change Order #1 in the amount of \$1,500.00, which was within the approved contingency amount; and

WHEREAS, during construction, City staff encountered unforeseen challenges that increased project costs which were discussed with the City Manager in accordance with the City's Procurement Policy; and

WHEREAS, given the urgency of the construction timeline and that the changes were due to unforeseen conditions rather than an increase in project scope, the City Manager approved the necessary Change Order #2 in the amount of \$14,989.60 to widen the retaining wall to meet required soil retention standards. The amount of this change order exceeds the approved contingency; and

WHEREAS, the Procurement Policy allows the City Manager to approve change orders in this case when it is determined to be in the best interest of the public and the project, provided the decision is based on the recommendation of the project manager and the alternative would risk unacceptable delays or higher costs, followed by the City Council formally ratifying the change order; and


WHEREAS, the City budgeted funds in the Capital Projects Fund in the amount of \$100,000.00 for the Cole Avenue Retaining Wall Replacement project and the total final cost of the project is \$108,373.10, which is \$8,373.10 over budget. Reserves are available in the Capital Projects Fund to accommodate the additional cost; and

WHEREAS, the corporate authorities of the City of Wheaton, DuPage County, Illinois find it reasonable and appropriate to ratify the City Manager's approval of the change order and to enter into Change Order #2 to Agreement No. 484 with Alliance Contractors, Inc. located at 1166 Lake Avenue, Woodstock, Illinois 60098 for Additional Work for the Cole Avenue Retaining Wall Replacement project in the amount of \$14,989.60 and a total award of \$108,373.10.

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

The approval by the City Manager of the previous change order is hereby approved, ratified and confirmed; and 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. 484 with Alliance Contractors, Inc. for Additional Work for the Cole Avenue Retaining Wall Replacement project; and that a copy of that certain City of Wheaton Change Order #2 to Agreement No. 484 is on file in the City Clerk's Office and is incorporated herein as if fully set forth as Exhibit A.

ADOPTED this 6th day of January 2025.



Mayor

ATTEST:



City Clerk

Roll Call Vote:

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

Nays: None

Absent: None

Motion Carried Unanimously