

**RESOLUTION R-2025-02**

**A RESOLUTION RATIFYING THE CITY MANAGER'S CHANGE ORDERS AND AUTHORIZING THE EXECUTION OF CHANGE ORDER #11 AND CHANGE ORDER #12 TO AGREEMENT NO. 482 WITH TRIGGI CONSTRUCTION, INC. FOR THE 2024 FALL SIDEWALK PROGRAM FOR A TOTAL AMOUNT NOT TO EXCEED \$76,843.02 AND A TOTAL AWARD OF \$1,191,377.75**

**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 August 19, 2024, the City Council approved Resolution No. R-2024-72 authorizing the City to enter into Agreement No. 482 with Triggi Construction, Inc. for the 2024 Fall Sidewalk Program in the amount of \$1,062,956.25 and a 5% contingency (\$53,147.81); and

**WHEREAS**, to date the City Manager has approved Change Orders #1 through #10 for a total amount of \$51,578.48, 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 #11 in the amount of \$57,825.00 and Change Order #12 in the amount of \$19,018.02 for a total amount of \$76,843.02 which 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 \$1,500,000.00 for the 2024 Fall Sidewalk Program and the total final cost of the project is \$1,191,377.75; 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 orders and to enter into Change Order #11 and Change Order #12 to Agreement No. 482 with Triggi Construction, Inc. located at 1975 Powis Rd., West Chicago, Illinois 60186 for Additional Work for the 2024 Fall Sidewalk Program in the amount of \$76,843.02 and a total award of \$1,191,377.75.

**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 orders 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 #11 and Change Order #12 to Agreement No. 482 with Triggi Construction, Inc. for Additional Work for the 2024 Fall Sidewalk Program; and that a copy of that certain

City of Wheaton Change Order #11 and Change Order #12 to Agreement No. 482 is on file in the City Clerk's Office and is incorporated herein as if fully set forth as Exhibit A.

**ADOPTED** this 6<sup>th</sup> day of January 2025.

Philip J. Suess  
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Mayor

ATTEST:

Andrea Rosedale  
\_\_\_\_\_  
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