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A RESOLUTION AUTHORIZING THREE (3) CHANGE ORDERS IN REGARD TO THE DOWNTOWN MAIN STREET PARKING DECK CONTRACT WITH WALSH CONSTRUCTION COMPANY II, LLC

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WHEREAS, pursuant to Illinois Compiled Statutes, Chapter 720, Article 5, 33E-9, units of local government are required to make specific findings prior to authorizing any change order relative to a contract which would increase or decrease the dollar amount of the contract by \$10,000.00 or more, or would extend or shorten the time in which the contract is to be completed by thirty (30) days or more; and

WHEREAS, Village staff has presented and recommended the proposed change orders to the contract between the Village and Walsh Construction Company II, LLC, attached hereto as Exhibits "A", "B" and "C", and made a part hereof, to the Board of Trustees of the Village; and

WHEREAS, the proposed change orders are for:

- a. Change Order No. 1 (Exhibit "A"): Soil removal, the total cost of which is \$118,157.00;
- b. Change Order No. 2 (Exhibit "B"): Commercial space utilities, the total cost of which is \$21,903.00; and
- c. Change Order No. 3 (Exhibit "C"): Fire hydrant relocation, the total cost of which is \$24,965.00;

and

WHEREAS, each of the said three (3) change orders increases the dollar amount of the contract by \$10,000.00 or more.

NOW, THEREFORE, Be It Resolved by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

After reviewing the explanation of Village staff as to the necessity of and reasons for the change orders attached hereto as Exhibits "A", "B" and "C", the President and Board of Trustees find as follows:

- A. That the circumstances which necessitated said change orders were not reasonably foreseeable at the time the contract was signed.
- B. The changes are germane to the original contract as signed.

C. That it is in the best interests of the Village to approve the change orders and such change orders are authorized by law.

SECTION 2

Having made the findings set forth in Section 1 above, the President and Board of Trustees hereby approve the change orders attached hereto as Exhibits "A", "B" and "C", and direct and authorize the Village Manager to execute said change orders on behalf of the Village.

SECTION 3

This Resolution shall be in full force and effect upon its adoption as provided by law.

EXHIBIT A

Change Order #1: Soil Removal

Due to immediate requirements associated with the pending crane installation and the staging onsite of the precast panels, it is critical to remove a portion of the existing soil (2,800CY, or 267 truckloads). This work is currently assigned to Leopardo as part of their forthcoming roadway and parking lot work (the contract is still under review), but timing is of the essence and it is critical to create more space on the job site immediately. The total cost of this Change Order is \$118,157, which will ultimately be deducted from the Leopardo contract. It is estimated that approximately 5,000CY of soil will still need to be removed at a later date, with the obligation to manage this activity remaining with Leopardo under the terms of their contract.

EXHIBIT B

Change Order #2: Commercial Space Utilities

Following the award of the contract to Walsh, the village finalized the right-of-way design for the areas immediately abutting the parking deck structure. With this formal information in hand, the Village was able to design the sanitary and water connections from the public system to the tucked-in commercial shell space on the north side of the facility. These utilities are sized to accommodate a restaurant use and an independent fire suppression system. Walsh can thus modify the foundations to accommodate these connections and physically bring these utilities into the commercial space, where they will be stubbed for future connection. The total cost of this Change Order is \$21,903, the value of which will be factored into any deal terms between the village and a future tenant.

EXHIBIT C

Change Order #3: Fire Hydrant Relocation

An existing fire hydrant on Ravinia Avenue near 143rd Street was designed out and physically removed during the site prep phase due to space constraints and the high risk of damage during excavation activities. The intent was not to reinstall the element. Following the construction of the western foundation of the parking deck structure, it was determined that the remaining space in that area could accommodate the fire hydrant. The total cost of this Change Order is \$24,965 and the reinstallation of the fire hydrant in generally the same area will preserve the previous coverage conditions.