

ORDINANCE 2025-34

**ORDINANCE APPROVING A CHANGE ORDER NUMBER 1 FOR
PROFESSIONAL ENGINEERING SERVICES FOR BAXTER AND
WOODMAN INC., BY DECREASING THE CONTRACT PRICE BY
\$28,833.94 FOR A TOTAL CONTRACT AMOUNT OF \$270,346.06**

Dated: This 22nd day of April, 2025

**Published in Pamphlet Form by Authority
of the
President and Board of Trustees
Village of Niles**

ORDINANCE 2025-34

ORDINANCE APPROVING A CHANGE ORDER NUMBER 1 FOR PROFESSIONAL ENGINEERING SERVICES FOR BAXTER AND WOODMAN INC., BY DECREASING THE CONTRACT PRICE BY \$41,144.37 FOR A TOTAL CONTRACT AMOUNT OF \$16,255.63

WHEREAS, the Village President and Board of Trustees (hereinafter collectively referred to as the “Village Board”) of the Village of Niles, Cook County, Illinois (hereinafter the “Village”), find that the Village is a Home Rule Municipal Corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois and pursuant to said Constitutional Authority, may exercise and perform any function pertaining to its governmental affairs; and

WHEREAS, On June 28, 2022, the Village Board approved a contract for part-time construction engineering for the replacement of mast arms for the Milwaukee Avenue Street Lighting Project, which was needed for replacement of defective mast arms due to a manufacturing defect (“Project”); and

WHEREAS, mast arms have been replaced and all associated costs related to the extra inspections have been reimbursed by the general contractor, with a final price decreased by \$41,144.37 for a total contract amount of \$16,255.63 (the “Amended Contract Price”); and

WHEREAS, the Corporate Authorities of the Village agree to authorize and approve the Amended Contract Price by approving Change Order Number 1 for the Project; and

WHEREAS, based on the recommendation of the Public Works Director, the Corporate Authorities of the Village make the following findings and determinations in accordance with the Illinois Compiled Statutes, Chapter 720, Section 5/33E-9 regarding changes to the Contract:

1. The change order (or series of change orders) recommended in Exhibit "A", which is attached hereto and made a part hereof, increases the contract sum by \$10,000.00 or more.
2. The change order (or series of change orders): is made necessary by circumstances not foreseeable at the time the Contract was signed; is germane to the Contract as originally signed; and is in the best interests of the Village.

In addition, the Corporate Authorities of the Village make the following finding and determination pursuant to Section 5 of the Public Works Contract Change Order Act (50 ILCS 525/5): the amount of the Change Order (or series of change orders) does not increase the original contract price by 50% or more of the original contract price and thus the Village is not obligated to re-bid the additional work proposed under the Change Order.

NOW, THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, as follows:

SECTION 1: Each Whereas paragraph set forth above is incorporated by reference into this Section 1.

SECTION 2: The Corporate Authorities of the Village of Niles approve Change Order Number 1 for Professional Engineering Services for Baxter and Woodman Inc., by Decreasing the Contract Price by \$41,144.37 for a Total Contract Amount of \$16,255.63, a copy of which is attached hereto as Exhibit "A".


SECTION 3: The Corporate Authorities of the Village of Niles authorize and direct the Village President, the Village Clerk, the Village Treasurer, the Village Manager and the Public Works Director, or their designees, to execute, process and deliver the necessary checks, wire transactions, change order documents and such other instruments necessary to comply with the authorization and direction set forth in this Ordinance.

SECTION 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in the manner provided by law.

PASSED:	This 22 nd day of April 2025
YEAS:	6 Alpogianis, Jekot, Matyas, Niedermaier, Strzelecki, Warda
NAYS:	0
ABSENT:	1 Dubiel
ABSTAIN:	0

APPROVED by me this 22nd day of April 2025.



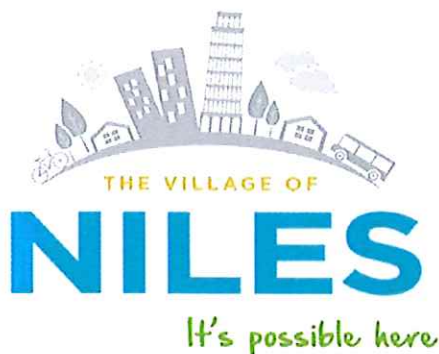
President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 22nd day of April 2025 and published in pamphlet form as provided by law in the Village of Niles, Illinois.



Village Clerk

Exhibit "A"
Change Order Number 1
(attached)



Ordinance 2025-34
Exhibit "A"

CHANGE ORDER #: 1

VENDOR #: 1251 DEPARTMENT: Public Works
NAME: Baxter and Woodman, Inc. DATE: 4/22/25
ADDRESS: 8678 Ridgfield Rd P.O. #: 213108
Crystal Lake, IL 60012 P.O. AMOUNT: \$ 299,230.00

Previous Change Order Amounts: \$ 0.00

This Change Order Amount: -\$ 28,883.94

Purchase Order Amount with all Approved Change Orders: \$ 270,346.06

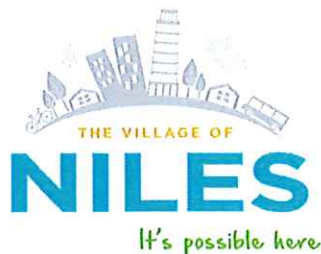
Org: 30040 Object: 580110

Reason for Change Order:

This item is required to remain in compliance with the Change Order Statute (720 ILCS5/33E-9), the Public Works Contract Change Order Act (50 ILCS 525/5) and the Niles Purchasing Manual. Reduction in contract value. The consultant resident engineer was needed during the construction portion of the contract. Village staff was able to perform portions of the work as available and thus the full contract amount was not needed.

Requested by: Timothy O'Brien, Village Engineer Date: 3/30/25

Mail Invoices to:
Village of Niles
 Accounts Payable
 1000 Civic Center Drive
 Niles, IL 60714
 847-588-8000
 or email at
AccountsPayable@vniles.com



Purchase Order

Fiscal Year 2021

Page: 1 of: 1

THIS NUMBER MUST APPEAR ON ALL INVOICES,
 PACKAGES AND SHIPPING PAPERS.

Purchase Order # **213108**

TAX EXEMPT No. E9998-1459-07 F.I.N. 36-6006016

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Baxter And Woodman, Inc.
 8678 Ridgefield Rd
 Crystal Lake, IL 60012

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NILES PUBLIC SERVICES
 6849 TOUHY AVENUE
 NILES, IL 60714
 Phone: 847-588-7900

Vendor Phone Number		Vendor Email		Vendor Number		Delivery Reference			
630-773-1870				1251					
P.O. Date	Requisition Number	Requested by		Freight Method/Terms			Department/Location		
08/19/2020	216344	Vinezeano, Steve					Public Works		
Item#	Description/PartNo				QTY	UOM	Unit Price	Extended Price	
	Street Lighting Construction Engineering IL21 IL4								
1	Street Lighting Construction Engineering for IL 21 (Milwaukee Avenue) and IL 43 (Waukegan Rd) per Resolution 2020-54R and as approved by the Board of Trustees at the Village Board Meeting on 7/28/20. GL Account: 30040 - 580110				1.0	EACH	\$299,230.00	\$299,230.00	
	\$299,230.00								

By: Susan Bus
 Purchasing Agent

Total Ext. Price	\$299,230.00
Total Sales Tax	\$0.00
Total Freight	\$0.00
Total Discount	\$0.00
Total Credit	\$0.00
PO Total	\$299,230.00