

RESOLUTION NUMBER 49 -09

**A RESOLUTION APPROVING CONTRACT
CHANGE ORDER AND FINALIZATION OF WATER WELL
SOLUTIONS CONTRACT**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Village of East Dundee has entered into a contract with Water Well Solutions for the drilling of the Shallow Well on December 17, 2007; and

WHEREAS, the drilling wells #5 & #6 is complete. There were significant complications during the contract that involved the failure of the drilling of the shallow well and the changing of sub-contractors. As part of the finalization of the contract, Water Well Solutions has asked for a final change order. The change order request was for \$11,500. After a review, a reduction of the change order was requested and Water Well Solutions ultimately agreed to a reduction to \$6,637.00. Intangible items such as mobilization and labor or professional services were removed and the remaining items were all received by the Village as part of the well drilling such as casing, gravel pack, and drilling; and

WHEREAS, said change order for the finalization of the Water Well Solutions Contract for the cost of \$6,637.00 has been recommended for approval by the Department of Public Works of the Village of East Dundee; and

WHEREAS, the new contract price, will be in addition to the Original Contracted amount with Water Well Solutions.

WHEREAS, it is deemed necessary and desirable for the Village of East Dundee to approve the Change Order with Water Well Solutions in the total amount of \$6,637.00.

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the Village of East Dundee adopts and approves and the President be and he is hereby authorized and directed to sign and the Village Clerk is directed to attest to the execution of the change order submitted by Water Well Solutions. A copy of the contract entered into between the Village of East Dundee and Water Well Solutions, which is attached hereto and incorporated herein.

Section Two. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section Three. Repeal. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section Four. Publication. This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 16th day of November, 2009, pursuant to a roll call vote as follows:

AYES: 7 - Trustees Ruffalo, Gorman, Zynam, Miller, Cichowski, VanOstenbridge
President Bartels

NAYES: 0

ABSENT: 0

Approved by me this 16th day of November, 2009.

Jerald Bartels

Jerald Bartels, Village President

Published in pamphlet form this 18th day of November, 2009, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg
Jennifer Rehberg, Village Clerk

Recorded in the Village Records on November 18th, 2009.

