

RESOLUTION NO. _____

**A RESOLUTION APPROVING AN AMENDMENT TO THE TO THE CONSTRUCTION
AGREEMENT BY AND BETWEEN THE CITY OF CREST HILL, WILL COUNTY,
ILLINOIS AND M & J UNDERGROUND, INC. FOR CATON FARM ROAD WATER
MAIN EXTENSION**

WHEREAS, the Corporate Authorities of the City of Crest Hill, Will County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to the City's government and affairs and protect the public health and, safety, and welfare of its citizens; and

WHEREAS, pursuant to Section 2-2-12 of the Illinois Municipal Code (65 ILCS 5/2-2-12), the City Council possesses the authority to enter into contracts that serve the legitimate corporate purposes of the City; and

WHEREAS, M.J Underground, Inc. (the "COMPANY"), is an entity that is in the business of providing Construction Services and on September 15, 2025, the City of Crest Hill, by the passage of Resolution 1345, was awarded the contract to perform the Caton Farm Road Water Main Extension. (the "Project") in the amount of \$724,836.00; and

WHEREAS, the City, through its Engineer and Attorney, has been attempting to secure a permanent Public Utility Easement across certain parcels along the construction route for the Project and has been unsuccessful in obtaining a New Public Utility Easement across the property located at 1101 Caton Farm Road; and

WHEREAS, the Company is scheduled to install the section of water main at the 1101 Caton Farm Road parcel, and the Project is now in jeopardy of being delayed until the new Public Utility Easement can be secured; and

WHEREAS, it is uncertain when, if at all, the new Public Utility Easement will be secured; and

WHEREAS, delays in proceeding will be costly to the City; and

WHEREAS, the City's Engineer and consultants have determined that to avoid the need for the new Public Utility Easement across the 1101 Caton Farm Road property, the new water main can be installed approximately five (5) feet north of the currently planned location so as to be within the City's current Public Utility Easement; and

WHEREAS, due to the current location of Commonwealth Edison power poles in the right-of-way, this solution will require the Company to use a directional drilling method of installation rather than the open cut method which was used for the original bid and the awarded contract; and

WHEREAS, directional drilling is costlier than open cut, the City's staff and the Company have negotiated an amendment (Change Order) to the original contract which will increase the total amount of the contract by \$51,038.88 to a total of \$775,874.88, which Change Order is attached hereto as Exhibit A and incorporated herein; and

WHEREAS, the City Council has determined that it is in the best interests of the City and its residents to approve the Change Order and amendment to the total contract price to avoid delays and keep the project on schedule; and

WHEREAS, City Staff and the City Council have reviewed Exhibit A and determined that the conditions, terms, and provisions are fair, reasonable, and acceptable to the City and that the Contract approved by Resolution #1345 should be amended to include the Change Order attached as Exhibit A

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crest Hill, Illinois, pursuant to its statutory authority, as follows:

SECTION 1: PREAMBLE. The City Council hereby finds that all the recitals contained in the preamble to this Resolution are true, correct and complete and are hereby incorporated by reference hereto and made part hereof.

SECTION 2: AGREEMENT APPROVED. The City Council hereby finds and declares that the conditions, terms, and provisions of the Change Order to the Contract approved by Resolution #1345, which Change Order is attached as (Exhibit A in the amount of \$51,038.88 are fair, reasonable, and acceptable to the City and that the same is hereby approved in form and substance. Therefore, the City Council hereby authorizes and directs the Mayor to execute and deliver, and the Clerk to attest, the Change Order, and further to take any and all other actions, including without limitation the execution and delivery of any and all documents, necessary and appropriate to effectuate the intent of this Resolution, which is to increase the total contract amount of the Contract approved by Resolution #1345 by \$51,038.88 to \$775,874.88.

SECTION 3: SEVERABILITY. If any section, paragraph, clause or provisions of this Resolution is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision of this Resolution.

SECTION 4: REPEALER. All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Resolution, are to the extent of such conflict hereby repealed.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect immediately upon its passage and publication according to law.

[Intentionally Blank]

PASSED THIS 2ND DAY FEBRUARY, 2026.

| | Aye | Nay | Absent | Abstain |
|----------------------------|-------|-------|--------|---------|
| Alderman Scott Dyke | _____ | _____ | _____ | _____ |
| Alderman Angelo Deserio | _____ | _____ | _____ | _____ |
| Alderwoman Claudia Gazal | _____ | _____ | _____ | _____ |
| Alderman Darrell Jefferson | _____ | _____ | _____ | _____ |
| Alderperson Tina Oberlin | _____ | _____ | _____ | _____ |
| Alderman Mark Cipiti | _____ | _____ | _____ | _____ |
| Alderman Nate Albert | _____ | _____ | _____ | _____ |
| Alderman Joe Kubal | _____ | _____ | _____ | _____ |
| Mayor Raymond R. Soliman | _____ | _____ | _____ | _____ |

APPROVED THIS 2ND DAY OF FEBRUARY, 2026.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A

(M&J UNDERGROUND, INC.

CHANGE ORDER #1)