

RESOLUTION APPROVING CHANGE ORDER AND EMERGENCY CONTRACT

WHEREAS, after public notice and bidding, on March 17, 2025 the School District entered into a construction contract (the “Construction Contract”) with the lowest responsible bidder, Schroeder Asphalt (the “Contractor”), for projects related to the construction of a parking lot addition at Butterfield School (the “Project”) at a cost of \$909,000;

WHEREAS, after the Project commenced, during excavation the contractor encountered unfavorable soil conditions which required the contractor to perform an additional undercut along with adding additional stone aggregate and install a geogrid system to stabilize the base to provide the appropriate bearing capacity for the underground water detention system underneath the parking lot;

WHEREAS, to complete the Project safely and efficiently, it was necessary and in the best interests of the School District to increase the scope of the Project by \$127, 490.66 which included a price increase for the Project;

WHEREAS, the Board of Education has determined that the circumstances leading to the price increase were unforeseen at the time that the Board of Education approved the Construction Contract and the Board has been advised by its architects that the Contractor was best situated to accomplish the work in a timely manner to avoid cost increases for the overall project and provide the additional stone aggregate and install a geogrid system to stabilize the base to provide the appropriate bearing capacity for the underground water detention system for the parking lot;

WHEREAS, District administration has engaged in due diligence and determined that the cost increase of \$127,490.66 to the Construction Contract and **Schroeder Asphalt** can best accomplish the work;

WHEREAS, if the Board of Education by a $\frac{3}{4}$ vote of its members determines that an emergency exists, then the bidding requirements of Section 10-20.21 of the School Code are waived;

WHEREAS, the Board of Education has determined that (i) the repair work was essential for the safe operation of the school; and (ii) bidding the additional work would unreasonably delay the work and impact the scheduled opening of Butterfield School resulting in an emergency; and

WHEREAS, the Board of Education finds that the foregoing circumstances constituted an emergency, and therefore, the approval of a contract for the work is exempt from the public bidding requirements of Section 10-20.21 of the School Code, 105 ILCS 5/10-20.21(xiv), if bidding is required; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Libertyville School District 70, Lake County, Illinois, as follows:

1. Recitals. The Board of Education hereby finds that all the recitals contained in the preambles to this Resolution are full, true, and correct and does hereby incorporate them into this Resolution by reference.

2. Change Order Findings. With respect to the change order, the Board hereby determines and ratifies, as follows:

- a. The circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the Construction Contract was signed;
- b. The change is germane to the Construction Contract as signed; and
- c. The change order is in the best interests of the School District and authorized by law.

3. **Approval of Contract.** The Board approves and ratifies the change order in substantially the form attached to this Resolution as Exhibit A with **Schroeder Asphalt** for a total cost of \$127,490.66 to perform an additional undercut along with adding additional stone aggregate and install a geogrid system to stabilize the base to provide the appropriate bearing capacity for the underground water detention system underneath the parking lot;

. The Board further finds and ratifies that this approval is exempt from public bidding pursuant to Section 5/10-20.21(xiv) of the School Code, 105 ILCS 5/10-20.21(xiv), if required, for the reasons provided in the recitals.

4. **Effective Date.** This Resolution shall be in full force and effect upon its adoption.

AYES: _____

NAYS: _____

ABSENT: _____

President, Board of Education

ATTEST:

Secretary, Board of Education

Dated: August 25, 2025

Exhibit A
Contract/Change Order

See attached.

COR - DETENTION BASIN #3



815 923 4380

Quote To: LIBERTYVILLE SD 70

Job Name: BUTTERFIELD ES

Phone:

Date of Plans:

Fax:

Proposal #

P25240

Contact

Estimator:

KYLE JOUSTRA

Date:

7/17/2025

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
COR BASE BID					
10	SPOILS REMOVED & DISPOSED OFF SITE	410.00	CY	133.36	54,677.60
20	TENSAR GEOGRID	1,050.00	SY	16.81	17,650.50
30	13" CA7	725.00	TON	60.10	43,572.50
40	SAS 10% MARKUP	1.00	LS	11,590.06	11,590.06
TOTAL FOR COR BASE BID					127,490.66
UNIT COST ITEMS					
50	DEWATERING *SUMP PIT W/ 2" TRASH PUMP, NO SWPP*	1.00	DAY	1,500.00	1,500.00

NOTES:

THE COR QUOTE ABOVE IS ONLY FOR THE WORK LOCATED IN THE DETENTION BASIN PORTION OF THE PROPERTY AND INCLUDES THE REMOVAL OF 13" OF FAILED SOIL UNDER THE DETENTION BASED AND REPLACED WITH 13" OF CA7 STONE ON TOP OF TENSAR GEOGRID. THIS DESIGN WAS SUBMITTED FROM AN OUTSIDE SOURCE AND WILL NOT BE WARRANTED BY SCHRODER ASPHALT SERVICES. IF DEWATERING IS NEEDED IT IS BASED ON PER 8 HOUR WORKING DAY AND WILL BE INVOICED BASED ON HOW MANY DAYS THIS WORK WAS CONDUCTED. APPROVING THIS PROPOSAL WILL ADD WORK TO THE CONTRACT FROM DISCOVERY, DESIGN, ESTIMATING, APPROVAL AND WORKING DAYS THEREFORE WE WILL NEED AN EXTENSION OF WORKING DAYS MAKING THE NEW CONTRACT SUBSTANTIAL COMPLETION DATE 8/16/25 WITH FINAL COMPLETION ONE WEEK AFTER.

SCHOOL DISTRICT

PROJECT MANAGER

Stacey Bacha

PRINT

Sub

SIGN

Asst. Superintendent

TITLE

7/17/2025

DATE