(01/22/26) ORDINANCE NO. 2026-4600

ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 1 RELATIVE TO THE VILLAGE OF BARRINGTON CONTRACT WITH APEX LANDSCAING, INC. FOR SNOW REMOVAL AND ICE CONTROL SERVICES

WHEREAS, the Corporate Authorities of the Village of Barrington, an Illinois municipal corporation located in Cook and Lake Counties, Illinois (hereinafter, the "Village") previously approved a Contract with Apex Landscaping, Inc. (the "Contractor") in the total amount of $293,601.14 for the provision of labor, materials and equipment for snow removal and ice control services within the Village (the "Work") for the following Winter Seasons: November 1, 2023 through April 30, 2024; November 1, 2024 through April 30, 2025; November 1, 2025 through April 30, 2026; and November 1, 2026 through April 30, 2027 (hereinafter, the "Contract"); and

WHEREAS, the original total Contract amount with Apex Landscaping, Inc. was for $293,601.14, however, the Corporate Authorities of the Village have determined that it is necessary and advisable to amend the Contract for the Winter Seasons of November 1, 2025 through April 30, 2026 and November 1, 2026 through April 30, 2027 to eliminate snow removal and ice control services for private driveways; and

WHEREAS, in consideration of the foregoing, the Corporate Authorities of the Village desire to approve a Change Order No. 1 to amend the scope of Work currently provided for in the Contract and correspondingly reduce the Contract amount by a total amount of $18,478.08 which will decrease the total Contract amount to a not-to-exceed Contract amount of $275,123.06, which Change Order No. 1 shall be substantially in the form attached hereto as Exhibit A and thereby made a part hereof:

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, in exercise of the authority of this Village as a Home Rule unit of government, as follows:

SECTION 1: That the Corporate Authorities of the Village find that the recitals set forth in the preamble to this Ordinance are true and correct and such recitals are incorporated by reference as its findings of fact as if fully set forth herein.

SECTION 2: That the Corporate Authorities of the Village hereby approve an amendment to the Contract with Apex Landscaping, Inc. (the "Contractor") to reduce the scope of Work by eliminating snow removal and ice control services for private driveways and a corresponding reduction of $18,478.08 in the amount of the Village's Contract with Apex Landscaping, Inc. relative to the Work, i.e., from an original Contract amount of $293,601.14 to a reduced total Contract amount of not to exceed $275,123.06 in the aggregate for the Work, as amended, and also approve a corresponding Change Order No. 1, which shall be retroactive and applicable to the November 1, 2025 through April 30, 2026 Winter Season and the November 1, 2026 through April 30, 2027 Winter Season, and shall become part of the Contract Documents for the Work and shall reflect and memorialize the reduced Contract amount of $275,123.06, which Change Order No. 1 shall be in substantially the form attached hereto as Exhibit A and thereby made a part hereof.

SECTION 3: That the Village President is hereby authorized to execute Change Order No. 1 for the Work, and the Village Clerk is authorized to attest to same and deliver to the Contractor a copy of said executed Change Order No. 1, which shall be substantially in the form attached hereto as Exhibit A.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED THIS 26 DAY OF JANUARY, 2026, BY ROLL CALL VOTE AS FOLLOWS:

AYES: Trustees Lohmeyer, Sholeen, Wondrasek, Duncan, Prigge, Klauer and President Moran

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

RECUSE: NONE

APPROVED THIS 26 OF JANUARY, 2026

Michael Moran, Village President

ATTESTED AND FILED THIS
26 DAY OF JANUARY, 2026

James P. Dillon, Village Clerk

(SEAL)

Village of Barrington CORPORATE SEAL Cook & Lake Counties, IL

EXHIBIT A

CHANGE ORDER NO. 1
(Apex Landscaping, Inc.)

VILLAGE OF BARRINGTON
CONTRACT FOR SNOW REMOVAL AND ICE CONTROL SERVICES
WITH APEX LANDSCAPING, INC.

CHANGE ORDER

CHANGE ORDER NO. 1

DATE: _____, 2026

AGREEMENT DATE: August 30, 2023

NAME OF PROJECT: Snow Removal and Ice Control Services

VILLAGE: VILLAGE OF BARRINGTON, ILLINOIS

CONTRACTOR: APEX LANDSCAPING, INC.

DESCRIPTION OF CHANGES TO THE WORK COVERED BY THIS CHANGE ORDER	
Elimination of snow removal and ice control of private driveways (Not a service provided or offered to residents of the Village).	
TOTAL COST OF THE AFORESAID CHANGES TO THE WORK	$18,478.08

SUMMARY OF CHANGES TO THE CONTRACT PRICE	
ORIGINAL CONTRACT PRICE	$293,601.14
CURRENT CONTRACT PRICE [Adjusted by previous Change Orders(s)] There were no previous change orders.	$293,601.14
CURRENT CONTRACT PRICE WILL BE DECREASED BY THIS AMOUNT TO REFLECT THIS CHANGE ORDER	$ 18,478.08
NEW CONTRACT PRICE, INCLUDING THIS CHANGE ORDER	$275,123.06

THE CHANGE PROVIDED BY THIS CHANGE ORDER NO. 1 SHALL BE RETROACTIVE TO THE BEGINNING OF THE WORK FOR THE 2025 WINTER SEASON OF NOVEMBER 30, 2025 AND SHALL CONTINUE AND BE IN FULL FORCE AND EFFECT THROUGH AND INCLUDING THE END OF THE 2026 WINTER SEASON OF APRIL 30, 2027, UNLESS THE CONTRACT IS FURTHER AMENDED BY CHANGE ORDER.

CHANGE TO CONTRACT COMPLETION DATE: THE CONTRACT COMPLETION DATE WILL NOT CHANGE. ADJUSTED WORK COMPLETION DATE REMAINS THE SAME.

APPROVED BY:

CONTRACTOR: _____ DATE: _____, 2026

VILLAGE: _____ DATE: January 26, 2026

VERIFICATION BY CERTIFICATION

Written Determination Pursuant to 720 ILCS/33E-9
RE: Change Order Relative to Village of Barrington Contract with
Apex Landscaping, Inc. for Snow Removal and Ice Control Services

TO: President and Board of Trustees, Village of Barrington

The undersigned Affiant, under penalties provided by law pursuant to Section 735 ILCS 5/1-109 of the Illinois Code of Civil Procedure, certifies that the following statements are true and correct:

(1) 720 ILCS 5/33E-9 of the Illinois Compiled Statutes requires that a change order in any public contract must be accompanied by a determination in writing that: (1) the circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the contract was signed, or (2) the change is germane to the original contract as signed, or (3) the change order is in the best interest of the unit of state or local government and authorized by law.
(2) Snow removal and ice control of private property are not services provided by the Village of Barrington to any private property in the Village;
(3) The circumstances that have necessitated a Change Order in the present Contract with Apex Landscaping, Inc. was not reasonably foreseeable at the time this Contract was signed on or about August 30, 2023 (the "Contract");
(4) This Change Order is germane to the original Contract as signed;
(5) This Change Order is in the best interests of the Village of Barrington and is authorized by law; and
(6) This determination shall be retained by the Village of Barrington in the respective file on the subject Snow Removal and Ice Control Contract with Apex Landscaping, Inc. for the following Winter Seasons: November 1, 2023 through April 30, 2024; November 1, 2024 through April 30, 2025; November 1, 2025 through April 30, 2026; and November 1, 2026 through April 30, 2027.

Further Affiant sayeth not:

Fred Braun

Fred Braun, Director of Public Works
Village of Barrington

DATE: January 22, 2026