

TOOELE CITY CORPORATION

RESOLUTION 2026-76

A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING CHANGE ORDER NO. 2 TO THE AGREEMENT WITH BLACK FOREST PAVING, LLC, FOR THE 2026 ROADWAY MAINTENANCE PROJECT, SCHEDULE C, FOR ROAD REPAIRS INVOLVING WATERLINE PATCHES.

WHEREAS, Tooele City has more than 225 lane miles of public roadway located within the City limits for which it has maintenance responsibility; and,

WHEREAS, a significant number of those roadways require maintenance in varying levels of effort in order to maintain reasonably safe and convenient public access and to extend the life of those roadways; and,

WHEREAS, the City receives State roadway assistance (Road "C") funds together with additional funding from the State of Utah, which funds are to be used by the City for public roadway pavement maintenance and repair; and,

WHEREAS, on March 4, 2026, the City Council approved Resolution 2026-13, approving an agreement with Black Forest Paving, LLC, for the 2026 Roadway Maintenance Project, Schedule C ("Project"), which included roto-mill and asphalt overlay; and,

WHEREAS, the City solicited public bids for construction of the Project in accordance with the procedures of §11-39-101 *et seq.*, Utah Code Annotated, and the Tooele City Purchasing Policies and Procedures; and,

WHEREAS, on July 15, 2026, the City Council approved Resolution 2026-49, approving Change Order No. 1 to the Black Forest Paving Agreement, to include asphalt overlay in the area of Canyon Overlook Drive; and,

WHEREAS, the City desires to continue the 2026 Roadway Maintenance Project, to include the paving of emergency waterline break roadway repairs in the areas of American Way, 2240 North 250 West, and 690 West 700 South ("Waterline Patch Phase"), and desires to sole-source the work on the Waterline Patch Phase to Black Forest Paving as a Change Order No. 2 to the Project, for several reasons:

- Black Forest Paving was the lowest responsible responsive bidder for the first phase of the Project.
- Awarding the change order to Black Forest Paving for the Waterline Patch Phase will maintain the project consistency and standard received with the Project.
- The City desires the same product standard for the Waterline Patch Phase.
- The Change Order will maximize efficiency in completion of and cost savings to the City.

WHEREAS, Section VIII of the Tooele City Purchasing Policies and Procedures provides for the approval of change orders, as follows:

VIII. CHANGE ORDERS. The City recognizes that change orders are a normal component of the procurement process...

A. Modifications to approved contracts shall be deemed change orders when the Mayor and Purchasing Agent determine that: 1. The modification is related in some manner to the same or similar project approved in the contract, and 2. Treating the modification as a change order would maximize efficiency in completion of and cost savings to the City.

B. Change Order approval process: ... 2. Individual change orders \$30,000 and above shall be approved by the Mayor and City Council after consultation with the responsible department head...provided the change order is within the approved project budget.

WHEREAS, using Black Forest Paving for asphalt overlay for the Waterline Patch Phase will "maximize efficiency in completion of and cost savings to the City for the Project"; and,

WHEREAS, the work for the Waterline Patch Phase is similar and related to the work completed for Schedule C of the 2026 Roadway Maintenance Project, and is therefore a "similar project"; and,

WHEREAS, Black Forest Paving has submitted a change order cost proposal of \$78,242.00 for the Waterline Patch Phase (see Exhibit A):

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE CITY COUNCIL that the City Council hereby approves Change Order No. 2 with Black Forest Paving, LLC, a change order to the 2026 Roadway Maintenance Project, Schedule C agreement, in the amount of \$78,242.00, for completion of the Waterline Patch Phase.

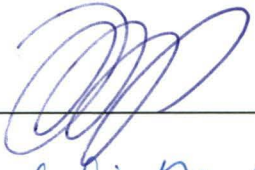
This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this 7th day of October, 2026.

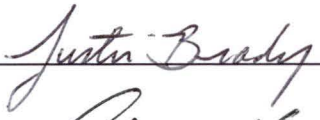
TOOELE CITY COUNCIL

(For)

(Against)



Melodi Duchs







ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)



ATTEST:



Shilo Baker, City Recorder

SEAL



Approved as to Form:



Matthew C. Johnson, Tooele City Attorney

EXHIBIT A

Black Forest Paving, LLC,
Change Order No. 2 Cost Proposal

BLACK FOREST PAVING, LLC
6153 Broken Rock Circle
South Jordan, UT 84009
Phone (801) 280-1313 / Fax (801) 280-1314



Prepared Especially For
Stephen Black
Tooele City
Tooele, UT

Contact: Earl Jolley
Phone: 801-842-7196
earl@blackforestpaving.com
Bid Date: 9/23/2026

Tooele City Waterline Patches

Tooele, UT

American Way

1	Mobilization	1 EA	\$950/ea	950.00
2	Sawcut & Excavation	1,225 SF	\$2.00/sf	2,450.00
3	Base Prep	1,225 SF	\$3.20/sf	3,920.00
4	4" Asphalt Patch	1,225 SF	\$7.20/sf	8,820.00

2240 N 250 W

5	Mobilization	1 EA	\$950/ea	950.00
6	Sawcut & Excavation	1,375 SF	\$2.00/sf	2,750.00
7	Base Prep	1,375 SF	\$3.20/sf	4,400.00
8	4" Asphalt Patch	1,375 SF	\$7.20/sf	9,900.00

690 W 700 S

9	Mobilization	1 EA	\$950/ea	950.00
10	Sawcut & Excavation	3,480 SF	\$2.00/sf	6,960.00
11	Base Prep	3,480 SF	\$3.20/sf	11,136.00
12	4" Asphalt Patch	3,480 SF	\$7.20/sf	25,056.00

Notes:

****Paving for the 2026 Season Only****

Price in the Above Items includes sales tax. Prices do not include Herbicide, surveying, traffic control, prime coat, fog seal, utility adjustments, saw cutting, vertical Signage, curb paint, road base, Testing, permits, fees, and bonds.

Earl Jolley
Black Forest Paving
earl@blackforestpaving.com

Payment terms: Contractor shall be paid within thirty (30) days following the date of Contractor's invoices. Interest will accrue at the rate of 18% (1.5% per month) from the date payment is due until received by Contractor.