

ORIGINAL

RESOLUTION NO. R-2017-23

**A RESOLUTION APPROVING AMENDMENT NO. 1
TO AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD
AND EDWIN HANCOCK ENGINEERING COMPANY
FOR FURNISHING PROFESSIONAL ENGINEERING SERVICES
FOR A COMBINED 17th AVENUE AND 18th AVENUE IMPROVEMENTS PROJECT
(COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") 2016 PROGRAM YEAR
AND 2017 COOK COUNTY INFRASTRUCTURE GRANT)**

**(Project: 17th Avenue and 18th Avenue Resurfacing Improvements
From Madison Street To Washington Boulevard, Including
Sidewalk, Driveway Aprons, ADA Ramps And Drainage Improvements)**

WHEREAS, the President and Board of Trustees of the Village of Maywood, Illinois (the "Village") desire to hire Edwin Hancock Engineering Company (the "Engineer") to perform construction engineering services associated with certain street, sidewalk, driveway aprons, ADA ramps and drainage improvements to be made to 17th Avenue and 18th Avenue from Madison Street to Washington Boulevard (the "Project") in accordance with the terms set forth in the attached "Amendment No. 1 to Agreement Between The Village Of Maywood And Edwin Hancock Engineering Company For Furnishing Professional Engineering Services For The 17th Avenue and 18th Avenue Improvements Project" (the "Amendment No. 1 to the CES Agreement"), a copy of which is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, part of the financing for the construction of the Project (17th Avenue work) and the payment of construction engineering services will be paid by funds from the Community Development Block Grant ("CDBG") 2016 Program Year to be distributed to the Village by the County of Cook, Illinois under a Village-approved Community Development Block Grant Program Subrecipient Agreement, Grant No. 1606-018. The remaining funds for the Project (18th Avenue work) will be paid with a 2017 Cook County Infrastructure Grant provided to the Village, as well as Motor Fuel Tax ("MFT") Funds and General Corporate Funds of the Village. The overall cost of the Project, including construction costs and professional services, is Seven Hundred Two Thousand Six Hundred and No/100 Dollars (\$702,600.00); and

WHEREAS, the Village agrees to pay one hundred percent (100%) of the construction engineering services costs to the Engineer using CDBG Funds, as allocated by Cook County, MFT Funds, as allocated by Illinois Department of Transportation ("IDOT") to the Village, the 2017 Cook County Infrastructure Grant and the Village's General Corporate Funds, pursuant to the attached Amendment No. 1 to the CES Agreement (Exhibit "A"). The fee for the Preliminary and Design Engineering Services for the Project is Forty-Eight Thousand and No/100 Dollars (\$48,000.00), and

the “not to exceed” fee for the Construction Engineering Services for the Project is Thirty-Eight Thousand and No/100 Dollars (\$38,000.00); and

WHEREAS, the Project is located entirely within the Village’s corporate boundaries; and

WHEREAS, the President and Board of Trustees of the Village of Maywood agree to appropriate and authorize the expenditure of the above-referenced sums from the Village’s MFT Funds, the 2017 Cook County Infrastructure Grant and the Village’s General Corporate Funds for the purpose of paying the cost of construction engineering costs for the Project; and

WHEREAS, the Village of Maywood, a home rule Illinois municipal corporation, has the authority to approve and enter into the attached Amendment No. 1 to the CES Agreement (**Exhibit “A”**) and to approve the expenditure of its CDBG Funds, 2017 Cook County Infrastructure Grant, MFT Funds and General Corporate Funds for the Project pursuant to its home rule powers and contracting authority provided by Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970, as well as the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*), and finds that entering into this Agreement is in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

SECTION 2: The President and Board of Trustees of the Village Maywood approve of the attached “Amendment No. 1 To Agreement Between The Village Of Maywood And Edwin Hancock Engineering Company For Furnishing Professional Engineering Services For The 17th Avenue and 18th Avenue Improvements Project” (the “Amendment No. 1 to the CES Agreement”) (**Exhibit “A”**) to be entered into with the Edwin Hancock Engineering Company (the “Engineer”) for the purpose of funding the construction engineering services to be performed by the Engineer in regard to the Project. The Village agrees to pay one hundred percent (100%) of the construction engineering services costs to the Engineer using CDBG Funds, as allocated by Cook County, MFT Funds, as allocated by the Illinois Department of Transportation (“IDOT”) to the Village, the 2017 Cook County Infrastructure Grant and the Village’s General Corporate Funds, pursuant to the attached Amendment No. 1 to the CES Agreement. The fee for Preliminary and Design Engineering Services for the Project is Forty-Eight Thousand and No/100 Dollars (\$48,000.00), and the “not to exceed” fee for the Construction Engineering Services for the Project is Thirty-Eight Thousand and No/100 Dollars (\$38,000.00).

SECTION 3: The President and Board of Trustees of the Village of Maywood authorize and direct that the Village President, the Village Clerk, the Village Manager, the Village Engineer and the Village Attorney, or their designees, transmit executed originals or certified copies of all documents, including Amendment No. 1 to the CES Agreement, to all parties and agencies that are entitled to receive such documents, as required and directed by the County of Cook or any other governmental oversight regulatory agency, in order to comply with the terms of Amendment No. 1 to the CES Agreement and comply with the requirements of the 2016 Community Development Block Grant Program and the 2017 Cook County Infrastructure Grant. Further, the President and Board of Trustees authorize and direct the Village President and Village Clerk, or their designees, to execute said Agreement, and to execute and deliver all other instruments and documents that are necessary to fulfill the Village's obligations under Amendment No. 1 to the CES Agreement.

ADOPTED this 18th day of April, 2017, pursuant to a roll call vote as follows:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr., I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

NAYS: None

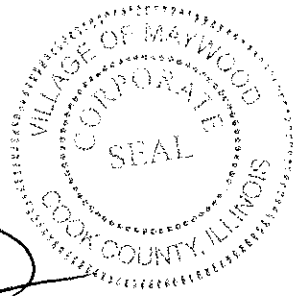
ABSENT: None


APPROVED this 20th day of April, 2017, by the Village President of the Village of Maywood, and attested by the Village Clerk on the same day.

ATTEST:



Village Clerk





Village President

Exhibit "A"

**AMENDMENT NO. 1 TO
AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD
AND EDWIN HANCOCK ENGINEERING COMPANY
FOR FURNISHING PROFESSIONAL ENGINEERING SERVICES
FOR THE 17th AVENUE AND 18th AVENUE IMPROVEMENTS PROJECT**

(attached)

Amendment No. 1

An amendment to the AGREEMENT between the VILLAGE OF MAYWOOD and the EDWIN HANCOCK ENGINEERING COMPANY for FURNISHING OF PROFESSIONAL ENGINEERING SERVICES for the 17th AVENUE IMPROVEMENTS PROJECT in MAYWOOD, ILLINOIS

The Village of Maywood and the Edwin Hancock Engineering Company entered into an agreement on December 20, 2016 to provide for the furnishing of Professional Engineering Services necessary to provide the engineering services required for the 17TH AVENUE IMPROVEMENTS PROJECT, hereinafter referred to as "PROJECT", which will generally include resurfacing improvements to 17th Avenue from Madison Street to Washington Boulevard as part of the PY2016 CDBG program, with modifications described in detail as follows:

The Village of Maywood has received Grant funds from Cook County through its Department of Transportation in the amount of Two Hundred Fifty Thousand Dollars (\$250,000) for the completion of 18th Avenue from Madison Street to Washington Boulevard on March 29, 2017.

It is the best interest of the Village to have these projects coordinated and completed simultaneously to reduce traffic impacts and inconvenience to the local residents.

The Village of Maywood and the Edwin Hancock Engineering Company therefore agree to modify the existing Agreement as follows:

1. "PROJECT" is revised to 17TH AND 18TH AVENUE IMPROVEMENTS PROJECT , which generally include the resurfacing improvements to 17th Avenue from Madison Street and Washington Boulevard as part of the PY2016 CDBG program, and 18th Avenue from Madison Street to Washington Boulevard as part of Intergovernmental Agreement between Cook County and the Village of Maywood.

2. Section A. V. The proposed project schedule will complete the project by September 8, 2017. In order to complete the above work by the completion date, the following schedule is proposed:

Approval of Engineering Agreement	April 18, 2017
Completion of Design	May 8, 2017
Advertisement of Project	May 16, 2017
Opening of Proposals	June 1, 2017
Award of Contract	June 20, 2017
Begin Construction	July 5, 2017
Construction Completion	September 8, 2017

3. Section B. I. b - To pay the Engineer as compensation for all Preliminary Engineering services performed as stipulated in Section A.I a Lump Sum Fee of Forty Eight

Thousand dollars (\$48,000.00), unless there is a substantial change in the scope, complexity, or character of the work to be performed or there is a substantial overrun in the time necessary for the ENGINEER to complete the work due to causes beyond its control, no increase in Fees shall occur without the advance written agreement of the VILLAGE. Under such circumstances, adjustments in the total compensation to the ENGINEER shall be determined through discussions between the parties of this AGREEMENT, and shall be documented by a change order or amendment to this AGREEMENT.

4. Section B. I. c - To pay the Engineer as compensation for all Construction Engineering services performed as stipulated in Section A.II at the above hourly rates not to exceed Thirty Eight Thousand dollars (\$38,000.00), unless there is a substantial change in the scope, complexity, or character of the work to be performed or there is a substantial overrun in the time necessary for the ENGINEER to complete the work due to causes beyond its control, no increase in Fees shall occur without the advance written agreement of the VILLAGE. Under such circumstances, adjustments in the total compensation to the ENGINEER shall be determined through discussions between the parties of this AGREEMENT, and shall be documented by a change order or amendment to this AGREEMENT.

In witness whereof, the parties have caused this Amendment to be executed in duplicate counterparts, each of which shall be considered as an original, by their duly authorized officers as of the dates below indicated.

Executed by the VILLAGE, this

_____ day of _____, 2017

VILLAGE OF MAYWOOD
Cook County, Illinois
Acting through its
President and Board of Trustees

By _____
Edwenna Perkins, Village President

ATTEST:

By _____
Viola Mims, Village Clerk

(SEAL)

Executed by the ENGINEER, this

_____ day of _____, 2017

EDWIN HANCOCK ENGINEERING COMPANY
9933 ROOSEVELT ROAD
WESTCHESTER, ILLINOIS 60154

By _____
Derek Treichel, P.E., President

ATTEST:

By _____
Mark Lucas, P.E., Executive Vice President

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

RESOLUTION NO. R-2017-23

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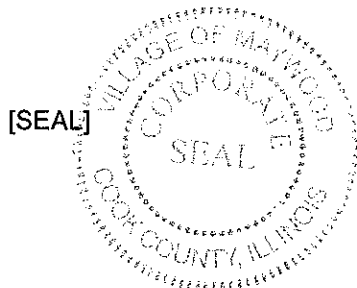
which Resolution was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 18th day of April, 2017, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 20th day of April, 2017.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr.,
I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.
NAYS: None
ABSENT: None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 20th day of April, 2017.





Village Clerk