

ORIGINAL

RESOLUTION NO. R-2017-24

**A RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF AMENDMENT NO. 1 TO
AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD AND
EDWIN HANCOCK ENGINEERING COMPANY
FOR FURNISHING PROFESSIONAL ENGINEERING SERVICES
FOR THE 2016 ALLEY AND PARKING LOT IMPROVEMENTS PROJECT**

AND

**AUTHORIZING CERTAIN EXPENDITURES
FROM CHICAGO TITLE INSURANCE COMPANY
ESCROW NUMBER 4 (ESCROW ACCOUNT NUMBER 201454332)
ESTABLISHED FOR THE ST. CHARLES ROAD TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT AREA FUND**

**(Project: Reconstruction Of Public Alley Improvements:
Alley #136 (Between 4th And 5th Avenues, Main Street To Lake Street),
Alley #132 (Between 8th And 9th Avenues, Main Street To Lake Street),
Alley #135 (Between 5th And 6th Avenues, Main Street To Lake Street),
And Alleys (Between Lake Street and Main Street
From 6th Avenue to 7th Avenue)**

(Escrow #4 Village Projects)

WHEREAS, on February 2, 2016, the President and Board of Trustees of the Village of Maywood, Illinois (the "Village") approved an agreement entitled "Agreement Between The Village Of Maywood And Edwin Hancock Engineering Company For Furnishing Professional Engineering Services For The 2016 Alley And Parking Lot Improvements Project" (the "CES Agreement") for the 2016 Alley and Parking Lot Improvements Project, which includes the reconstruction of certain public alley improvements: Alley #136 (between 4th and 5th Avenues, Main Street to Lake Street), Alley #132 (between 8th and 9th Avenues, Main Street to Lake Street), Alley #135 (between 5th and 6th Avenues, Main Street to Lake Street) (the "Project"); and

WHEREAS, on March 7, 2017, the President and Board of Trustees of the Village expanded the Project to include the reconstruction of the alleys between Lake Street to Main Street from 6th Avenue and 7th Avenue (the "Extra Alley Improvements") by approving Change Order No.1 for the Project with the passage of Resolution Number R-2017-17 (Approving And Authorizing The Execution Of Change Order Number 1 To A Construction Contract For Certain Additional Alley Improvements Relative To The 2013 Alley Improvement Project Located Within The St. Charles Road Tax Increment Financing Redevelopment Project Area (Reconstruction Of Public Alley Improvements: Alley #136 (Between 4th And 5th Avenues, Main Street To Lake Street), Alley #132 (Between 8th And 9th Avenues, Main Street To Lake Street), Alley #135 (Between 5th And 6th Avenues, Main Street To Lake Street) (Escrow Number 4: Village Projects) (Additional Alley Improvements: Between Lake Street and Main Street from 6th Avenue to 7th Avenue)); and

WHEREAS, the President and Board of Trustees of the Village desire to approve the attached "Amendment No. 1 to Agreement Between The Village Of Maywood And Edwin Hancock Engineering Company For Furnishing Professional Engineering Services For The 2016 Alley And Parking Lot Improvements Project" ("Amendment No. 1 to the CES Agreement"), a copy of which is attached hereto as **Exhibit "A"** and made a part hereof. Amendment No. 1 to the CES Agreement relates to the additional construction engineering services that need to be performed in regard to the Extra Alley Improvements, which will increase the total cost of such services from Thirty-Four Thousand and No/100 Dollars (\$34,000.00) to Forty-Five Thousand Six Hundred and No/100 Dollars (\$45,600.00); and

WHEREAS, the Project is located entirely within the Village's corporate boundaries and within the former St. Charles TIF District; and

WHEREAS, the President and Board of Trustees of the Village agree to appropriate and authorize the expenditure of the above-referenced sums from the Village's St. Charles TIF District Funds (Escrow Number 4) for the purpose of paying the cost of construction engineering costs for the Project; and

WHEREAS, the President and Board of Trustees of the Village of Maywood, a home rule Illinois municipal corporation, have 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 St. Charles TIF District Funds (Escrow Number 4) 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 Amendment No. 1 to the CES 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 2016 Alley And Parking Lot Improvements Project" ("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 additional construction engineering services that need to be performed in regard to the Extra Alley Improvements, which will increase the total cost of such services from Thirty-Four Thousand and No/100 Dollars (\$34,000.00) to Forty-Five Thousand Six Hundred and No/100 Dollars (\$45,600.00).

SECTION 3: The President and Board of Trustees of the Village Maywood approve of use of St. Charles Road TIF Funds held in Escrow Number 4 (Escrow Account Number 201454332) to pay the construction engineering services fee for such services that need to be performed in regard to the Project, which fee equals Forty-Five Thousand Six Hundred and No/100 Dollars (\$45,600.00).

SECTION 4: 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 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 the CES Agreement and comply with all applicable laws and regulations. Further, the President and Board of Trustees authorize and direct the Village President and Village Clerk, or their designees, to execute said Amendment No. 1 to CES Agreement, and to execute and deliver all other instruments and documents that are necessary to fulfill the Village's obligations under the Agreement.

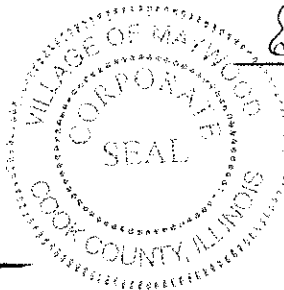
ADOPTED this 18th day of April, 2017, pursuant to a roll call vote as follows:

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.



Village President



ATTEST:



Village Clerk

Exhibit "A"

AMENDMENT NO.1 TO AGREEMENT BETWEEN
THE VILLAGE OF MAYWOOD AND EDWIN HANCOCK ENGINEERING COMPANY
FOR FURNISHING PROFESSIONAL ENGINEERING SERVICES
FOR THE 2016 ALLEY AND PARKING LOT 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 2016 ALLEY & PARKING LOT IMPROVEMENTS PROJECT in MAYWOOD, ILLINOIS

The Village of Maywood and the Edwin Hancock Engineering Company entered into an agreement on February 2, 2016 to provide for the furnishing of Professional Engineering Services necessary to provide the engineering services required for the 2016 ALLEY & PARKING LOT IMPROVEMENTS PROJECT, hereinafter referred to as "PROJECT", which will improve three (3) sections of alleys, and construct a seventeen (17) space municipal parking lot on Village property at 14 N. 5th Avenue, with modifications described in detail as follows:

The Village of Maywood approved a Change Order to its agreement with Triggs Construction, Inc. of West Chicago to complete an additional alley (North-South Alley between 6th Avenue and 7th Avenue from Main Street to Lake Street) on March 7, 2017.

The additional work to the contract results in additional engineering services related to completing a field design of the alley, layout of the proposed grades, the inspection and documentation of the work completed, and coordination of construction improvements.

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

Section B. I.c - To pay the Engineer as compensation for all Construction Engineering services performed as stipulated in above Section A.ii at the above hourly rates not to exceed Forty-Five Thousand Six-Hundred Dollars (\$45,600.00), 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-2017-24

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(Escrow #4 Village Projects)

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.

[SEAL]





Village Clerk