

**ORDINANCE NO. CO-2014-25**

**AN ORDINANCE AUTHORIZING CERTAIN EXPENDITURES  
FROM THE ST. CHARLES ROAD TAX INCREMENT FINANCING  
REDEVELOPMENT PROJECT AREA FUND FOR AN ELIGIBLE TIF IMPROVEMENT  
PROJECT, AWARD OF CONTRACT FOR PROJECT TO FBG CORPORATION AND  
AUTHORIZING THE ESTABLISHMENT AND USE OF A  
CONSTRUCTION ESCROW FOR THE PROJECT**

**[REHABILITATION OF MAYWOOD FIRE STATION NO. 1]**

**WHEREAS**, the President and Board of Trustees (the “**Corporate Authorities**”) of the Village of Maywood, Cook County, Illinois (the “**Village**”), in an effort to revitalize the Village’s local economy and provide for the comprehensive and coordinated development of an underutilized and blighted area within the Village, has adopted a redevelopment plan and project, designated a redevelopment project area, and adopted the use of tax increment finance (“**TIF**”) in accordance with the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the “**Act**”), for the St. Charles Road Tax Increment Financing Redevelopment Project Area (the “**TIF Project Area**”, which is incorporated by reference herein as EXHIBIT “A” – the “TIF Project Area Boundary”); and

**WHEREAS**, pursuant to the Act, the Village established the St. Charles Road Special Tax Allocation Fund (“**TIF Fund**”), into which annual tax increment revenue from the TIF Project Area has been and will continue to be deposited and from which expenditures have been and will continue to be made for eligible TIF redevelopment project costs, as authorized by the Act and in accordance with the Village-approved Redevelopment Plan and Budget for the TIF Project Area (the “**Plan**”); and

**WHEREAS**, the Corporate Authorities of the Village have determined that, in order to encourage private investment and restore and enhance the tax base of the Village and affected taxing districts, certain blighting and adverse conditions within the TIF Project Area must be removed, certain infrastructure improvements must be made, and the Project Area must be redeveloped. The removal of blight and adverse conditions, the completion of infrastructure improvements and the redevelopment of the TIF Project Area require the expenditure of redevelopment project costs as defined in the Act and as summarized in the Plan by the Village; and

**WHEREAS**, under Ordinance No. CO-2013-20, approved at a public meeting on March 13, 2013, the Corporate Authorities extended the estimated date of completion of the Plan, and the estimated date of the retirement of all obligations incurred to finance redevelopment project costs as defined by the Plan, to December 31, 2013, subject to receipt and expenditure of 2013 incremental real estate tax revenues during calendar year 2014; and

**WHEREAS**, under Ordinance No. CO-2013-47, approved at a public meeting on December 17, 2013, the Corporate Authorities identified and approved the completion

of certain TIF improvement projects within the Project Area (collectively, the “**TIF Improvement Projects**”) as described in Exhibit “B” attached to that Ordinance. The total estimated St. Charles Road TIF funds that were expected to be available to be contributed to the **TIF Improvement Projects** for calendar year 2014 equaled Six Million, Eight Hundred and Ten Thousand, Three Hundred and Twenty-Eight and No/100 Dollars (\$6,810,328.00). Included as one of the approved TIF Improvement Projects was the rehabilitation of the Maywood Fire Station No. 1 (the “**Project**”), which had an approved budget of One Million, Five Hundred Thousand and No/100 Dollars (\$1,500,000.00) (the “**Approved Project Budget Amount**”); and

**WHEREAS**, after preparation of a request for bids and the required bid letting process, the Village received a recommendation from the Village’s Project Architect (“**FGM Architects**”) to award the contract for completion of the **Project** to FBG Corporation, the lowest, responsive, qualified bidder, in an amount equal to One Million, Sixty-One Thousand and No/100 Dollars (\$1,061,000.00). A copy of the recommendation of **FGM Architects** dated June 25, 2014 is attached hereto as **EXHIBIT “A”**; and

**WHEREAS**, the Corporate Authorities of the Village find that it is in the best interest of the Village, its residents, property owners, business owners and the public to accept the recommendation of **FGM Architects** to award the contract for completion of the **Project** to **FBG Corporation**, the lowest, responsive, qualified bidder, in an amount equal to One Million, Sixty-One Thousand and No/100 Dollars (\$1,061,000.00). Furthermore, based on the recommendation of the Village Attorney, the Corporate Authorities of the Village find that it is in the best interest of the Village to establish and use a construction escrow at Chicago Title Insurance Company to manage the issuance of Village-approved progress payments after the Corporate Authorities authorize such payments in regard to this **Project**; and

**WHEREAS**, the Corporate Authorities of the Village authorize and approve of the award the contract for completion of the **Project** to **FBG Corporation**, the lowest, responsive, qualified bidder, in an amount equal to One Million, Sixty-One Thousand and No/100 Dollars (\$1,061,000.00) and further authorize, approve and direct the Village Manager, the Finance Director, the Village’s Project Architect, the Village Engineer and the Village Attorney, or their designees, to establish and use a construction escrow at Chicago Title Insurance Company to manage the issuance of Village-approved progress payments in regard to this **Project** and direct the Village Finance Director to take the necessary actions to deposit the **Approved Project Budget Amount** into the construction escrow, once established; and

**WHEREAS**, in regard to processing all progress payments for approval by the Corporate Authorities for the **Project**, the Corporate Authorities of the Village direct the Village Manager, the Finance Director, the Village’s Project Architect, the Village Engineer and the Village Attorney, or their designees, to comply with the reimbursement process requirements found in the Village’s current template “TIF Reimbursement

Agreement Regarding TIF-Eligible Project Expenses,” which has been prepared by the Village Attorney; and

**WHEREAS**, it is desirable and in the best interests of the Village, its residents, property owners, business owners and the public residents for the Corporate Authorities to authorize and cause the expenditure of TIF funds for the completion of the Project, which expenditures will be paid on or after the date of passage of this Ordinance (the “**Expenditures**”), subject to the provisions of this Ordinance.

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1: Recitals.** Each whereas statement set forth in the preambles of this Ordinance is incorporated into this Ordinance as a material provision.

**SECTION 2: Authority.**

(a) The Village is a duly constituted and organized home rule municipality, as described in Division 6 of Article VII of the Illinois Constitution of 1970, and, as such, may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax and incur debt.

(b) This Ordinance is adopted in connection with implementing the Plan in accordance with the Act.

(c) This Ordinance is a declaration of official intent under Treasury Regulation Section 1.150-2.

**SECTION 3: Estimate of Expenditures.**

(a) The Village intends to incur Expenditures in connection with the **Project**, including, but not limited to, the following:

1. Payment of one hundred percent (100%) of the **Project** costs that are deemed to be TIF-eligible expenses by the **Corporate Authorities**, which include the costs of the rehabilitation of the exterior of Fire Station No.1 as well as some rehabilitation of interior areas of the Fire Station No. 1 and the repair or replacement of certain utility and mechanical systems at Fire Station No. 1. Based on the low bid of FBG Corporation, the contract to complete the **Project** is equal to: One Million, Sixty-One Thousand and No/100 Dollars (\$1,061,000.00). The **Approved Project Budget Amount** of St. Charles Road TIF funds for the Project equals: One Million, Five Hundred Thousand and No/100 Dollars (\$1,500,000.00).

**SECTION 4: Authorization of Expenditures and Award of Contract; Approval of Construction Escrow and Funding.**

(a) **Authorization of Expenditures.** The expenditure of TIF funds for this Project is authorized up to the **Approved Project Budget Amount** set forth in Section 3 above, or such additional amounts necessary to complete the Project, but only if subsequently approved or authorized by the Corporate Authorities, in their sole discretion, which may be withheld for any reason including but not limited to a lack of availability of TIF Funds or allocation of available TIF funds to complete Village-related TIF Improvements Projects that have higher priority status.

(b) **Award of Contract.** The award the contract for completion of the **Project** to **FBG Corporation**, the lowest, responsive, qualified bidder, in an amount equal to One Million, Sixty-One Thousand and No/100 Dollars (\$1,061,000.00) is authorized and approved. The Village President and Village Clerk are authorized and directed to execute a contract for completion of the **Project** with **FBG Corporation** in an amount equal to One Million, Sixty-One Thousand and No/100 Dollars (\$1,061,000.00) and such other related documents as are necessary to fulfill the Village's obligations and directives under the contract and in this Ordinance.

(c) **Construction Escrow; Funding of Escrow.** The Village Manager, the Finance Director, the Village's Project Architect, the Village Engineer and the Village Attorney, or their designees, are authorized and directed to establish and use a construction escrow at Chicago Title Insurance Company to manage the issuance of Village-approved progress payments in regard to this Project and to process all progress payments for approval by the Corporate Authorities in accordance with the reimbursement process requirements found in the Village's current template "TIF Reimbursement Agreement Regarding TIF-Eligible Project Expenses." The Village Finance Director, or designee, is authorized and directed to take the necessary actions to deposit the **Approved Project Budget Amount** into the construction escrow, once established.

(d) **Illinois Prevailing Wage Act.** Because the TIF Improvement Projects involve the expenditure of TIF funds in the procurement of certain goods, supplies and materials and the construction of certain public improvements that benefit the Village residents and the public, the Village's contractors and its respective subcontractors, who work on the **Project** are required to comply with the Illinois Prevailing Wage Act.

**SECTION 5: Public Inspection.** This Ordinance shall be immediately available for inspection by the public at the office of the Village Clerk.

**SECTION 6: Repealer.** All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

**SECTION 7: Severability.** Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

**SECTION 8: Ratification.** All actions of the Corporate Authorities, agents and employees of the Village that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption of this Ordinance, are ratified, confirmed and approved.

**SECTION 9: Effective Date.** This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law.

**ADOPTED** this 15th day of July, 2014, pursuant to a roll call vote as follows:

**Ayes:** President Pro Tem, Trustee A. Jaycox, Trustee(s), A. Dorris, M. Rogers, M. Lightford, and R. Rivers

**Nays:** None

**Abstain:** Trustee C. Ealey-Cross

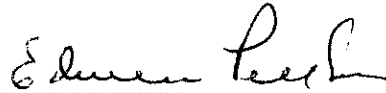
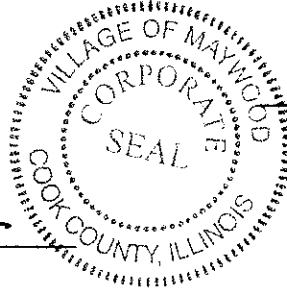
**Absent:** Mayor Edwenna Perkins

**APPROVED** by me as Village President, and attested to by the Village Clerk, on the 26<sup>th</sup> day of July, 2014.

ATTEST:

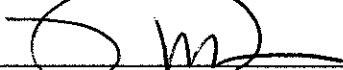


VILLAGE CLERK



VILLAGE PRESIDENT

Published by me in pamphlet form this 26<sup>th</sup> day of July, 2014.



VILLAGE CLERK

**EXHIBIT "A"**

Recommendation of FGM Architects dated June 25, 2014

(attached)

# FGM ARCHITECTS

June 25, 2014

Mr. David Myers  
Village of Maywood  
40 Madison Street  
Maywood, Illinois 60153

Re: Village of Maywood  
Fire Station No. 1 Renovations  
FGM Project No. 13-1659.02

Dear Mr. Myers:

Enclosed please find the Bid Tabulation for above referenced Project. Bids were received on June 17, 2014.

The apparent low bidder is FBG Corporation with a bid of one million, sixty-one thousand dollars (\$1,061,000.00). This sum includes the acceptance of Alternate 1.

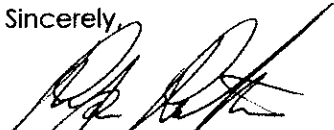
FGM Architects has reviewed the qualifications and references provided by FBG Corporation and find that FBG Corporation is a responsible bidder and therefore see no reason not to recommend contract award to FBG Corporation.

In review of FBG Corporation's bid, the unit price submitted for gypsum board repair was not consistent with those furnished by other bidders. At the request of FGM Architects, FBG Corporation furnished the attached letter clarifying unit pricing for gypsum board repair.

Please let us know your decision at your earliest convenience. Upon your direction, FGM Architects will draft a construction contract for signatures and notify the contractor to proceed with the project.

If you have any questions or comments, please don't hesitate to call me.

Sincerely,



Ryan L. Rathman, AIA, CSI, LEED AP BD+C  
Senior Associate

1211 W. 22<sup>nd</sup> Street, Suite 705  
Oak Brook, Illinois 60523-2109  
630-574-8300 PHONE 630-574-9292 FAX  
fgmarchitects.com

# BID TABULATION

# FGM Architects

Signed: Chief Craig Bronaugh  
 Witness #1 Maggie Krieger, FGM  
 Witness #2 6/17/2014  
 Date:

Project Name: Maywood Fire Station No. 1

Project Number: 13-1659.02

Contractor	Addenda			Base Bid	ALTERNATE 1	TOTAL w/ ALTERNATES
	1	2	3			
	Pre-Bid Meeting Attendance					
	Bid Bond					
Bergen Construction	x	x	x	\$ 1,188,000.00	Locker Room Sink Countertop, and Bench \$ 7,000.00	\$ 1,195,000.00
FBG Corporation	x	x	x	\$ 1,049,000.00	\$ 12,000.00	\$ 1,061,000.00
Poulos Construction Company	x	x	x	\$ 1,114,000.00	\$ 8,000.00	\$ 1,122,000.00
R.L. Sohal General Contractor	x	x	x	\$ 1,404,000.00	\$ 7,500.00	\$ 1,411,500.00
Robert Yiu Construction, Inc.	x	x	x	\$ 1,140,000.00	\$ 4,950.00	\$ 1,144,950.00
Tyler Lane Construction	x	x	x	\$ 1,456,531.00	\$ 8,500.00	\$ 1,465,031.00
W.B. Olson, Inc.	x	x	x	\$ 1,058,530.00	\$ 6,797.00	\$ 1,065,327.00





**FBG CORPORATION**

Re:  
Village of Maywood  
Fire Station No. 1 Renovations  
FGM Architects Inc.

Greetings,

At our meeting with Ryan Rathman from FGM Architects, a question was raised as to the unit price "Gypsum Board".

The description of this unit price is "Replacement of gypsum board damaged or removed in order to complete mechanical, electrical plumbing, or fire alarm work as required".

The unit price as stated on our bid is \$100 per square foot. This price seems high. However, in practice, for these types of potentially smaller repairs that number is historically accurate. There are fixed costs to mobilize a contractor for a repair, whether it's 1 square foot or 100 square feet. This unit price would shrink with larger areas of repair. This would be reflected when we submit proposal for repairs. This way the Owner and Architect can review scope and cost.

I hope this explains our thoughts on our "Unit Price" for gypsum repair. Please contact us with any further questions.

We look forward to working with you!

Thank You,

Tom Navins  
FBG Corporation  
630-941-4700

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**BUILDERS & DEVELOPERS**

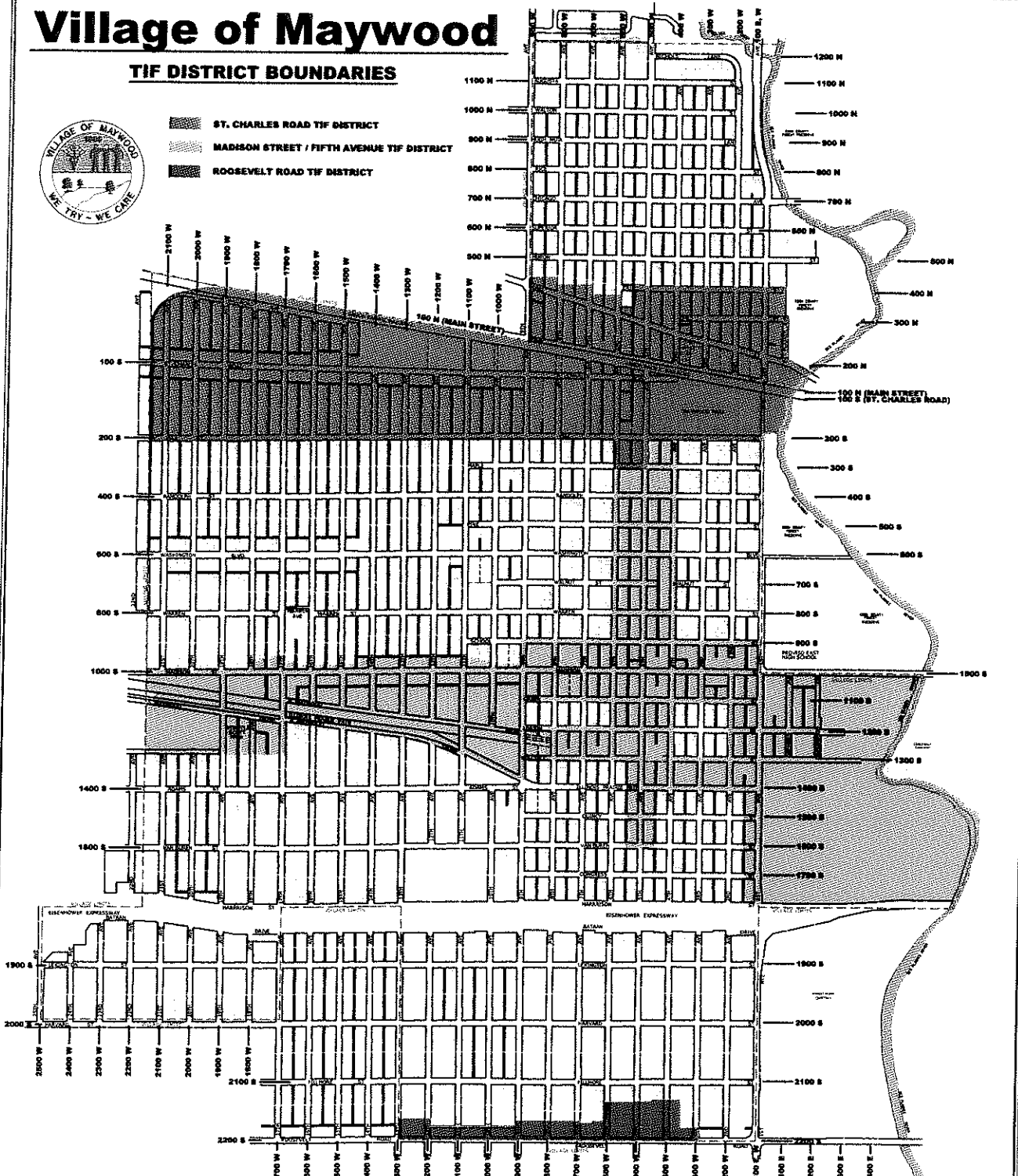
1015 SOUTH ROUTE 83 – ELMHURST, IL 60126 PHONE: 630-941-4700 FAX: 630-941-7799

# Village of Maywood

## TIF DISTRICT BOUNDARIES



-  ST. CHARLES ROAD TIF DISTRICT
-  MADISON STREET / FIFTH AVENUE TIF DISTRICT
-  ROOSEVELT ROAD TIF DISTRICT



STATE OF ILLINOIS )

)SS.

COUNTY OF COOK )

**CLERK'S CERTIFICATE**

I, Viola Mims, the duly elected, qualified and acting Village Clerk of the Village of Maywood, Cook County, Illinois, do hereby certify that attached hereto is a true and correct copy of the Ordinance now on file in my office, entitled:

**ORDINANCE NO. CO-2014-25**

**AN ORDINANCE AUTHORIZING CERTAIN EXPENDITURES FROM THE ST. CHARLES ROAD TAX INCREMENT FINANCING REDEVELOPMENT PROJECT AREA FUND FOR AN ELIGIBLE TIF IMPROVEMENT PROJECT, AWARD OF CONTRACT FOR PROJECT TO FBG CORPORATION AND AUTHORIZING THE ESTABLISHMENT AND USE OF A CONTRSRUCTION ESCROW FOR THE PROJECT**

**[REHABILITATION OF MAYWOOD FIRE STATION NO. 1]**

which was passed by the Board of Trustees of the Village of Maywood at a Regular Meeting of the Board of Trustees held on the 15<sup>th</sup> day of July, 2014, at which meeting a quorum was present, and approved by the President of Maywood on the 26<sup>th</sup> day of July, 2014.

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

**Ayes:** President Pro Tem, Trustee A. Jaycox, Trustee(s), A. Dorris, M. Rogers, M. Lightford, and R. Rivers

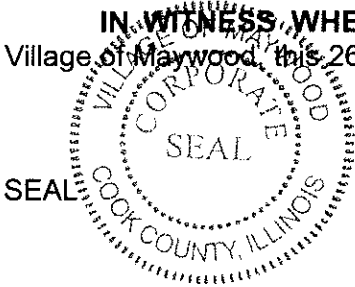
**Nays:** None

**Abstain:** Trustee C. Ealey-Cross

**Absent:** Mayor Edwenna Perkins

I do further certify that the original Ordinance, of which the attached 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 26<sup>th</sup> day of July, 2014.



By:   
Village Clerk