

RESOLUTION NUMBER 13-18

**A RESOLUTION OF THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS,
ACCEPTING A BID AND APPROVING AN AGREEMENT IN THE AMOUNT OF
\$287,959.70 WITH ARROW ROAD CONSTRUCTION FOR THE 2018 STREET
IMPROVEMENT PROJECT**

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village advertised for bids for the 2018 Street Improvement Program ("Project"); and

WHEREAS, the Village received a bid for the Project from Arrow Road Construction Company ("Contractor") in the amount of \$287,959.70; and

WHEREAS, it is deemed necessary and desirable for the Village to accept the Contractor's bid and approve and enter into an agreement for the Project with the Contractor in the form attached hereto as Exhibit A and made a part hereof ("Agreement");

NOW THEREFORE BE IT RESOLVED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS, AS FOLLOWS:

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

SECTION 2: Approval. The Village President and Board of Trustees authorize and approve the Agreement. The Village President and Village Administrator are authorized and directed to execute the Agreement, with such changes thereto as approved by the Village Administrator, and such other documents as are necessary to fulfill the Village's obligations under the Agreement.

The Village President and Board of Trustees authorize the Village Administrator to incur up to an additional not to exceed amount of \$37,000 in costs from the Contractor for the Project above the cost of the Agreement for extra goods or services for the Project, or change orders for the Project that do not increase the total cost of the Project by more than fifty percent (50%). If the Village Administrator approves a change order for the Project, and if the change order authorizes or necessitates an increase or decrease in either the cost of the Project by a total of Ten Thousand and No/100 Dollars (\$10,000.00) or more or the time of completion of the Project by a total of thirty (30) days or more, the Village Administrator shall first make a written determination that

either (1) the circumstances said to necessitate the change in performance were not reasonably foreseeable at the time the Agreement was signed, or (2) the change is germane to the original Agreement as signed, or (3) the change order is in the best interest of the Village and authorized by law.

SECTION 3: Severability. If any Section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 4: Repeal. If any Section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such Section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 5: Publication. This Resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.


ADOPTED this 6th day of August, 2018, pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Hall, Mahony and Andresen

NAYES: Ø

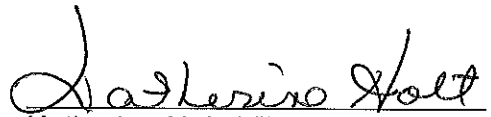
ABSENT: Ø

APPROVED by me this 6th day of August, 2018.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 7th day of August, 2018, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on August 7, 2018.

EXHIBIT A
AGREEMENT
(attached)

VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS
"2018 STREET IMPROVEMENT PROGRAM"

AGREEMENT

1. THIS AGREEMENT, made and concluded this 20th day of August, 2018 between the Village of East Dundee acting by and through its President and Board of Trustees, known as the party of the first part, and Arrow Road Construction Company of Mount Prospect, Illinois, his/their executors, administrators, successors or assigns, known as the party of the second part.

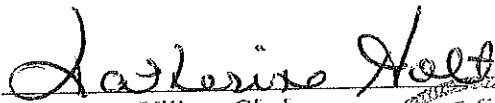
2. WITNESSETH: That for and in consideration of the payments and agreements mentioned in the proposal hereto attached, to be made and performed by the party of the first part, and according to the terms expressed in the Bond referring to these presents, the party of the second part agrees with said party of the first part at his/their own proper cost and expense to do all the work, furnish all materials and all labor necessary to complete the work in accordance with the Plans and Specifications hereinafter described and in full compliance with all of the plans of this agreement and the requirements of the ENGINEER under it.

3. And, it is also understood and agreed that the Notice to Contractors, Special Provisions, Proposal and Contract Bond hereto attached, and the Plans for the "2018 STREET IMPROVEMENT PROGRAM," VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS as prepared by GERALD L. HEINZ & ASSOCIATES, INC. are all essential documents of this contract and are a part hereof.

4. IN WITNESS WHEREOF, The said parties have executed these presents on the date above mentioned.

For the OWNER
Party of the First Part

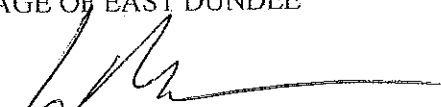
ATTEST:



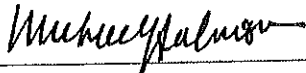
Village Clerk
(Municipal Seal)

VILLAGE OF EAST DUNDEE

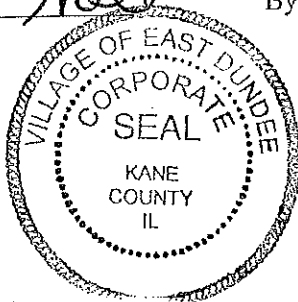
By


Village President
(Party of the First Part)

For the CONTRACTOR
Party of the Second Part

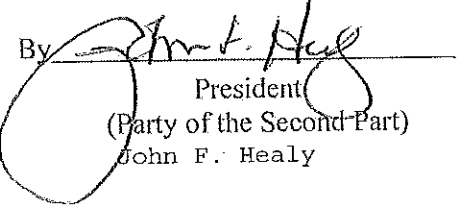


Secretary
(Corporate Seal)
Michael J. Salmon



ARROW ROAD CONSTRUCTION
COMPANY

By


President
(Party of the Second Part)
John F. Healy