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**VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 1034

**AN ORDINANCE APPROVING THE AWARD OF A CERTAIN
CONTRACT FOR THE RIVERWOODS DRIVE INTERSECTION
IMPROVEMENTS PROJECT IN THE VILLAGE OF MELROSE
PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

**ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK**

THIS 12TH DAY OF MARCH 2007

**RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk**

Board Of Trustees

**JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
RUBEN LOMELI
ARTURO J. MOTA
ANTHONY J. PRIGNANO**

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**Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 13TH day of MARCH 2007**

ORDINANCE NO. 1034

AN ORDINANCE APPROVING THE AWARD OF A CERTAIN CONTRACT FOR THE RIVERWOODS DRIVE INTERSECTION IMPROVEMENTS PROJECT IN THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

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WHEREAS, the Village of Melrose Park, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico (the “President”), the Village Clerk, the Honorable Mary Ann Paolantonio Salemi (the “Clerk”), and the Board of Trustees of the Village, namely, the Honorable John S. Conteduca, Cathleen Cossident Italia, Thomas “TK” Klein, Ruben Lomeli, Arturo J. Mota and Anthony J. Prignano (the “Village Board”), all having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village (collectively, the President and Village Board constitute the “Corporate Authorities”); and

WHEREAS, the Village plans to improve the intersection of Riverwoods Drive and North Avenue (Illinois Route 64) within the Village (the “Project”); and

WHEREAS, the Village desires to enter into a contract (a “Contract”) in substantial conformity with that certain “Proposed Terms for Agreement” attached hereto as Exhibit “A”, to a qualified bidder to perform the work to complete the Project; and

WHEREAS, pursuant to the Illinois Compiled Statutes and the Village of Melrose Park Municipal Code, the Village advertised for bids for the Project and received bids from twelve (12) prospective bidders; and

WHEREAS, Landmark Contractors, Inc. ("Landmark") has been determined qualified to perform the work specified in the Contract; and

WHEREAS, Landmark is pre-qualified by the State of Illinois to perform the type and scale of the work in the Project; and

WHEREAS, Landmark has successfully performed work for the Village in the past; and

WHEREAS, the Village has determined that Landmark is the lowest responsible bidder for the Project and, as such, wishes to enter into a Contract with Landmark for it to perform the work for the Project; and

WHEREAS, the Village has previously appropriated, allocated or budgeted sufficient funds for Landmark to perform as described in Exhibit A, the funds are readily available, and the Village intends to use the aforementioned funds to pay for the services and materials to be provided as described in the Contract; and

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Melrose Park, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to award the Contract to Landmark for performance of the Project, to authorize and direct the President or his designee to execute all necessary documents, provide for the expenditure of all necessary funds, and perform all necessary services to effectuate the intent of this Ordinance.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

**ARTICLE II.
AWARD OF CONTRACT**

Section 05. Approval and Execution of Documents.

That the Village does hereby award the Contract to Landmark for performance of the Project, which is hereby approved and based on certain contract terms and conditions attached hereto as Exhibit "A", with such insertions, omissions and changes as shall be drafted and approved by the President and Village Attorney. The President, Village Attorney, Village Comptroller and other Village officials, as may be required, are hereby authorized and directed to draft, revise, execute and complete the Contract and any other documents deemed necessary, including approving the expenditure of all necessary funds up to the bid amount of Eighty-Five Thousand, Five Hundred Eleven and 50/100 U.S. Dollars (\$85,511.50), to effectuate the intent of this Ordinance, whether or not such other

documents are attached hereto. The Clerk is hereby authorized and directed to attest to, countersign and affix the seal of the Village to all such documents as are deemed necessary.

Section 06. Other Actions Authorized.

The officers and employees of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this Ordinance and otherwise to consummate the transactions contemplated hereby, and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein and approving the expenditure of all necessary funds to complete the Project.

Section 07. Acts of Village Officials.

That all past, present, and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 08. Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 09. Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision, clause, sentence, paragraph, sub-paragraph, section, or part shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Corporate Authorities that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

Section 10.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 11.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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Section 12.00 Effective Date.

This Ordinance shall be in full force and effect upon its passage, approval and publication, as provided by law.

On The Individual Poll And Voice Vote Of The Board of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Klein,
Trustee Lomeli, Trustee Mota, Trustee Prignano

NAY VOTES:

ABSTAIN:

ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TWELFTH DAY OF MARCH, 2007, A.D.

APPROVED:



RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST: 

Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: March 12, 2007
Published in Pamphlet Form: March 13, 2007