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VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1193

AN ORDINANCE AUTHORIZING AND APPROVING A
CONTRACT FOR SERVICES IN CONNECTION WITH UTILITY
SERVICES, FOR 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 9TH DAY OF JUNE 2008

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

Board Of Trustees

JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
ARTURO J. MOTA
ANTHONY J. PRIGNANO
MARY RAMIREZ TACONI
JAIME ANGUIANO

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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 10TH day of JUNE 2008

ORDINANCE NO. 1193

AN ORDINANCE AUTHORIZING AND APPROVING A CONTRACT FOR SERVICES IN CONNECTION WITH UTILITY SERVICES, FOR 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 municipality and unit of local government 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 “President”), the Honorable Ronald M. Serpico, the Village Clerk (the “Village Clerk”), the Honorable Mary Ann Paolantonio Salemi (the “Village Clerk”), having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, and Mary Ramirez Taconi, having taken office on May 14, 2007, and the Honorable Jaime Anguiano, having taken office on March 10, 2008, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the Village declares it necessary, advisable and in the best interests of its residents and the Village to retain a company to perform particularized audit review services regarding utility costs, particularly costs for telecommunications, that the Village incurs in an attempt to lower Village costs; and

WHEREAS, AMERICAN ASSOCIATION OF UTILITY AUDITORS, INC., D/B/A “AMAUDIT” (“AmAudit”), an Illinois corporation in good standing, with offices located at

8600 US Highway 14, Crystal Lake, Illinois, serves its clients to improve their financial position by assisting them in identifying savings opportunities, recovering overpayments, and securing the most competitive rates for utility services; and

WHEREAS, AmAudit charges no upfront costs for its services; and

WHEREAS, the Village has utilized AmAudit’s services in the past, AmAudit having performed well and in a professional manner; and

WHEREAS, the Village has determined to retain AmAudit to perform services as more particularly described as attached hereto and incorporated herein by reference as Exhibit “A” (the “Contract”); and

WHEREAS, the Village has previously appropriated, allocated or budgeted sufficient funds for such services, if any, 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 President and Village Board 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 authorize the President or his designee to enter into the Contract with AmAudit, to authorize and direct the President to execute all necessary

documents, and perform all necessary services to effectuate the intent of this Ordinance, including the expenditure of all necessary funds.

Section 03. Invocation of Authority.

This Ordinance is adopted 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.

Section 05 – Section 09. Reserved.

**ARTICLE II.
AUTHORIZATION AND APPROVAL**

Section 10.00. Authorization of Contract.

The Corporate Authorities hereby waiving all bidding requirements, if any, approve the Contract in substantially the same form as attached hereto, authorize and direct the President or his designee to execute the Contract, and authorize and direct the expenditure of all costs related thereto or resulting therefrom.

Section 10.01. Approval and Execution of Documents.

The Contract is hereby approved in substantially the same form as attached hereto and made a part hereof as Exhibit “A” with such insertions, omissions and changes as shall be approved by the President and the Village Attorney. The President or his designee is hereby authorized and directed to complete and execute the Contract and any other documents deemed necessary to effectuate the intent of this Ordinance, whether or not such other documents are attached hereto. The Village 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 to effectuate the intent of this Ordinance. The Village is authorized to allocate and spend all necessary funds to fulfill the requirements of the Contract and of this Ordinance.

Section 10.02. 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.

Section 10.03. 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.

Section 11.00 – Section 15.00 Reserved.

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

Section 16.00 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 17.00 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 President and Village Board 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 18.00 Superseder.

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

Section 19.00 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 20.00 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 Prignano,
Trustee Taconi, Trustee Anguiano

NAY VOTES:

ABSTAIN:

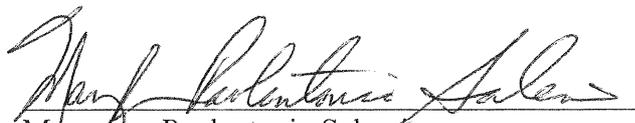
ABSENT: Trustee Mota

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS NINTH OF JUNE,
2008, A.D.

APPROVED:


RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: June 9, 2008
Published in Pamphlet Form: June 10, 2008