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

ORDINANCE NO. 1410

**AN ORDINANCE AUTHORIZING AND APPROVING THE
EXECUTION OF A PRELIMINARY ENGINEERING SERVICE
AGREEMENT FOR ENGINEERING WORK REGARDING THE
RECONSTRUCTION AND STREETSCAPING OF DIVISION
STREET FROM 25TH AVENUE TO 9TH AVENUE, 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 27TH DAY OF SEPTEMBER 2010

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

Board Of Trustees

**CATHLEEN COSSIDENT ITALIA
ANTHONY J. PRIGNANO
ARTURO J. MOTA
MARY RAMIREZ TACONI
JAIME ANGUIANO
ANTHONY N. ABRUZZO**

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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 28TH day of SEPTEMBER 2010**

ORDINANCE NO. 1410

AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION OF A PRELIMINARY ENGINEERING SERVICES AGREEMENT FOR ENGINEERING WORK REGARDING THE RECONSTRUCTION AND STREETSCAPING OF DIVISION STREET FROM 25TH AVENUE TO 9TH AVENUE, 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 Honorable Mary Ann Paolantonio Salemi, and the Board of Trustees of the Village (the “Village Board”), the Honorable Cathleen Cossident Italia, Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, having taken office on April 30, 2009, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, the President and the Village Board (collectively, the “Corporate Authorities”) are committed to imposing streetscapes in the Village; and

WHEREAS, in connection with the foregoing, the Village recognizes the need to reconstruct the streetscape for a portion of Division Street located between 25th Avenue and 9th Avenue in the Village (the “Project”); and

WHEREAS, the Village recognizes the need for a third party to provide professional engineering services (the “Services”) related to the Project; and

WHEREAS, the Corporate Authorities find that it is advisable, necessary and in the best interests of the Village and its residents for the Village to retain Edwin Hancock Engineering Co. (the “Engineer”) by agreement (the “Agreement”), attached hereto and incorporated herein as Exhibit “A,” which sets forth the terms and conditions under which the Engineer will provide the Services to the Village; and

WHEREAS, the Services include, but are not limited to, preliminary engineering and engineering inspection services, including the completion of general and detailed plans, project management services and the performance of other necessary engineering services as further outlined in the Agreement; and

WHEREAS, the Village has previously appropriated or allocated from its budget sufficient funds to retain the Engineer, the funds are readily available and the Village intends to use the aforementioned funds to retain the Engineer as herein described; 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 authorize the President or his designee to enter into, approve and execute an agreement with the Engineer with terms substantially the same as the terms of the Agreement.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this 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.

Sections 05-09. Reserved.

**ARTICLE II.
AUTHORIZATION**

Section 10.00 Authorization.

That the Village Board hereby approves the Agreement and authorizes and directs the President or his designee to enter into, approve and execute an agreement with the Engineer with terms substantially the same as the terms of the Agreement, with such insertions, omissions and changes as shall be approved by the President and the Village Attorney.

That the Village Board hereby authorizes and directs the Village to undertake all steps necessary to carry out the intent of this Ordinance, including the expenditure of all necessary funds and execution of subcontracting agreements if deemed necessary and appropriate by the President for the completion of the Project.

That the Village Clerk is hereby authorized and directed to attest to and countersign the

Agreement and any such other documentation as may be necessary to carry out and effectuate the purpose of this Ordinance, and is further authorized and directed to affix the Seal of the Village to such documentation as is necessary.

That the Village Board hereby authorizes the officers, employees and/or agents of the Village to take all action necessary or reasonably required to carry out, give effect to and consummate the intent of this Ordinance and to take all action necessary in conformity therewith.

That the Village Board hereby ratifies any and all previous action taken to effectuate the intent of this Ordinance. Any applicable bidding requirements for the Services, the Agreement or collateral agreements entered into thereunder pursuant to this Ordinance are hereby waived.

Section 11.00 – Section 15.00 Reserved.

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

Section 16.00 Headings.

The headings for the articles, sections, paragraphs and subparagraphs 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 provision 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, subparagraph, 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, subparagraph, 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 Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, subparagraph, 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 Italia, Trustee Prignano, Trustee Taconi,
Trustee Anguiano, Trustee Abruzzo

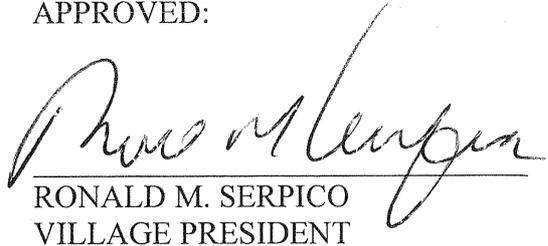
NAY VOTES:

ABSTAIN:

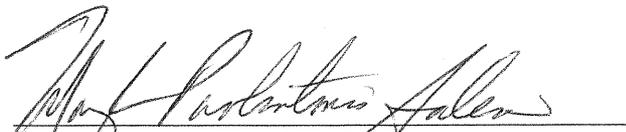
ABSENT: Trustee Mota

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TWENTY-SEVENTH DAY OF SEPTEMBER, 2010, A.D.

APPROVED:


RONALD M. SERPICO
VILLAGE PRESIDENT

ATTEST:


Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: September 27, 2010
Published in Pamphlet Form: September 28, 2010