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

ORDINANCE NO. 991

**AN ORDINANCE AUTHORIZING AND APPROVING A
CONSTRUCTION CONTRACT BETWEEN THE VILLAGE OF
MELROSE PARK AND KINGS POINT GENERAL CEMENT, INC.
IN CONNECTION WITH IMPROVEMENT OF MUNICIPAL
STREETS 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 JUNE 2006

**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 JUNE 2006**

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WHEREAS, the Village of Melrose Park, Cook County, 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 now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005 and the Village Board of Trustees, the Honorable John S. Conteduca, Cathleen Cossident Italia, Tom "T.K." Klein, Ruben Lomeli, Trustee Arturo J. Mota and Anthony J. Prignano, having taken office on May 2, 2005, constitute the duly elected, qualified and acting officials of the Village; and

WHEREAS, as part of its efforts to improve its infrastructure and protect the health, safety and welfare of the community, the Village, by and through its Village Engineer, solicited bids for certain sidewalk and street improvements, more fully described in Exhibit A, (the “Improvements”) per Illinois Department of Transportation mandate; and

WHEREAS, Kings Point General Cement, Inc. (hereinafter "Kings Point") has submitted the lowest responsible bid/proposal and in conformity with said bid/proposal has agreed to perform the Improvements, as more specifically detailed in the attached contract, a copy of which is attached hereto and made a part hereof by this reference as Exhibit A, to the Village for the amount of Ninety Seven Thousand Two Hundred Seventy Dollars and 00/100 (\$97,270.00); and

WHEREAS, the President and the Board of Trustees of the Village have found and determined that it is necessary, advisable and in the best interests of the Village and its residents to accept said bid of Kings Point, and to authorize the Village to enter into a certain agreement with Kings Point for such construction services; and

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

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

The President and Board of Trustees of the Village (the "Village Board") hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true, and correct and does 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 Village of Melrose Park to accept the bid of Kings Point for the proposed Improvements and to authorize the execution and delivery of an Agreement for the same.

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 TO ENTER AGREEMENT.**

Section 10.00 Acceptance of Bid.

That the bid from Kings Point for the Improvements, more particularly described in attached Exhibit A, is hereby accepted and the Village of Melrose Park, by and through its authorized agents, is hereby authorized to enter into said contract and to take all necessary action associated therewith.

Section 11.00 Approval and Execution of Documents.

The form, terms and provisions of the agreement between the Village of Melrose Park and Kings Point (the "Contract"), is hereby approved in substantially the same form as attached hereto and hereby made a part hereof as Exhibit A, with such insertions, omissions and changes as shall be approved by the Village President and the Village Attorney; and the Village President is hereby authorized and directed to execute and the Village Clerk is hereby authorized and directed to attest and countersign the Contract and any and all such other documents as may be necessary to carry out and effectuate the

purpose of this Ordinance; and the Village Clerk is also authorized and directed to affix the seal of the Village to such documents.

Section 12.00 Other Actions Authorized.

The Village President, Village Clerk and other officers, employees and/or agents of the Village are hereby authorized and directed to take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of the Contract.

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

Section 13.00 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 14.00 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 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 Board of Trustees that this Ordinance would have been

adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

Section 15.00 Superseder.

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

Section 16.00 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 17.00 Effective date

This Ordinance shall be in full force and effect upon 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 Klein, Trustee Lomeli,
Trustee Mota, Trustee Prignano

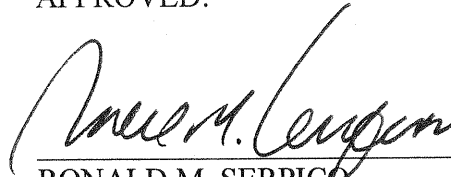
NAY VOTES:

ABSTAIN:

ABSENT: Trustee Italia

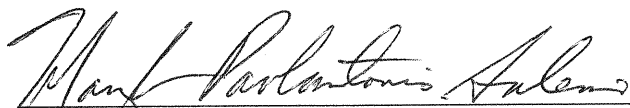
SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TWELFTH DAY OF JUNE, 2006, A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi,
Village Clerk

(SEAL)

Recorded in the Municipal Records: June 12, 2006
Published in pamphlet form: June 13, 2006