

RESOLUTION NUMBER R-09-11

**RESOLUTION APPROVING THE LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION AND THE CONSTRUCTION ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION TO BE ENTERED INTO BY THE VILLAGE OF MAYWOOD, THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) AND EDWIN HANCOCK ENGINEERING COMPANY AND FOR THE APPROPRIATION OF FUNDS FOR THE PURPOSE OF PAYING FOR THE LOCAL AGENCY SHARE FOR THE CONSTRUCTION ENGINEERING SERVICES RELATED TO AND CONSTRUCTION OF THE NINTH AVENUE IMPROVEMENTS UNDER IDOT PROJECT NUMBER M-9003-(177), STATE JOB NO. C-91-210-09**

**WHEREAS**, the President and Board of Trustees of the Village of Maywood desire to participate in the Illinois Department of Transportation's Surface Transportation Program (IDOT) for the purpose of funding a portion of the related construction engineering services and a portion of the actual construction costs associated with certain street improvements to be made to Ninth Avenue in accordance with the terms set forth in the attached Local Agency Agreement for Federal Participation (Exhibit "A") (the "LL Agreement") and the attached Construction Engineering Services Agreement for Federal Participation (Exhibit "B") (the "CES Agreement"); and

**WHEREAS**, the portion of Ninth Avenue to be resurfaced under the attached LL Agreement (Exhibit "A") and the attached CES Agreement (Exhibit "B") extends from Harrison Street to Madison Street within the Village's corporate boundaries (the "Project"); and

**WHEREAS**, the State of Illinois, through IDOT, has agreed to participate and provide a portion of the funding for the actual construction costs associated with the Project and the related construction engineering services through the FHWA(STU) program at a level of 80% of the actual construction cost but not to exceed an amount equal to \$414,400.00 in accordance with the terms set forth in the attached LL Agreement (Exhibit "A") and the attached CES Agreement (Exhibit "B"); and

**WHEREAS**, the Village agrees to pay 100% of the construction engineering services costs up front and seek reimbursement of 80% of those costs from IDOT pursuant to the attached LL Agreement (Exhibit "A") and the attached CES Agreement (Exhibit "B"); and

**WHEREAS**, the Village agrees to pay the local share of the Project, which equals 20% of the actual construction costs and the 100% of all related construction costs and construction engineering costs in excess of \$518,000.00 for the Project; and

**WHEREAS**, the President and Board of Trustees of the Village of Maywood, Illinois agree to appropriate and authorize the expenditure of the sum of \$144,400.00 from the Village's general corporate funds or tax increment financing district funds for the purpose of paying the Village's portion of the cost of construction engineering and construction costs for the Project improvements under Illinois Department of Transportation Project Number M-9003(177), Job Number C-91-210-09, MFT Section 08-00128-00-RS; and

**WHEREAS**, the Village of Maywood, a home rule Illinois municipal corporation, has the authority to approve and enter into the attached LL Agreement (Exhibit "A") and the attached CES Agreement (Exhibit "B") and to approve the expenditure of its general corporate funds or tax increment financing district funds for the Project pursuant to its home rule powers and contracting authority provided by Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970, as well as the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) and finds that entering into this Agreement is in the best interests of the Village.

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

**SECTION 2:** The President and Board of Trustees of the Village Maywood approve of the attached Local Agency Agreement for Federal Participation (Exhibit "A") (the "LL Agreement") and the attached Construction Engineering Services Agreement for Federal Participation (Exhibit "B") (the "CES Agreement") to be entered into with the Illinois Department of Transportation (IDOT) and the Edwin Hancock Engineering Company and those Agreements are made a part hereof. The President and Board of Trustees also agree to appropriate and authorize the expenditure of the sum of \$144,400.00 from the Village's general corporate funds or tax increment financing district funds for the purpose of paying the Village's portion of the cost of construction engineering and construction costs for the Project improvements under Illinois Department of Transportation Project Number M- 9003(177), Job Number C-91-210-09, MFT Section 08-00128-00-RS. Further, the President and Board of Trustees authorize and direct the Village President and Clerk, or their designees, to execute said Agreements and to execute and deliver all other instruments and documents that are necessary to fulfill the Village's obligations under the Agreement.

**ADOPTED** this 21st day of April 2009, pursuant to a roll call vote as follows:

Mayor Henderson Yarbrough, Sr., Trustee(s): G. Woll,

**AYES:** A. Jaycox, E. Perkins, D. Flowers, R. Lopez & K. Johnson

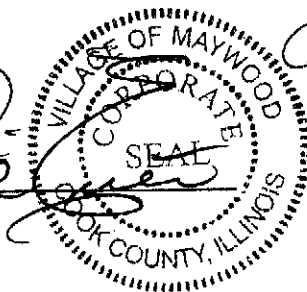
**NAYS:** None

**ABSENT:** None

**APPROVED** this 21st day of April 2009, by the Village President of the Village of Maywood, and attested by the Village Clerk on the same day.

**ATTEST:**

  
VILLAGE CLERK



  
VILLAGE PRESIDENT

**EXHIBIT "A"**

Local Agency Agreement for Federal Participation

(Attached)

**EXHIBIT "B"**

Construction Engineering Services Agreement for Federal Participation

(Attached)

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

**CLERK'S CERTIFICATE**

I, Readith Ester, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, do hereby certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my Office, entitled:

**RESOLUTION NO. R-09-11**

RESOLUTION APPROVING THE LOCAL AGENCY AGREEMENT FOR FEDERAL PARTICIPATION AND THE CONSTRUCTION ENGINEERING SERVICES AGREEMENT FOR FEDERAL PARTICIPATION TO BE ENTERED INTO BY THE VILLAGE OF MAYWOOD, THE ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) AND EDWIN HANCOCK ENGINEERING COMPANY AND FOR THE APPROPRIATION OF FUNDS FOR THE PURPOSE OF PAYING FOR THE LOCAL AGENCY SHARE FOR THE CONSTRUCTION ENGINEERING SERVICES RELATED TO AND CONSTRUCTION OF THE NINTH AVENUE IMPROVEMENTS UNDER IDOT PROJECT NUMBER M-9003-(177), STATE JOB NO. C-91-210-09

which Resolution was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 21 day of April, 2009, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 21 day of April, 2009.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

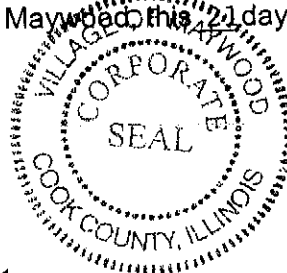
Mayor Henderson Yarbrough, Sr., Trustee(s): G. Woll,  
**AYES:** A. Jaycox, E. Perkins, D. Flowers, R. Lopez & K. Johnson

**NAYS:** None

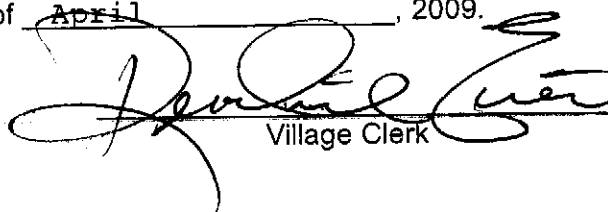
**ABSENT:** None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 21 day of April, 2009.



[SEAL]

  
Village Clerk