

**RESOLUTION NO. R-2019-04**

**A RESOLUTION AUTHORIZING CERTAIN EXPENDITURES  
FROM CHICAGO TITLE INSURANCE COMPANY ESCROW NUMBER 6  
(ESCROW ACCOUNT NUMBER 201454334) ESTABLISHED FOR  
THE ST. CHARLES ROAD TAX INCREMENT FINANCING REDEVELOPMENT  
PROJECT AREA FUND TO PAY FOR THE VILLAGE OF MAYWOOD  
MASONIC TEMPLE CORNICE REPAIRS PROJECT AND  
AWARD OF CONTRACT TO SEAL GUARD, INC.  
(Contract Price: \$68,260.00)**

**WHEREAS**, pursuant to Ordinance No. PRO-90-5, adopted on August 23, 1990, the President and Board of Trustees (the "Corporate Authorities") of the Village of Maywood, Cook County, Illinois (the "Village"), in an effort to revitalize the Village's local economy and provide for the comprehensive and coordinated development of an underutilized and blighted area within the Village, adopted a redevelopment plan and project, designated a redevelopment project area, and adopted the use of tax increment financing relative to a designated area tax increment financing district known as the "St. Charles Road TIF District" (the "TIF District") in accordance with the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended, (the "Act") for the St. Charles Road Tax Increment Financing Redevelopment Project Area (the "Project Area"). A copy of the Project Area Boundary Map is on file with the Village Clerk's Office and is incorporated by reference into this Ordinance; and

**WHEREAS**, pursuant to the Act, the Village established the St. Charles Road Special Tax Allocation Fund (the "TIF Fund") into which annual tax increment revenue from the Project Area have been deposited (the "TIF Funds") and from which expenditures have been and will continue to be made for eligible TIF redevelopment project costs, as authorized by the Act and in accordance with the Village-approved Redevelopment Plan and Budget for the Project Area (the "Plan"). The Corporate Authorities have determined that, in order to encourage private investment and restore and enhance the tax base of the Village and the affected taxing districts, certain blighting and adverse conditions within the Project Area must be removed, certain infrastructure improvements must be made, and the Project Area must be redeveloped. A copy of the Plan is on file with the Village Clerk's Office and is incorporated by reference into this Ordinance; and

**WHEREAS**, within Ordinance No. CO-2013-47, the Corporate Authorities identified and approved the completion of certain TIF improvement projects and TIF District related expenditures within the Project Area (collectively, the "TIF Improvement Projects") that were identified in a chart entitled "Updated St. Charles TIF Administration and Projects Sheet for 2013 and 2014 / Remaining TIF District Projects and Close Out Expenditures." The total estimated TIF Funds that were expected to be available to be contributed to the TIF Improvement Projects for calendar year 2014 was Six Million Eight Hundred Ten Thousand Three Hundred Twenty-Eight and No/100 Dollars (\$6,810,328.00); and

**WHEREAS**, under Ordinance No. CO-2014-47, the Corporate Authorities approved the establishment of construction escrows at Chicago Title Insurance Company for purposes of depositing TIF Funds to be used to pay for portions of the remaining TIF Improvement Projects, in whole or in part, that were deemed to be TIF-eligible expenses by the Corporate Authorities and other costs associated with the close-out of the St. Charles TIF District and any related obligations ("Remaining TIF District

Projects and Close Out Expenditures”). Based on the recommendation of Village staff and the Village Engineer, the Corporate Authorities approved the deposit of Seven Million One Hundred Sixty-Nine Thousand Nine Hundred Ninety and 12/100 Dollars (\$7,169,990.12), which constituted the Remaining TIF District Projects and Close Out Expenditures, into one or more construction escrows at Chicago Title Insurance Company. Of the six (6) escrows that were established and funded at Chicago Title Insurance Company, Escrow Number 6 was described and funded as follows:

Escrow Number 6 (Escrow Account Number 201454334): Economic Incentives and Projects (Village Matching Share of Grants for Approved TIF-related Projects; Return of Property Tax Payments to Cook County per Tax Appeals; New Businesses, Site Preparation Incentives and Environmental Remediation Costs Associated with Development of Village-Owned Parcels; Job Training; Maywood Library Drainage Improvements and Operation Uplift Building Improvements); and Façade Program Projects (Façade Improvement Program - generally; Mariella’s; Try Our Pallets; 600 Lake Street; 1110 St. Charles and 1000 St. Charles) (Escrow Deposit: \$1,203,000.00); and

**WHEREAS**, in 2003, the Corporate Authorities established a “Commercial Property Improvement Program” (known as the “Façade Improvement Program”) (the “Program”) and the Program is funded, in part, on an annual basis with St. Charles Road TIF Funds in order to pay for eligible façade improvements as applied for by business owners and property owners of property located within the St. Charles Road TIF District; and

**WHEREAS**, it is necessary to consider and approve the use of TIF Funds during calendar year 2019 to complete certain infrastructure improvement projects in order to stimulate reinvestment in the Project Area. The Corporate Authorities have identified and approved the completion of the following infrastructure improvement project(s) within the Project Area (the “Project Improvements” or the “Infrastructure Improvement Projects”), using TIF Funds to pay for such Infrastructure Improvement Projects, in whole or in part:

**Maywood Masonic Temple Cornice Repairs Project.** This Project consists of the removal of one hundred sixty-seven (167) feet of cornice, wooden outriggers, and compromised brick on the exterior of the Village-owned building. The Project will also include the replacement of removed brick with new face brick and the sealing of all top floor windows at the North, South and East facades above the cornice. Completion of this Project is critical and warranted for building maintenance and structural integrity reasons and to protect pedestrian safety.

The Village staff solicited and received competitive quotes from two (2) companies to perform the construction services required for the Project. On February 5, 2019, pursuant to Section 36.08 (Contracts and Purchases) of the Village of Maywood Municipal Code (“Village Code”), competitive bidding for this written contract was waived by a vote of two-thirds (2/3) of the corporate authorities for this Contract because the Village staff recommended the rejection of the one timely-filed proposal (ECO Construction at \$240,000.00) and the award of the other proposal submitted by Seal Guard, Inc. in an amount not to exceed Sixty-Eight Thousand Two Hundred Sixty and No/100 Dollars (\$68,260.00); and

**WHEREAS**, pursuant to Section 36.08 (Contracts and Purchases) of the Village of Maywood Municipal Code (“MVC”), the Project is required to be competitively bid and awarded to the lowest qualified and responsible bidder, after due notice inviting bids, because the work is a public

improvement paid for with public funds and the estimated cost exceeds \$20,000.00, unless competitive bidding is waived by a vote of two-thirds (2/3) of the Corporate Authorities. Under Section 36.08(B) (Solicitation of Competitive Proposal) of the MVC, the Corporate Authorities may waive the competitive bidding process by a two-thirds (2/3) vote and direct the Village Manager to solicit competitive proposals for the award of any eligible public works or public improvement contract. The justification for waiving the competitive bidding process in lieu of the solicitation of competitive proposals may include any of the considerations set forth in 36.08(A)(6)(e) of the MVC as well as the following: (1) availability of only a single source vendor or a limited number of known vendors; and (2) financial savings realized by not utilizing the competitive bidding process; and

**WHEREAS**, by soliciting competitive proposals, Village staff was able to obtain competitive, responsive quotes for the Project and realize financial savings by not conducting a formal bidding process. The Corporate Authorities find that it is desirable and in the best interests of the residents of the Village to waive the competitive bidding process in lieu of the solicitation of competitive proposals and award a contract to Seal Guard, Inc. to perform the Project work, based on its lowest, responsive quote; and

**WHEREAS**, the Corporate Authorities find that it is desirable and in the best interests of the residents of the Village to approve the expenditure of TIF Funds to complete the Project Improvements within the Project Area, which expenditures will be paid on or after the date of passage of this Resolution (the "Expenditures").

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Recitals.** The statements set forth in the preambles of this Resolution are found to be true and correct and are adopted as part of this Resolution.

**SECTION 2: Authority.**

- (a) The Village is a duly constituted and organized home rule municipality, as described in Division 6 of Article VII of the Illinois Constitution of 1970, and, as such, may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to tax and incur debt.
- (b) This Resolution is adopted in connection with implementing the Plan in accordance with the Act.
- (c) This Resolution is a declaration of official intent under Treasury Regulation Section 1.150-2.

**SECTION 3: Estimate of Expenditures.**

- (a) The Village intends to incur Expenditures in connection with the Maywood Masonic Temple Cornice Repair Project within the Plan and Project Area including, but not limited to, the following:
  - 1. Costs for the construction of the Project.

2. Costs for professional services related to the Project, including, but not limited to, legal, zoning, redevelopment, consulting, architectural and engineering services, landscape architectural services, design guidelines, appraisals, surveys, market studies, traffic studies, and environmental and geotechnical services.
- (b) A Preliminary Estimate of Expenditures to be incurred and reimbursed, in connection with the Maywood Masonic Temple Cornice Repair Project, as provided by the Village Engineer and/or the Village Manager, is as follows:

**Maywood Masonic Temple Cornice Repair Project.** Seal Guard, Inc. submitted the lowest, responsive quote to perform the Project work for an amount not to exceed Sixty-Eight Thousand Two Hundred Sixty and No/100 Dollars (\$68,260.00).

The Quote and Recommendation, as set forth in a Memorandum dated February 5, 2019, and prepared by David Myers, Community Development Director, for the Project, is attached hereto as **Exhibit "A"** and made a part hereof.

**SECTION 4: Authorization of Expenditures; Award of Contract.** The expenditure of funds from the TIF Fund is authorized up to the amounts set forth in Section 3 above, or such additional amounts necessary to complete any additional work related to the Project as subsequently approved or authorized by the Corporate Authorities. The President and Board of Trustees award the contract for the Project to Seal Guard, Inc. in an amount not to exceed Sixty-Eight Thousand Two Hundred Sixty and No/100 Dollars (\$68,260.00) with a waiver of the bid process. The President and Board of Trustees of the Village direct the Village Clerk's Office to forward a certified copy of this Resolution and a fully executed copy of the Contract to the Seal Guard, Inc. for record retention purposes.

**SECTION 5: Public Inspection.** This Resolution shall be immediately available for inspection by the public at the office of the Village Clerk.

**SECTION 6: Repealer.** All resolutions, or parts of resolutions, in conflict with the provisions of this Resolution, to the extent of such conflict, are repealed.

**SECTION 7: Severability.** Each section, paragraph, clause and provision of this Resolution is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Resolution, nor any part thereof, other than that part affected by such decision.

**SECTION 8: Ratification.** All actions of the Corporate Authorities, agents and employees of the Village that are in conformity with the purpose and intent of this Resolution, whether taken before or after the adoption of this Resolution, are ratified, confirmed and approved.

**SECTION 9: Effective Date.** This Resolution shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as required by law.

**ADOPTED** this 19<sup>th</sup> day of February, 2019, pursuant to a roll call vote as follows:

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, K. Wellington and M. Lightford

NAYS: None

ABSENT: Trustee(s) A. Sanchez and R. Rivers (Via Phone-Temporarily Unavailable)

**APPROVED** by me as Village President, and attested to by the Village Clerk, on the 20<sup>th</sup> day of February, 2019.

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Edwenna Perkins, Village President

**ATTEST:**

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Viola Mims, Village Clerk

Published by me in pamphlet form this 20<sup>th</sup> day of February, 2019.

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Viola Mims, Village Clerk

**Exhibit "A"**

**Recommendation Memorandum for the Project dated February 5, 2019  
and prepared by David Myers, Community Development Director**

(attached)

STATE OF ILLINOIS     )  
                                  ) SS.  
COUNTY OF COOK     )

**CLERK'S CERTIFICATE**

I, Viola Mims, Clerk of the Village of Maywood, Cook County, Illinois, certify that the attached document is a true and correct copy now on file in my office, entitled:

RESOLUTION NO. R-2019-04

A RESOLUTION AUTHORIZING CERTAIN EXPENDITURES  
FROM THE CHICAGO TITLE INSURANCE COMPANY ESCROW NUMBER 6  
(ESCROW ACCOUNT NUMBER 201454334) ESTABLISHED FOR  
THE ST. CHARLES ROAD TAX INCREMENT FINANCING REDEVELOPMENT  
PROJECT AREA FUND TO PAY FOR THE VILLAGE OF MAYWOOD  
MASONIC TEMPLE CORNICE REPAIRS PROJECT  
AND AWARD OF CONTRACT TO SEAL GUARD, INC.  
(Contract Price: \$68,260.00)

which was passed by the Board of Trustees of the Village of Maywood at a Regular Meeting of the Board of Trustees held on the 19<sup>th</sup> day of February, 2019, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 19<sup>th</sup> day of February, 2019.

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

AYES: Mayor Perkins, Trustee(s) H. Yarbrough, I. Brandon, K. Wellington and M.  
Lightford

NAYS: None

ABSENT: Trustee(s) A. Sanchez and R. Rivers (Via Phone-Temporarily Unavailable)

I do further certify that the original Resolution, of which the attached 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 20<sup>th</sup> day of February, 2019.

SEAL

\_\_\_\_\_  
Viola Mims, Village Clerk