

RESOLUTION NO. 02 -2017

A RESOLUTION RATIFYING, AUTHORIZING AND APPROVING STREET MAINTENANCE AND A MAINTENANCE ENGINEERING SERVICES AGREEMENT FOR 2016 REGARDING WINTER MAINTENANCE OPERATIONS FOR STREETS AND HIGHWAYS FOR THE VILLAGE OF STICKNEY

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the safety of individuals walking and driving within the corporate limits of the Village; and

WHEREAS, in connection with the foregoing, the Village determined that it is in the best interests of the Village and its residents to purchase rock salt to improve public safety on the Village's streets and highways during the winter months of 2016 (the "Project"); and

WHEREAS, the estimated cost of the maintenance costs for the Project (the "Estimated Project Costs") are set forth in Group Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the Village recognized and continues to recognize the need for a third party to provide certain professional engineering services to the Village in connection with the Project (the "Services"), which included field inspections of the Village's roadways; and

WHEREAS, Motor Fuel Tax funds will be used entirely or in part to finance the Project; and

WHEREAS, the Illinois Department of Transportation requires the Village to adopt a Resolution for Maintenance of Streets and Highways by Municipality Under the Illinois Highway Code (the "IDOT Resolution"), attached hereto as Group Exhibit A, for the use of the Motor Fuel Tax funds for the Project and the maintenance engineering costs associated therewith (the "Engineering Costs"); and

WHEREAS, Frank Novotny and Associates, Inc. ("Novotny") has provided the Corporate Authorities with an agreement (the "Agreement"), attached hereto and incorporated herein as Exhibit B, which sets forth such terms, covenants and conditions under which Novotny provided and/or will provide the Services to the Village; and

WHEREAS, the Corporate Authorities find that it is necessary for the health, safety and general welfare of the Village to approve the Estimated Project Costs and the IDOT Resolution and to ratify, approve, enter into and execute an agreement with terms substantially the same as the terms of the Agreement with Novotny; and

WHEREAS, the President is authorized to enter into and the Village Attorney (the "Attorney") is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2: PURPOSE. The purpose of this Resolution is to approve the Estimated Project Costs and the IDOT Resolution and to ratify, approve, enter into and execute an agreement with terms substantially the same as the terms of the Agreement with Novotny whereby Novotny provided and/or will provide the Services to the Village and to further authorize the President or his or her designee to take all steps necessary to carry out the terms and intent of this Resolution and to ratify any steps taken to effectuate those goals.

SECTION 3: AUTHORIZATION. The Board hereby authorizes and directs the President or his or her designee to authorize, approve and execute the Estimated Project Costs and the IDOT Resolution, as applicable, and to authorize, approve and execute the Agreement in accordance with its terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Resolution. The Board further authorizes and directs the President or his or her designee to execute the Agreement with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and countersign the Estimated Project Costs, the IDOT Resolution, the Agreement and any other documentation as may be necessary to carry out and effectuate the purpose of this Resolution. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Resolution and shall take all action necessary in conformity therewith. To the extent that any requirement of bidding would be applicable, the same is hereby waived.

SECTION 4. HEADINGS. The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

SECTION 5. SEVERABILITY. The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution 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.

SECTION 6. SUPERSEDER. All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION. A full, true and complete copy of this Resolution 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.

SECTION 8. EFFECTIVE DATE. This Resolution shall be effective and in full force immediately upon passage and approval as provided by law.

PASSED this 7th day of February, 2017.

AYES: Trustees Fuentes, Hrejsa, Milenkovic, Savopoulos and White

NAYS: none

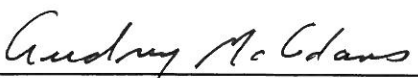
ABSENT: Trustee Rivadeneira

ABSTENTION: none

APPROVED by me this 8th day of February, 2017.


Deborah Morelli, President

ATTESTED AND FILED in my
office this 8th day of
February, 2017.


Audrey McAdams, Village Clerk

GROUP EXHIBIT A





**Illinois Department
of Transportation**

**Resolution for Maintenance of
Streets and Highways by Municipality
Under the Illinois Highway Code**

BE IT RESOLVED, by the _____ President & Board of Trustees _____ of the
(Council or President and Board of Trustees)
Village _____ of _____ Stickney _____, Illinois, that there is hereby
(City, Town or Village) (Name)
appropriated the sum of \$77,620.86 of Motor Fuel Tax funds for the purpose of maintaining
streets and highways under the applicable provisions of the Illinois Highway Code from May 1, 2015
(Date)
to April 30, 2016
(Date)

BE IT FURTHER RESOLVED, that only those streets, highways, and operations as listed and described on the approved Municipal Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that the Clerk shall, as soon as practicable after the close of the period as given above, submit to the Department of Transportation, on forms furnished by said Department, a certified statement showing expenditures from and balances remaining in the account(s) for this period; and

BE IT FURTHER RESOLVED, that the Clerk shall immediately transmit two certified copies of this resolution to the district office of the Department of Transportation, at Schaumburg _____, Illinois.

I, Audrey McAdams _____ Clerk in and for the Village _____
(City, Town or Village)
of Stickney _____, County of Cook _____

hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by

the _____ President & Board of Trustees _____ at a meeting on February 7, 2017
(Council or President and Board of Trustees) Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____.

(SEAL)

(City, Town or Village) Clerk

<p align="center">Approved</p> <p align="center">_____ Regional Engineer Department of Transportation</p> <p align="center">_____ Date</p>

EXHIBIT B



Illinois Department of Transportation

Maintenance Engineering to be Performed by a Consulting Engineer (to be attached to BLR 14231 or BLR 14221)

Local Agency Village of Stickney
Section Number 16-00000-00-GM

The services to be performed by the consulting engineer, pertaining to the various items of work included in the estimated cost of maintenance operations (BLR 14231 or BLR 14221), shall consist of the following:

PRELIMINARY ENGINEERING shall include:

Investigation of the condition of the streets or highways for determination (in consultation with the local highway authority) of the maintenance operations to be included in the maintenance program: preparation of the maintenance resolution, maintenance estimate of cost and, if applicable, proposal; attendance at meetings of the governing body as may reasonably be required; attendance at public letting; preparation of the contract and/or acceptance of BLR 12330 form. The maintenance expenditure statement must be submitted to IDOT within 3 months of the end of the maintenance period.

ENGINEERING INSPECTION shall include:

Furnishing the engineering field inspection, including preparation of payment estimate for contract, material proposal and/or deliver and install proposal and/or checking material invoices of those maintenance operations requiring engineering field inspection, as opposed to those routine maintenance operations as described in Chapter 14-2.04 of BLRS Manual, which may or may not require engineering inspection.

For furnishing preliminary engineering, the engineer will be paid a base fee PLUS a negotiated fee percentage. For furnishing engineering inspection the engineer will be paid a negotiated fee percentage. The negotiated preliminary engineering fee percentage for each group shown in the "Schedule of Fees" shall be applied to the total estimated costs of that group. The negotiated fee for engineering inspection for each group shall be applied to the total final cost of that group for the items which required engineering inspection. In no case shall this be construed to include supervision of contractor operations.

SCHEDULE OF FEES

Total of the Maintenance Operation	Base Fee
<input type="checkbox"/> > \$20,000	\$1,250.00
<input checked="" type="checkbox"/> ≤ \$20,000 (Negotiated: \$1,250 Max.)	\$1,250.00

PLUS

Group	Preliminary Engineering		Engineering Inspection		Operation to be Inspected
	Acceptable Fee %	Negotiated Fee %	Acceptable Fee %	Negotiated Fee %	
I	NA	NA	NA	NA	NA
IIA	2%		1%		
IIB	3%		3%		
III	4%		4%		
IV	5%		6%		

By: _____
Local Agency Official Signature

Deborah Morelli, President
Title

Date

By: Timothy P. Geary
Consulting Engineer Signature

Timothy P. Geary, P.E.
Title

12/18/16
Date

