

RESOLUTION NO. 3 -2020

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT BY AND BETWEEN FRANK NOVOTNY & ASSOCIATES, INC., DBA NOVOTNY ENGINEERING AND THE VILLAGE OF STICKNEY FOR PRELIMINARY, DESIGN AND CONSTRUCTION ENGINEERING SERVICES.

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 resolutions and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, resolutions, rules and regulations; and

WHEREAS, Article VII, Section 10(a) of the Illinois Constitution authorizes units of local government to contract or otherwise associate with individuals, associations, and corporations in any manner not prohibited by law or by ordinance; and

WHEREAS, the President (the "President") and the Board of Trustees of the Village of Stickney (the "Board") (collectively, the "Corporate Authorities") have determined that the Village is in need of certain professional preliminary, design and construction engineering services related to the 45th Street Improvements-Harlem Avenue to Oak Park Avenue (the "Services"); and

WHEREAS, Frank Novotny & Associates, Inc., dba Novotny Engineering ("Novotny") has provided the Village with an agreement, attached hereto and incorporated herein as Exhibit A, whereby Novotny will provide the Services to the Village (the "Agreement"); and

WHEREAS, the Corporate Authorities have determined that it is necessary and in the best interests of the Village to enter into the Agreement with Novotny for the Services; 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 authorize the President or his designee to enter into the Agreement whereby Novotny will provide the Services to the Village, to further authorize the President or his 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 designee to authorize, enter into and approve 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 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 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.

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.

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ADOPTED this 21st day of January, 2020, pursuant to a roll call vote as follows:

Ayes: Trustees Hrejsa, Kapolnek, Milenkovic, Torres and White

Nays: None

Absent: Trustee Savopoulos

Abstention: None

APPROVED by me the 21st day of January, 2020.

Jeff Walik, President
Village of Stickney, Cook County, Illinois

ATTESTED and filed in my office,
this 21st day of January, 2020.

Audrey McAdams, Clerk
Village of Stickney, Cook County, Illinois

EXHIBIT "A"

**AGREEMENT FOR ENGINEERING SERVICES FOR PRELIMINARY ENGINEERING,
DESIGN ENGINEERING, AND CONSTRUCTION ENGINEERING**

