

RESOLUTION NO. 24 -2018

A RESOLUTION APPROVING A CONTRACT WITH H & H ELECTRIC COMPANY FOR THE COMED ENERGY EFFICIENT PROGRAM FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS AND RATIFYING THE ACTION TAKEN ON SEPTEMBER 4, 2018.

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 may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Commonwealth Edison (“ComEd”) administers the Energy Efficiency Program (the “Program”), which grants rebates to communities based on the reduction of energy consumed for lighting and other electrical power uses (the “Grant”); 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”), being committed to reducing the Village’s energy usage and energy related costs, previously applied for and was awarded the Grant; and

WHEREAS, in compliance with the Grant, the Village desires to engage the services of a contractor to replace the existing street light luminaires with new LED street light luminaires to achieve these goals (the “Services”); and

WHEREAS, after competitive bidding, the Village Engineer determined that H & H Electric Co. (“H & H”) was the lowest bidder and recommended that the contract be awarded to H & H; and

WHEREAS, H & H has provided a Local Public Agency Formal Contract, a form contract provided by the Illinois Department of Transportation, (the “Contract”), attached hereto and incorporated herein as Exhibit A, which generally sets forth the terms, covenants and conditions under which H & H will provide the Services to the Village; and

WHEREAS, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to enter into and approve contracts with substantially the same terms as the terms of the Contract; and

WHEREAS, this matter first appeared on the agenda, was included in the “Board Packet” posted on the Village’s website and was approved on September 4, 2018, yet as a result of a scrivener’s error in the title of the legislation and on the agenda for the September 4, 2018 meeting, the Village Board wishes to ratify that action by approving this Contract again at the September 18, 2018 meeting; and

WHEREAS, the President is authorized to enter into and the Village Attorney (the “Attorney”) is authorized to revise contracts 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 Contract whereby H & H will provide the Services to the Village, to authorize the President and the Attorney to make such insertions, omissions and changes as necessary, and 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 previously taken to effectuate those goals, including but not limited to ratifying the action taken to approve this Contract on September 4, 2018.

SECTION 3: AUTHORIZATION. The Board hereby authorizes and directs the President or his designee to authorize, enter into and approve the Contract in accordance with its terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Contract, including but not limited to ratifying the action take to approve this Contract on September 4, 2018. The Board further authorizes and directs the President or his designee to execute the Contract 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 Contract 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 to the Services, 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.

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PASSED this 18th day of September, 2018.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 18th day of September, 2018.

Jeff Walik, President

**ATTESTED AND FILED in my
office this 18th day of
September, 2018.**

Audrey McAdams, Village Clerk

EXHIBIT A

