

VILLAGE OF BROOKFIELD
BROOKFIELD, ILLINOIS 60513

**SPECIAL BROOKFIELD VILLAGE BOARD MEETING
AGENDA**

**Monday, November 3 , 2008
5:30 P.M.**

**Edward Barcal Hall
8820 Brookfield Avenue
Brookfield, IL 60513**

- I. Call to Order**
- II. Roll Call**
- III. Discussion – Village Salt Purchase**
- IV. Resolution 2008-698 – A Resolution Authorizing the Acceptance of a Proposal for the Purchase of Rock Salt for the Village of Brookfield, IL**
- V. Adjournment**

RESOLUTION NO. R - 2008 - 698

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE
PURCHASE OF ROCK SALT FOR THE VILLAGE OF BROOKFIELD, ILLINOIS**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 3RD DAY OF NOVEMBER 2008**

RESOLUTION NO. R - 2008 - 698

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE PURCHASE OF ROCK SALT FOR THE VILLAGE OF BROOKFIELD, ILLINOIS

WHEREAS, in the opinion of a majority of the corporate authorities of the Village of Brookfield, it is advisable, necessary and in the public interest that the Village of Brookfield purchase a supply of rock salt for the purpose of salting the streets during the upcoming winter months in the Village of Brookfield;

WHEREAS, the Village of Brookfield's usual sources for rock salt are unable to supply the village with its requirements for salt in the upcoming winter season and the village along with other municipalities in Illinois are encountering difficulty obtaining rock salt from the normal suppliers;

WHEREAS, the Village of Brookfield has received a proposal for the purchase of rock salt from International Salt Company, LLC; and, therefore, it is, in the opinion of a majority of the corporate authorities of the Village of Brookfield, advisable, necessary and in the public interest that the Village of Brookfield waive newspaper advertisement for bids, waive the procedure prescribed for open market purchases and contract for the purchase of rock salt for the Village of Brookfield; and

WHEREAS, in the opinion of a majority of the corporate authorities of the Village of Brookfield, it is advisable, necessary and in the public interest that the Village of Brookfield accept a proposal for the purchase of rock salt for the Village of Brookfield (the "Agreement") with International Salt Company, LLC.

NOW, THEREFORE, be it resolved by the President and Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

Section 1: It is hereby determined that it is advisable, necessary and in the public interest that the Village of Brookfield waive newspaper advertisement for bids, waive the procedure prescribed for open market purchases and accept a proposal from International Salt Company, LLC for the purchase of rock salt for the Village of Brookfield, which proposal is attached hereto as Exhibit "A."

Section 2: It is hereby determined that it is advisable, necessary and in the public interest that the Village of Brookfield accept a proposal with International Salt Company, LLC for the purchase of rock salt for the Village of Brookfield.

Section 3: The Village Manager be and is hereby authorized and directed to execute an acceptance of a proposal of International Salt Company, LLC and the Village of Brookfield, Illinois, for the purchase of rock salt and to the extent that the Village Manager has taken steps to preserve the village's rights regarding the proposal of International Salt Company, LLC, such actions are hereby ratified.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]

Section 4: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

ADOPTED this 3rd day of November 2008 pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me the 3rd day of November 2008.

Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office
this 3rd day of November 2008.

Brigid Weber, Clerk of the Village
of Brookfield, Cook County, Illinois

Exhibit "A"

PROPOSAL

CONTRACTOR'S CERTIFICATION

The assurances hereinafter made by the Contractor are each a material representation of fact upon which reliance is placed by the Village of Brookfield in entering into the contract with the Contractor. The Village of Brookfield may terminate the contract if it is later determined that the Contractor rendered a false or erroneous assurance.

I, Robert Jones, hereby certify that I am the president of International Salt Company, LLC, and as such, hereby represent and warrant to the Village of Brookfield, a unit of local government, that the Contractor and its shareholders holding more than five percent (5%) of the outstanding shares of the corporation, its officers and directors are:

- (A) not delinquent in the payment of taxes to the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1-1;
- (B) not barred from contracting as a result of a violation of either Section 33E-3 (bid rigging) or 33E-4 (bid-rotating) of the Criminal Code of 1961 (720 ILCS 5/33E-3 and 5/33E-4);
- (C) not in default, as defined in 5ILCS 385/2, on an educational loan, as defined in 5ILCS 385/1;

In addition, the Contractor hereby represents and warrants to the Village of Brookfield, that:

(A) no Village of Brookfield official, spouse or dependent child of a Village of Brookfield official, agent on behalf of any Village of Brookfield official or trust in which a Village of Brookfield official, the spouse or dependent child of a Village of Brookfield official or a beneficiary is a holder of more than five percent (5%) of the Contractor in accordance with Code of Ordinances of the Village of Brookfield, Chapter 3, Article XI;

(B) no officer or employee of Village of Brookfield has solicited any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer from the Contractor in violation of Chapter 2, Article XIX of the Code of Ordinances of the Village of Brookfield; and

(C) the Contractor has not given to any officer or employee of Village of Brookfield any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer in violation of Chapter 2, Article XIX of the Code of Ordinances of the Village of Brookfield.

If any certification made by the Contractor or term or condition in this contract changes, the Contractor shall notify the Village of Brookfield in writing within seven (7) days.

Dated: November ____, 2008

Contractor: International Salt Company, LLC

By: _____
Robert Jones, President

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a notary public in and for the State and County aforesaid, hereby certify that Robert Jones, known to me to be the president of the Contractor, appeared before me this day in person and, being first duly sworn on oath, acknowledged that he/she executed the foregoing certification as his/her free act and deed.

Dated : November ____, 2008

Notary Public