



# Village of Brookfield

8820 Brookfield Avenue • Brookfield, Illinois 60513-1688  
(708) 485-7344 • FAX (708) 485-4971  
www.brookfieldil.gov

VILLAGE OF BROOKFIELD  
BROOKFIELD, ILLINOIS 60513

## BOARD OF LOCAL IMPROVEMENTS

**September 14, 2009**  
**6:15 P.M.**

### **AGENDA**

- I. Roll Call**
- II. Approval of Minutes:** Monday, March 23, 2009
- III. Bid Opening – Special Assessment 357**
- IV. Resolution R-752 - A Resolution of the Board of Local Improvements of the Village of Brookfield, Illinois setting bid opening issuing a Notice of Award for the Public Alley Improvements of a portion of the 4300 block between Vernon Avenue and Prairie Avenue - Special Assessment #357**
- V. Adjournment**

VILLAGE PRESIDENT  
Michael J. Garvey

VILLAGE CLERK  
Brigid Weber

BOARD OF TRUSTEES  
Cathy A. Colgrass-Edwards  
C.P. Hall, II  
David P. LeClere  
Brian S. Oberhauser  
Yvonne Prause  
Michael A. Towner

VILLAGE MANAGER  
Riccardo F. Ginex

MEMBER OF  
Illinois Municipal League  
Proviso Township  
Municipal League  
West Central  
Municipal Conference

TREE CITY U.S.A. Since 1981

HOME OF THE CHICAGO  
ZOOLOGICAL SOCIETY

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708)485-7344 prior to the meeting. Wheelchair access may be gained through the police department (East) entrance of the Village Hall.

VILLAGE OF BROOKFIELD  
BROOKFIELD, ILLINOIS 60513  
JOURNAL OF THE PROCEEDINGS OF THE  
BOARD OF LOCAL IMPROVEMENTS

AT A MEETING HELD ON MONDAY, MARCH 23, 2009 AT 6:15 P.M.  
IN THE BROOKFIELD MUNICIPAL BUILDING

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**MEMBERS PRESENT:** President Michael J. Garvey, Trustees Kit Ketchmark, Catherine Edwards,  
and Michael Towner

**MEMBERS ABSENT:** Trustee Hall

**ALSO PRESENT** Village Manager Riccardo F. Ginex, Assistant Village Manger Keith Sbiral,  
Village and Village Attorney Tom Bastian.

On Monday, March 23, 2009, President Garvey called the Board of Local Improvements meeting to order at 6:15 P.M.

**Approval of Minutes – March 9, 2009**

Motion by Trustee Towner, seconded by Trustee Edwards, to approve the Minutes of the Board of Local Improvements meeting held March, 2009. Upon roll call, the motion carried as follows: Ayes: President Garvey, Trustees Ketchmark, Edwards and Towner. Nays: None. Absent: Trustee Hall.

**Resolution 2009-737 – A Resolution of the Board of Local Improvements of the Village of Brookfield, Illinois Recommending the Improvement of the Alley in a Portion of the 4300 Block Between Vernon Avenue and Prairie Avenue – Special Assessment No. 357.**

Motion by Trustee Towner, seconded by Trustee Edwards, to approve Resolution 2009-737 – A Resolution of the Board of Local Improvements of the Village of Brookfield, Illinois Recommending the Improvement of the Alley in a Portion of the 4300 Block Between Vernon Avenue and Prairie Avenue – Special Assessment No. 357. Upon roll call, the motion carried as follows: Ayes: President Garvey, Trustees Ketchmark, Edwards and Towner. Nays: None. Absent: Trustee Hall.

**Adjournment**

Motion by Trustee Towner, seconded by Trustee Edwards, to adjourn the Board of Local Improvements meeting of March 23, 2009 at 6:19 P.M. Upon roll call, the motion carried as follows: Ayes: President Garvey, Trustees Ketchmark, Edwards and Towner. Nays: None. Absent: Trustee Hall.

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Kit Ketchmark, Secretary  
Board of Local Improvements

/lls

RESOLUTION NO. BLI - 2009 - 752

**A RESOLUTION OF THE BOARD OF LOCAL IMPROVEMENTS  
OF THE VILLAGE OF BROOKFIELD, ILLINOIS, SETTING BID OPENING AND ISSUING A  
NOTICE OF AWARD FOR THE PUBLIC ALLEY IMPROVEMENTS OF A PORTION OF THE  
4300 BLOCK BETWEEN  
VERNON AVENUE AND PRAIRIE AVENUE**

PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF LOCAL IMPROVEMENTS  
THE 14<sup>TH</sup> DAY OF SEPTEMBER 2009

Published in pamphlet form by authority of  
the Board of Local Improvements  
of the Village of Brookfield, Illinois, the  
14<sup>th</sup> day of September 2009

RESOLUTION NO. BLI - 2009 - 752

**A RESOLUTION OF THE BOARD OF LOCAL IMPROVEMENTS  
OF THE VILLAGE OF BROOKFIELD, ILLINOIS, SETTING BID OPENING AND ISSUING A  
NOTICE OF AWARD FOR THE PUBLIC ALLEY IMPROVEMENTS OF A PORTION OF THE  
4300 BLOCK BETWEEN  
VERNON AVENUE AND PRAIRIE AVENUE**

**WHEREAS**, on March 23, 2009, the corporate authorities of the Village of Brookfield, Cook County, Illinois, adopted Ordinance 2009 - 23 entitled, *An Ordinance Providing for the Improvement of the Alley in a Portion of the 4300 Block Between Vernon Avenue and Prairie Avenue - Special Assessment No. 357*" for the construction of a local improvement consisting of:

the construction of an alley consisting of Portland cement concrete pavement, fourteen feet (14') in width, eight inches (8") in thickness, installed upon six inches (6") of crushed stone together with the installation of storm water drainage facilities, replacement of garage aprons to meet the new alley pavement, miscellaneous grading and landscaping along the edges of the new pavement and other necessary related work

on and along:

the public alley located in a portion of the 4300 block between Vernon Avenue and Prairie Avenue and legally described as, the public alley lying east of and adjoining Lot 1 and east of and adjoining the north 6.90 feet of Lot 2 in Marko=s resubdivision of Lots 302 through 308 in Auspitz and Oakes Brookfield Park subdivision in the east 2 of the southeast 3 of section 3, township 38 north, range 12 east, of the Third Principal Meridian, in Cook County, Illinois@  
(the Almprovement@);

**WHEREAS**, the Improvement is further described in the plans and specifications prepared by Derek Treichel, P.E. of Edwin Hancock Engineering Company heretofore appointed as the Engineer for the Board of Local Improvements for the purpose of this assessment;

**WHEREAS**, on August 26, 2009, a judgment of confirmation was entered on the Petition to Levy Special Assessment for the Village of Brookfield Special Assessment Number 357;

**WHEREAS**, the Board of Local Improvements of the Village of Brookfield publicly advertised

in the *Suburban Life* newspaper for sealed bids for the alley improvements in a portion of the 4300 block of Vernon Avenue and Prairie Avenue, Special Assessment No. 357 on August 18, 2009, and August 25, 2009;

**WHEREAS**, bids were received and the Board of Local Improvements, in open session, examined and publicly declared the bids; and

**WHEREAS**, of the bids received and opened, the apparent lowest responsible bidder is

\_\_\_\_\_.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Local Improvements of the Village of Brookfield, Cook County, Illinois, as follows:

**Section 1.** The facts and statements contained in the preambles to this resolution are found to be true and correct and are hereby adopted as part of this resolution.

**Section 2:** The Board of Local Improvements does hereby ratify the setting of the 14<sup>th</sup> day of September, 2009, at the hour of 6:15 p.m., in the Edward Barcal Hall in the Municipal Building, 8820 Brookfield Avenue, Brookfield, Illinois, as the time and place for the opening, examining and public consideration of the bids for the construction of a the Improvement.

**Section 3:** The Board of Local Improvements does hereby ratify the authority and direction to the Engineer to give notice that bids will be received for the construction of the Improvement by the publication of the Invitation for Bids, substantially in the form attached hereto as Exhibit A, at least twice in the *Suburban Life* newspaper, not more than 30 days or less than 15 days in advance of the opening of bids, that bids will be received by the Board of Local Improvements until 4:00 p.m. Central Daylight Savings Time on 14<sup>th</sup> day of September 2009 for the construction of the Improvement, as a whole, in accordance with the above-described ordinance.

**Section 4:** All proposals for the construction of the Improvement shall be accompanied by

cash, a bid bond or a check payable to the President of the Board of Local Improvements, in his official capacity, certified by a responsible bank, for an amount not less than 10% of the aggregate of the proposal.

**Section 5:** The general prevailing rate of wages in Cook County, Illinois, for each craft or type of worker or mechanic needed to execute the contract or perform the work, also the general prevailing rate for legal holiday and overtime work, as ascertained by the Illinois Department of Labor shall be paid for each craft or type of worker needed to execute the contract or to perform such work.

**Section 6:** The Board of Local Improvements does hereby find \_\_\_\_\_  
\_\_\_\_\_ to be the lowest responsible bidder.

**Section 7:** \_\_\_\_\_ is hereby awarded the contract for the construction of the alley improvements in a portion of the 4300 block of Vernon Avenue and Prairie Avenue, Special Assessment No. 357, at the prices set forth in its bid subject to:

A. the furnishing of the proper bonds and insurance; and

B. the rights of the owners of a majority of the frontage of the lots and land upon the alley wherein the work is to be done or their agents to elect within ten (10) days of the publication of the Notice of Award to take the work and enter into a written contract to do the whole work at ten percent (10%) less than the price at which the contract has been awarded to commence the work within thirty (30) days of the publication of the award and to prosecute the work with diligence.

**Section 8:** The President of the Board of Local Improvements is hereby authorized to execute and the Village Clerk to attest and seal a Notice of Award substantially in the form attached hereto as Exhibit B and made a part hereof. Further, that the Notice of Award be issued to

\_\_\_\_\_, the lowest responsible bidder, for the construction alley improvements of a portion of the 4300 block of Vernon Avenue and Prairie Avenue, Special Assessment No. 357. The Notice of Award shall be accompanied with a sufficient number of contracts in a form approved by the President of the Board of Local Improvements and attached hereto as Exhibit B and with all other written contract documents attached for execution by \_\_\_\_\_.

**Section 9:** The Notice of Award of the contract shall be published in the *Suburban Life* newspaper, a newspaper having general circulation in the Village of Brookfield, there being no newspaper published therein.

**Section 10:** Provided that:

- A. the owners of a majority of the frontage of the lots and land upon the alley wherein the work is to be done or their agents do not within ten (10) days of the publication of the Notice of Award elect to take the work and enter into a written contract to do the whole work at ten percent (10%) less than the price at which the contract has been awarded, or do not commence the work within thirty (30) days of the publication of the award or do not prosecute the work with diligence; and
- B. \_\_\_\_\_ returns to the Board of Local Improvements within twenty (20) days of the publication of the Notice of Award the contract with all other written contract documents attached, properly executed by it, along with the proper contract bonds; and
- C. the President of the Board of Local Improvements approves the surety on the contract bond; and
- D. the Village of Brookfield approves a resolution authorizing the execution of the contract;

then the President of the Board of Local Improvements is authorized to execute and the Village

Clerk to attest and seal the contract substantially in the form attached hereto as Exhibit C and made a part hereof.

**Section 11:** Derek Treichel, P.E. of Edwin Hancock Engineering Company is hereby appointed to carefully inspect during the progress of the work the entire work done and the materials to the end that the contractor shall comply fully and adequately with all provisions of the ordinance providing for the improvement, the contract under which the work is to be done and the specifications therefor.

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

**Section 12:** This Resolution shall be at once transcribed into the records of this Board.

**ADOPTED BY THE BOARD OF LOCAL IMPROVEMENTS OF THE VILLAGE OF BROOKFIELD, ILLINOIS, the 14<sup>th</sup> day of September 2009.**

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**BOARD OF LOCAL IMPROVEMENTS OF  
VILLAGE OF BROOKFIELD, ILLINOIS**

\_\_\_\_\_  
\_\_\_\_\_, Secretary

172155.1

## EXHIBIT A

### INVITATION FOR BIDS

#### THE BOARD OF LOCAL IMPROVEMENTS OF THE VILLAGE OF BROOKFIELD, ILLINOIS

#### RECEIPT OF BIDS

Sealed bids for the Alley Improvements, Special Assessment No. 357 for the Village of Brookfield, Illinois, are invited and will be received by the Board of Local Improvements at the Village Hall, 8820 Brookfield Avenue, Brookfield, Illinois 60513, on or before, but no later than, 4:00 p.m., local time, on the 14<sup>th</sup> day of September 2009. The Board of Local Improvements in open session on the 14<sup>th</sup> day of September 2009 at 6:15 p.m., local time, shall examine and publicly declare the bids. The project consists of the following work:

Alley Improvements  
A portion of the 4300 block between  
Vernon Avenue and Prairie Avenue  
Special Assessment No. 357

Sealed envelopes or packages containing bids shall be marked or endorsed "Alley Improvements, a portion of the 4300 block between Vernon Avenue and Prairie Avenue for the Village of Brookfield, Illinois."

#### CONTRACT DOCUMENTS

Plans and Specifications for said improvement are on file in the office of the Village Clerk and also on file in the office of the Village Engineer, Edwin Hancock Engineering Co.

Bidding documents, consisting of bid proposals, project specifications, and project plans are available at the office of Edwin Hancock Engineering Co., 9933 Roosevelt Road, Westchester, Illinois 60154, upon payment of a non-refundable charge of Twenty-Five Dollars (\$25.00) per set of bidding documents. No bidding documents will be issued after 4:30 o'clock p.m. on the 11<sup>th</sup> day of September 2009. Bid proposals must be submitted on the forms provided.

#### BID SECURITY

Each bid shall be accompanied by cash or a check, certified by a responsible bank, payable to the order of the President of the Board of Local Improvements of the Village of Brookfield in his official capacity in an amount not less than ten percent (10%) of the bid as a guarantee that the bidder will, within ten (10) days after the date of the award of contract, execute an agreement and file bonds and insurance as required by the Contract Documents if his bid is accepted.

#### RIGHT TO REJECT BIDS

The Board of Local Improvements reserves the right to reject all bids for failure to comply with all requirements of this notice or any of the Contract Documents; however, the Board of Local Improvements may waive any minor defects or informalities at its discretion. The Board of Local Improvements reserves the right to defer the acceptance of any bid and the execution of a contract for a period not exceeding twenty (20) days after the date of opening of bids. If no award is made within twenty (20) days, the Board of Local Improvements will re-advertise for bids.

### **AWARD OF CONTRACT**

Unless all bids are rejected, the contract award will be made to the lowest responsive responsible bidder. In determining who the lowest responsive responsible bidder is, the Board will consider all factors which the Board, in its discretion deems relevant, in determining who the lowest responsive responsible bidder is.

### **CONTRACT BOND**

The successful bidder awarded a contract shall file with the Board of Local Improvements a performance and payment bond with good and sufficient sureties in the full amount of the contract as the penal sum. *(See the Sections 9-2-104 and 9-2-111 of the Illinois Municipal Code [65 ILCS 5/9-2-104 and 5/9-2-111] and the Public Construction Bond Act [30 ILCS 550].)* The form of the bond and the surety shall be acceptable to the President of the Board of Local Improvements.

### **PAYMENT**

The contract is to be paid by the issuance of special assessment vouchers bearing interest at the rate of 6% per annum.

Work performed under this contract shall be in accordance with Illinois Prevailing Wage Act (Illinois Compiled Statutes, Ch. 820, Act 130, Sections 1-12), Employment of Illinois Workers on Public Works Act (Illinois Compiled Statutes, Ch. 30, Act 570, Sections 1-7), Drug Free Workplace Act (Illinois Compiled Statutes, Ch. 30, Act 580, Sections 1-11).

By: BOARD OF LOCAL IMPROVEMENTS  
VILLAGE OF BROOKFIELD, ILLINOIS

Michael J. Garvey, President

**EXHIBIT B**

**VILLAGE OF BROOKFIELD, ILLINOIS  
BOARD OF LOCAL IMPROVEMENTS  
SPECIAL ASSESSMENT NO. 357**

**NOTICE OF AWARD**

TO: \_\_\_\_\_

\_\_\_\_\_

Attn: \_\_\_\_\_, \_\_\_\_\_

PROJECT DESCRIPTION: Alley Improvements of a portion of the 4300 block of Vernon Avenue and Prairie Avenue, Special Assessment No. 357.

THE BOARD OF LOCAL IMPROVEMENTS has considered the bid submitted by you for the above-described work in response to its Invitation for Bids published on August 18, 2009, and August 25, 2009.

YOU ARE HEREBY NOTIFIED that your bid has been accepted for items in the amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), subject to:

- A. the furnishing of the proper bonds and insurance, and
- B. the rights of the owners of a majority of the frontage of the lots and land upon the alley wherein the work is to be done or their agents to elect within ten (10) days of the publication of the Notice of Award to take the work and enter into a written contract to do the whole work at ten percent (10%) less than the price at which the contract has been awarded to commence the work within thirty (30) days of the publication of the award and to prosecute the work with diligence.

You are required to execute the Contract and furnish the required contract bonds and insurance within twenty (20) calendar days from the date of publication of this Notice, in case a contract is made with the owners of the lots or land fronting the alley and default by them, then within ten (10) days after notice that the owners are in default.

If you fail to execute said Contract and to furnish said bonds and insurance within twenty (20) days from the publication of this Notice, or within ten (10) days of the notice that the owners are in default as the proper case may be, the Board will be entitled to consider all your rights arising out of the Board's acceptance of your bid as abandoned and as a forfeiture of your bid security. The Board will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the Board of Local Improvements.

Dated this 14<sup>th</sup> day of September 2009.

VILLAGE OF BROOKFIELD, ILLINOIS,  
BOARD OF LOCAL IMPROVEMENTS

ATTEST: By: \_\_\_\_\_  
Michael J. Garvey, President

By: \_\_\_\_\_  
\_\_\_\_\_, Secretary

**ACCEPTANCE OF NOTICE**

Receipt of the above Notice of Award is hereby acknowledged this 14<sup>th</sup> day of September 2009.

Contractor:  
\_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

**APPROVAL OF CONTRACT**

I approve the contract attached hereto as Exhibit C for the Alley Improvements of a portion of the 4300 block between Vernon Avenue and Prairie Avenue, Special Assessment No. 357.

\_\_\_\_\_  
Michael J. Garvey, President  
Board of Local Improvements

## EXHIBIT C

### CONTRACT

This Contract made this 14<sup>th</sup> day of September 2009 between the Village of Brookfield, acting by and through its Board of Local Improvements, the ADepartment,@ and \_\_\_\_\_ the AContractor,@ for the Village of Brookfield Special Assessment 357 - Alley Improvements - a portion of the 4300 block between Vernon Avenue and Prairie Avenue.

The Contractor hereby agrees as hereinafter set forth:

1. For and in consideration of the payments to be made by the Department and the agreements set forth in the Proposal hereto attached, to be made Contractor, and according to the terms of the Contract Bond, the Department and the Contractor agree that the Contractor at its own proper cost and expense shall perform the following Work, furnish all materials and labor necessary to complete the Work and in full compliance with all of the terms of this agreement and the requirements of the Village of Brookfield Board of Local Improvements under it:

Village of Brookfield Special Assessment 357 - Alley Improvements - a portion of the 4300 block between Vernon Avenue and Prairie Avenue consisting of the construction of a Portland cement concrete alley pavement, storm water drainage facilities and other related work along the public alley located in a portion of the 4300 block between Vernon Avenue and Prairie Avenue in the Village of Brookfield, Illinois,

in strict compliance with Invitation for Bids, the Specifications, Special Provisions, Proposal and Contract Bond which are essential documents of and made a part of this Contract.

2. A. **Contract Sum**

The Department shall pay the Contractor in cash for the performance of the work, at the unit prices set forth in the Contractor=s proposal.

B. **Contract Time**

The Contractor shall complete the Work within \_\_\_\_\_ (\_\_\_) calendar days of the Notice of Award, unless additional time is granted by the Department in accordance with the provisions of the Specifications.

C. **Final Payment**

Final payment, constituting the entire unpaid balance of the contract sum, shall be paid in cash by the Department to the Contractor as follows:

As soon as the work under this contract is completed and accepted by the

Department, the Department will within thirty (30) days submit to the Board of Local Improvements a final estimate of payment. Within thirty (30) days after approval by the Board of Local Improvements of the final estimate of payment, a final payment will be issued to the Contractor.

3. **Assignment of Contract.** The Contract shall be deemed to be exclusive between Department and Contractor. This Contract shall not be assigned by the Contractor without first obtaining permission in writing from the Department. The Department may refuse to accept any substitute Contractor for any reason.

4. **Notices.** Written notices between Department and Contractor shall be deemed sufficiently given after being placed in the United States mail, registered or certified, postage pre-paid, addressed to the above parties as follows:

a. If to Department:

Village of Brookfield  
8820 Brookfield Avenue  
Brookfield, Illinois 60513  
Attn: Mr. Riccardo F. Ginex, Village Manager

b. If to Contractor:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_, \_\_\_\_\_

c. Either party may change its mailing address by giving written notice to the other party as provided above. Whenever this contract requires one party to give the other notice, such notice shall be given only in the form and to the addresses described in this paragraph.

5. **Entire Contract.** This Contract (including the contract documents) represents the entire and integrated Contract between the parties and supersedes all prior negotiations, representations or understandings, whether written or oral. In case of conflict between the terms contained herein and those contained in the General Conditions, the terms herein shall control. This Contract may only be amended or a provision hereof waived by the parties by written

instrument executed by authorized signatories of the Department and Contractor. This Contract is executed that day and year first written above.

Department: Village of Brookfield, by and through its Board of Local Improvements

Contractor: \_\_\_\_\_

By: \_\_\_\_\_  
Michael J. Garvey, Village President and President of Board of Local Improvements

By: \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

Attest:

Attest:

By: \_\_\_\_\_  
Brigid Weber, Village Clerk

By: \_\_\_\_\_