

RESOLUTION NO. 17-17

**A RESOLUTION AUTHORIZING THE MORTON GROVE-NILES WATER COMMISSION
TO ADVERTISE FOR BIDS FOR ANY AND ALL CONTRACTS FOR
THE CONSTRUCTION OF A COMMON SOURCE OF SUPPLY OF WATER
AND A RELATED WATERWORKS SYSTEM**

WHEREAS, in 2017, the Morton Grove-Niles Water Commission ("MGNWC" or "Commission") was established by the Village of Morton Grove, a home rule Illinois municipal corporation ("Morton Grove"), and the Village of Niles, a home rule Illinois municipal corporation ("Niles"), by the adoption of ordinances pursuant to Division 135 of Article 11 of the Illinois Municipal Code (65 ILCS 5/11-135-1, *et seq.*) ("Division 135"). The establishing ordinances are Morton Grove Ordinance 17-5, which was adopted on March 13, 2017, and Niles Ordinance No. 2017-19, which was adopted on March 14, 2017. In order to accomplish the objectives set forth in the above-referenced Ordinances, Morton Grove and Niles also approved, under those same Ordinances, an intergovernmental agreement entitled, "Intergovernmental Agreement For The Establishment And Operation Of The Morton Grove-Niles Water Commission And For The Purchase And Sale Of Water To The Commission For Commission Use And To Commission Wholesale Water Customers," to provide for the governance and operation of the MGNWC and to create the Board of Commissioners of the Morton Grove-Niles Water Commission ("MGNWC Board") to govern the MGNWC; and

WHEREAS, Section 5 of Division 135 of the Illinois Municipal Code (65 ILCS 5/11-135-5) (the "Water Commission Statute") requires that all contracts for the construction of the MGNWC's common source of supply of water and waterworks system (together the "System") shall be entered into only after advertising for bids, pursuant to a resolution adopted for that purpose by the MGNWC Board; and

WHEREAS, Section 5 of the Water Commission Statute (65 ILCS 5/11-135-5) further requires that "notice inviting bids shall be published in a newspaper published and having a general circulation in the county or counties in which the municipalities represented by the Commission are located, not more than 30 nor less than 15 days in advance of the receipt of the bids. The notice shall be published at least twice. In the resolution directing the advertising for bids, the Commission also shall establish all requirements necessary for the bidding, for the awarding of contracts, and for the approval of contractors' faithful performance bonds." 65 ILCS 5/11-135-5; and

WHEREAS, the MGNWC Board finds that it is necessary to pass this Resolution in order to comply with the requirements of Section 5 of the Water Commission Statute (65 ILCS 5/11-135-5), and in order to comply with the requirements of other applicable Federal, State, County and local laws, ordinances, resolutions and regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE MORTON GROVE-NILES WATER COMMISSION, COOK COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Preamble. Each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

Section 2: Authorization. The MGNWC Board directs that advertisements for bids for any and all contracts for the construction of the System, or any portion thereof, be made pursuant to the legal

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, John Pietron, Clerk of the Morton Grove-Niles Water Commission, Cook County, State of Illinois, certify that the annexed and foregoing is a true and correct copy of that certain Resolution now on file in my office, entitled:

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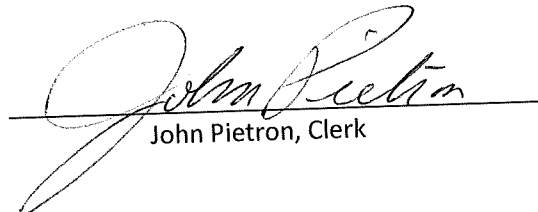
which Resolution was passed by the Board of Commissioners of the Morton Grove-Niles Water Commission at a Regular Meeting held on the 26th day of October, 2017, at which meeting a quorum was present.

I further certify that the vote on the question of the passage of said Resolution by the Board of Commissioners of the Morton Grove-Niles Water Commission was taken by Ayes and Nays and recorded in the minutes of the Board of Commissioners of the Morton Grove-Niles Water Commission, and that the result of said vote was as follows, to-wit:

AYES: John Pietron and Steven Vinezeano
NAYS: None
ABSENT: None (Cook County Appointee not appointed yet)

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of October, 2017.


John Pietron, Clerk

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