

## RESOLUTION 18-50

### **A RESOLUTION AUTHORIZING REIMBURSEMENT TO THE VILLAGE OF NILES FOR IMPROVEMENTS TO NILES RESERVOIR #2 COMPLETED AT THE REQUEST AND FOR THE BENEFIT OF THE MORTON GROVE-NILES WATER COMMISSION**

**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” (the “IGA”), 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**, the MGNWC was established for purposes of constructing and operating a public water supply system (the “MGNWC System”) consisting of water transmission mains, pumping, storage, and other related water delivery and receiving infrastructure between a connection point on the Evanston water system and existing water receiving points of Niles and Morton Grove (the “Project”); and

**WHEREAS**, in order to complete the Project in a timely and cost-effective manner, the MGNWC negotiated and obtained easements with private property owners in Morton Grove and Niles; and

**WHEREAS**, in order to obtain a certain MGNWC easement in Niles, it is necessary to modify and relocate an existing easement held by Niles to accommodate property owner requirements for future redevelopment of his land. The MGNWC easement also required modifications to Niles Reservoir #2 (“the MGNWC Project Work”); and

**WHEREAS**, Niles, pursuant to its standard competitive bidding process, has contracted with Boller Construction, Inc. for other work, not related to the MGNWC Project Work at or near Niles Reservoir #2; and

**WHEREAS**, after reviewing several options, it has been determined that the most expedient and cost-effective way to complete the MGNWC Project Work is to have Niles negotiate a change order to its contract with Boller Construction, Inc. for the MGNWC Project

work, subject to reimbursement by MGNWC, upon the completion of the MGNWC Project work and invoicing to the MGNWC by Niles; and

**WHEREAS**, Niles, has negotiated a change order with Boller Construction, Inc. for the MGNWC Project Work at a cost of \$121,719.00, which has been determined by the MGNWC to be fair and reasonable; and

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** 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:** The governing authority of the Morton Grove-Niles Water Commission hereby authorizes, approves and directs the MGNWC to reimburse the Village of Niles for work performed at the request of and for the benefit of the MNWC by Boller Construction, Inc. at Niles Reservoir #2 up to the amount of \$121,719.00.


**SECTION 3:** This Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

**ADOPTED** this 28th day of June 2018, pursuant to a roll call vote as follows:

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

**PASSED** by the Board of Commissioners of the Morton Grove-Niles Water Commission, Cook County, Illinois on a roll call vote at a Regular Meeting thereof held on the 28th day of June 2018, and approved by the Chair, and attested by the Clerk on the same day.

  
Steven Vinezeano, Chair

ATTEST:  
  
John Pietron, Clerk

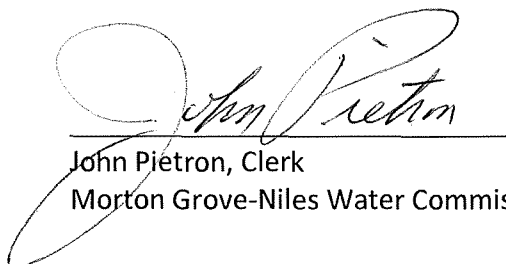
**CLERK'S CERTIFICATION**

I, John Pietron, certify that I am the duly appointed, qualified Clerk of the Morton Grove-Niles Water Commission. I do further certify that the above and foregoing, identified as Resolution Number 18-50, is a true, complete and correct copy of a Resolution otherwise identified as:

**A RESOLUTION AUTHORIZING REIMBURSEMENT TO THE VILLAGE OF NILES  
FOR IMPROVEMENTS TO NILES RESERVOIR #2 COMPLETED AT THE REQUEST  
AND FOR THE BENEFIT OF THE MORTON GROVE-NILES WATER COMMISSION**

Which Resolution was passed by the Morton Grove-Niles Water Commission on the 28th day of June 2018, the original of which is part of the books and records within my control as Clerk of the Morton Grove-Niles Water Commission.

Dated this the 28th day of June 2018



John Pietron, Clerk  
Morton Grove-Niles Water Commission