

VILLAGE OF LONG GROVE

RESOLUTION NO. 2012-R-07

**A RESOLUTION AUTHORIZING THE COUNTY OF LAKE TO PROCEED WITH
THE HERONS LANDING LAKE MICHIGAN WATER PROJECT**

WHEREAS, the Village of Long Grove (“**Village**”) has established a special service area (“**SSA**”) for the construction of a local water distribution system (“**Water System**”) to provide Lake Michigan water service to approximately 118 residential lots in the Herons Landing Subdivision, which is located within the corporate limits of the Village, pursuant to Ordinance No. 2011-O-21 adopted by the Village Board of Trustees on 28 June 2011, as amended by Ordinance No. 2011-O-31 adopted on 25 October 2011 and Ordinance No. 2011-O-39 adopted on 22 November 2011 (collectively, the “**SSA Establishing Ordinance**”); and

WHEREAS, on 22 November 2011, the Village Board adopted Ordinance No. 2011-O-40 being “An Ordinance Providing for the Issuance of Village of Long Grove, Lake County, Illinois Herons Landing Water Special Service Area Special Tax Bonds, Series 2011” (“**Bond Ordinance**”) authorizing the issuance of bonds to pay for the costs of construction and installation of the Water System; and

WHEREAS, pursuant to the Bond Ordinance, the Village issued Herons Landing Water Special Service Area Tax Exempt Special Tax Bonds, Series 2011A and Herons Landing Water Special Service Area Taxable Special Tax Bonds, Series 2011A on 8 December 2011 (collectively the “**Herons Landing SSA Bonds**”); and

WHEREAS, the Village and the County of Lake (“**County**”) have previously entered into an Intergovernmental Agreement Relating to Delivery of Retail Water Service to Herons Landing Subdivision, dated on 28 June 2011, (“**Intergovernmental Agreement**”) providing for the construction and installation of the Water System by the County (the “**Project**”); and

WHEREAS, pursuant to the Intergovernmental Agreement and the Bond Ordinance, the net proceeds of the Herons Landing SSA Bonds (“**Bond Proceeds**”) have been remitted to the County to be used to pay or reimburse the County for eligible Project costs; and

WHEREAS, pursuant to the Intergovernmental Agreement, the County is responsible for obtaining bids for the Project, identifying the lowest responsible bidder, and awarding the Project contract; and

WHEREAS, the Intergovernmental Agreement provides that, prior to awarding the contract for the Project, the County shall present the bid submitted by the lowest responsible bidder (“**Project Bid**”) to the Village for review, and the County and the Village shall evaluate the cost of the Project Bid in light of the Bond Proceeds and thereupon determine whether to proceed with the Project (“**Determination to Proceed**”); and

WHEREAS, on 21 February 2012, the County presented the Project Bid to the Village with a recommendation that the contract for the Project be awarded to Joel Kennedy Constructing Corp. in an amount not to exceed \$2,119,125.00, (the “**Award Recommendation**”), which Award Recommendation is attached hereto as Exhibit A; and

WHEREAS, the Village President and Board of Trustees have reviewed the Project Bid and Award Recommendation and determined that it is in the best interests of the Village and its residents to proceed with the Project, subject to the County’s formal award of the Project contract consistent with the Award Recommendation;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: **Recitals.** The Village President and Board of Trustees hereby adopt the foregoing recitals as its findings.

SECTION TWO: **Determination to Proceed.** The Village President and Board of Trustees hereby make a Determination to Proceed with the Project pursuant to the Intergovernmental Agreement, subject to the formal award of the Project contract by the County consistent with the Award Recommendation. The Village President and Board of Trustees acknowledge that the Bond Proceeds that have been previously remitted to the County may be used to pay or reimburse the County for eligible Project costs upon the award of the Project contract.

SECTION THREE: **Effective Date.** This Resolution shall be in full force and effect upon its passage and approval in the manner provided by law.

PASSED THIS 28TH DAY OF FEBRUARY, 2012.

AYES: (5) Trustees Marshall, Schmitt, Underwood, Wachs and Weber

NAYS: (0) None

ABSENT: (1) Trustee Barry

APPROVED THIS 28TH DAY OF FEBRUARY, 2012.

Village President, Maria Rodriguez

ATTEST:

Village Clerk, Karen Schultheis

EXHIBIT A
AWARD RECOMMENDATION