

RESOLUTION
R 70-09

**A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON AN AGREEMENT**

WHEREAS, the Corporate Authorities of the Village of Lombard have received an Agreement between the Village of Lombard, and Testing Service Corporation regarding the Geotechnical Engineering, Construction Material Testing and Environmental Services Contract as attached hereto and marked Exhibit "A"; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said agreement as attached hereto.

Adopted this 19th day of March 2009.

Ayes: Trustees Gron, O'Brien, Moreau, Fitzpatrick and Soderstrom

Nays: Trustee Tross

Absent: None

Approved this 19th day of March 2009.



William J. Mueller
Village President

ATTEST:



Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

**VILLAGE OF LOMBARD
CONTRACT**

CONTRACT DOCUMENT NUMBER M-10-01-G

This agreement is made this 19th day of March 2009, between and shall be binding upon the Village of Lombard, an Illinois Municipal Corporation hereinafter referred to as the "VILLAGE" and Testing Service Corporation hereinafter referred to as the "ENGINEER" and its successors.

Witnessed, that in consideration of the mutual promises of the parties delineated in the contract documents, the ENGINEER agrees to perform the services and the VILLAGE agrees to pay for the following services as set forth in the contract documents:

Geotechnical Engineering, Construction Material Testing and Environmental Services

1. This contract shall embrace and include all of the applicable contract documents listed below as if attached hereto or repeated herein:

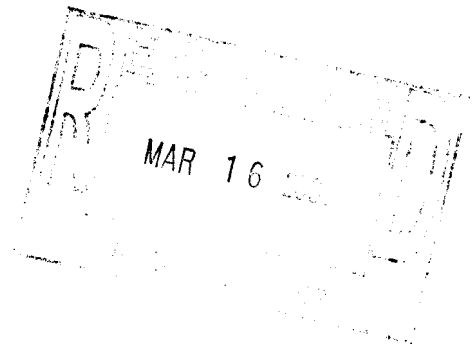
(a) Geotechnical Engineering, Construction Material Testing and Environmental Services Request for Proposal consisting of the following:

- i) Cover Sheet
- ii) Table of Contents
- iii) General Provisions
- iv) Special Provisions
- v) Request for Proposal dated January 9, 2009
- vi) ENGINEER's Proposal dated February 6, 2009

(b) Required Certificates and Signatures and Certificate of Insurance

2. The VILLAGE agrees to pay, and the ENGINEER agrees to accept as full payment for the services, which are the subject matter of this contract in accordance with the General Provisions.

3. This Contract represents the entire agreement between the parties and may not be modified without the written approval of both parties.

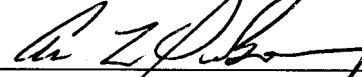


IN WITNESS WHEREOF, the Village of Lombard, Illinois by William J. Mueller, Village President, and the ENGINEER have hereunto set their hands this 19th day of March 2009.


If an individual or partnership, all individual names of each partner shall be signed or if a corporation, an officer duly authorized shall sign here:

Accepted this _____ day of _____, 2009.

Individual or Partnership _____ Corporation X



By ALLEN I. DUBOSE, PRESIDENT Position/Title




By THOMAS MORRIS Position/Title EXECUTIVE VICE PRESIDENT

TESTING SERVICE CORPORATION

THE VILLAGE OF LOMBARD, ILLINOIS

Accepted this _____ day of _____, 2009.



William J. Mueller, Village President

Attest:



Brigitte O'Brien, Village Clerk

**VILLAGE OF LOMBARD
ENGINEER'S CERTIFICATION**

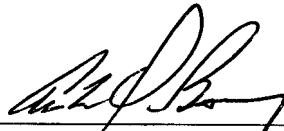
ALLEN L. DUBOSE, having been first duly sworn depose and states as follows:
(Officer or Owner of Company)

Testing Service Corporation, having submitted a proposal for:

Geotechnical Engineering, Construction Material Testing and Environmental Services to the Village of Lombard, hereby certifies that said ENGINEER:

1. has a written sexual harassment policy in place in full compliance with 775 ILCS 5/2-105(A) (4).
2. is not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if it is:
 - a. it is contesting its liability for the tax or the amount of tax in accordance with procedures established by the approve Revenue Act; or
 - b. it has entered into an agreement with the Department of Revenue for payment of all taxes due and is currently in compliance with that agreement.
3. is in full compliance with the Federal Highway Administration Rules on Controlled Substances and Alcohol Use and Testing, 49 CFR Parts 40 and 382 and that
ALL EMPLOYEE DRIVERS
(Name of employee/driver or "all employee drivers")
is/are currently participating in a drug and alcohol testing program pursuant to the aforementioned rules.

By:



Officer or Owner of Company

Subscribed and sworn to
before me this _____
day of _____, 2009.

Notary Public