

AGREEMENT

THIS AGREEMENT, made this 5th day of October, 20 17, by and between Village of Lombard, hereinafter called "OWNER" and Water Resources, Inc. doing business as (an individual) or (a partnership) or (a corporation) hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of \_\_\_\_\_ the Water Meter Replacement \_\_\_\_\_
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the Contract Documents within 30 calendar days after the date of the NOTICE TO PROCEED and will complete the same within 365 calendar days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$3,742,552.25, or as shown in the BID schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
  - (A) Advertisement for BIDS
  - (B) Information for BIDDERS
  - (C) BID
  - (D) BID BOND
  - (E) Agreement
  - (F) Payment BOND
  - (G) Performance BOND
  - (H) NOTICE OF AWARD
  - (I) NOTICE TO PROCEED
  - (J) CHANGE ORDER
  - (K) DRAWINGS prepared by N/A numbered \_\_\_\_\_ through \_\_\_\_\_, and dated \_\_\_\_\_, 20 \_\_\_\_.
  - (L) SPECIFICATIONS prepared or issued by Robinson Engineering, Ltd. and the Village of Lombard \_\_\_\_\_, dated \_\_\_\_\_, 20 \_\_\_\_.

(M) ADDENDA:

No. 1, dated June 26, 2017

No. 2, dated July 6, 2017

No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_

6. The OWNER will pay to the CONTRACTOR in the manner and at such times, such amounts as required by the CONTRACT DOCUMENTS.

7. The contractor shall not discriminate on the basis of race, color, national origin or sex in the performance of this contract. The contractor shall carry out applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. Failure by the contractor to carry out these requirements is a material breach of this contract which may result in the termination of this contract or other legally available remedies.

8. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in ( triplicate ) each of which shall be deemed an original on the date first above written.

OWNER:

Village of Lombard

By 


Name Keith T. Giagnorio

Title Village President

(Please Type)

(SEAL)

ATTEST:



Name Janet Downer

(Please Type)

Title Deputy Village Clerk

CONTRACTOR:

Water Resources, Inc.

By 

Name Michael J. Pedone

Address 390 Sadler Avenue

Elgin, IL 60120

(Please Type)

(SEAL)

ATTEST:



Name Michael D. Pedone

(Please Type)

Title Vice President

**NOTICE OF AWARD**

To: Water Resources, Inc.

390 Sadler Avenue

Elgin, IL 60120

PROJECT Description: PWU-17-15 Village of Lombard Water Meter Replacement Project  
IEPA Loan 175486

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated July 12, 20 17 and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$3,742,552.25

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND and certificates of insurance within ten (10) calendar days from the date of this Notice to you.

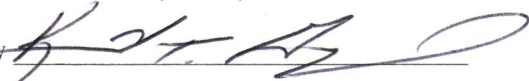
If you fail to execute said Agreement and to furnish said BONDS within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 5th day of October, 20 17.

Village of Lombard

(Owner)

By 

Title Village President

**ACCEPTANCE OF NOTICE**

Receipt of the above NOTICE OF AWARD is hereby acknowledged,

by Water Resources, Inc.

this the 6th day of October, 20 17.

By 

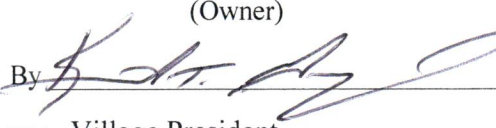
Title President

NOTICE TO PROCEED

To: Water Resources, Inc.  
390 Sadler Avenue  
Elgin, IL 60120  
\_\_\_\_\_  
\_\_\_\_\_

Date: October 5, 2017  
Project: PWU-17-15 Water Meter Replacement Project  
IEPA Loan 175486  
\_\_\_\_\_  
\_\_\_\_\_

You are hereby notified to commence WORK in accordance with the Agreement dated October 5, 2017, on or before October 5, 2017, and you are to complete the WORK within 365 consecutive calendar days thereafter.  
The date of completion of all WORK is therefore October 5, 2018.


Village of Lombard  
(Owner)  
By   
Title Village President

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED  
is hereby acknowledged by \_\_\_\_\_

Water Resources, Inc.,  
\_\_\_\_\_

this the 6th day of  
October, 20 17.

By   
Title President