

VILLAGE OF LILY LAKE

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RESOLUTION NO. 2021-23

**A Resolution Accepting the Proposal of Active Excavating & Wrecking, Inc. for  
Ditch Check Rebuild on Sanctuary Trail**

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Be it resolved by the president and the board of trustees of the Village of Lily Lake, Kane County, Illinois that:

1. The village accepts the proposal of Active Excavating & Wrecking, Inc., 817 E. North Street, Elburn, IL 60119, for rebuilding ditch checks on Sanctuary Trail for an amount not to exceed \$3800, in accordance with its proposal on file in the clerk's office. The president and clerk are authorized and directed to sign a copy of the proposal on behalf of the village and return a copy to the contractor. Acceptance of the proposal is subject to the following modifications:

(a) The second note is replaced in its entirety with the following language:

“Note: As a representative of the Village of Lily Lake, I authorize you to do the work as specified. This proposal must be signed, dated and faxed or mailed back to our office before work can be scheduled. The non-prevailing party, as determined by the court, shall pay the reasonable attorney's fees, costs and expenses incurred by the prevailing party in the enforcement of this contract.”

(b) The following language is added:

“The Standard Terms and Conditions for Contracts with the Village of Lily Lake are incorporated into this proposal and made a part hereof. In the event of a conflict between any term of this proposal and the Standard Terms, the Standard Terms will prevail. The contractor's commencement of the work constitutes the contractor's acceptance of the changes made by the resolution of the village authorizing the acceptance of this proposal .”

2. The clerk shall send a copy of this resolution to the contractor along with the signed copy of the proposal noting the changes made by this resolution.

Adopted by roll call vote on July 26, 2021.

[Signature page follows.]

| Trustee          | Yes | No | Absent | Abstain |
|------------------|-----|----|--------|---------|
| Conn             | X   |    |        |         |
| Damisch          | X   |    |        |         |
| Dell             | X   |    |        |         |
| Diehl            | X   |    |        |         |
| Florian          | X   |    |        |         |
| <del>Walsh</del> |     |    |        |         |
| Overstreet       |     |    |        |         |
| Totals           | 5   | 0  | 0      | 0       |

Approved July 26, 2021.



President

Attested and filed in my office on July 26, 2021.



Clerk of the Village of Lily Lake, Kane County, Illinois

