

RESOLUTION 2010- 100

A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT TO SIGN THE 2008 ROAD REHABILITATION PROGRAM SETTLEMENT AGREEMENT WITH ALAMP CONCRETE CONTRACTORS, INC.

WHEREAS, a settlement agreement was entered into by and between A. Lamp Concrete Contractors, Inc., ("A. Lamp") and the Village of Vernon Hills ("Village") subject to the execution of the agreement by both parties; and

WHEREAS, A. Lamp and the Village have asserted various claims against each other concerning the Village's 2008 Road Improvement Project ("Project") in litigation identified as Case No. 09 L 478, Lake County, Illinois (the "Litigation"); and

WHEREAS, A. Lamp and the Village have determined that it is in their best interest to settle and compromise all claims made in the Litigation, on the terms hereinafter set forth per the attached document titled, "Settlement Agreement." Said agreement includes terms including:

- A. A. Lamp shall complete the punch list items for the Project. A. Lamp shall complete the punch list items to the reasonable satisfaction of the Village on or before August 1, 2010.
- B. After completion of the punch list items to the reasonable satisfaction of the Village, A. Lamp shall submit to the Village and/or the Village's engineering consultant, Gewalt Hamilton Associates, Inc., all usual and necessary documentation, including lien waivers, sworn statements, etc., as required for payment for the Project pursuant to the standard specifications of the Illinois Department of Transportation and the contract between the parties concerning the Project.
- C. After completion of the punch list items by A. Lamp, the Village shall cause payment to be issued to A. Lamp in the sum of One Hundred and Forty Thousand Dollars (\$140,000). Such payment shall constitute full and final payment to A. Lamp for the Project.

NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS:

That, the Village President is authorized to sign the "Settlement Agreement" and authorizes the Village Manager and/or the Director of Public Works/ Village Engineer to make payments in accordance with this agreement through the established escrow.

Dated this 6th day of July, 2010.

Adopted by roll call vote as follows:

AYES: 7 - Schwartz, Williams, Hebda, Koch, Marquardt, Schultz, Byrne

NAYS: 0 - None

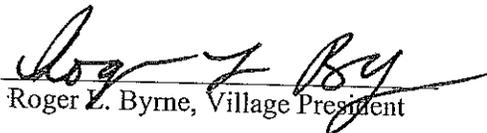
ABSENT AND NOT VOTING: 0 None

PASSED: 07/06/10

APPROVED: 07/06/10

ATTEST: 07/07/10

Michael Johnson, Village Manager/Clerk


Roger L. Byrne, Village President

