

CITY OF LEROY  
COUNTY OF MC LEAN  
STATE OF ILLINOIS

ORDINANCE NO. 673

AN ORDINANCE APPROVING A CONTRACT  
WITH CALDWELL TANKS, INC.  
FOR THE LEROY WATER TOWER INSTALLATION

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY  
THIS 3rd DAY OF June, 1996

PRESENTED: June 3, 1996

PASSED: June 3, 1996

APPROVED: June 3, 1996

RECORDED: June 3, 1996

PUBLISHED: June 3, 1996

In Pamphlet Form


Voting "Aye" 6

Voting "Nay" 0

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The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

X   
Acting City Clerk of the City of  
LeRoy, McLean County, Illinois

Dated: June 3, 1996.

ORDINANCE NO. 673

AN ORDINANCE APPROVING A CONTRACT  
WITH CALDWELL TANKS, INC.  
FOR THE LEROY WATER TOWER INSTALLATION

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, have reviewed the contract for the installation of the LeRoy Water Tower, incorporated herein and attached hereto as Exhibit "A," and have determined that approval of the same by the City of LeRoy is in the best interests of the City and its residents;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of LeRoy, Illinois, in lawful meeting assembled, as follows:

Section 1. The contract between Caldwell Tanks, Inc., and the City of LeRoy, a copy of which is attached hereto as Exhibit "A" and is incorporated herein by reference, is hereby approved.

Section 2. The Mayor and acting City Clerk are hereby directed and authorized to sign the original and as many copies as appropriate of that agreement as set forth in Exhibit "A" attached hereto, being certain to obtain one or more fully signed copies for the records of the City.

Section 3. This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by \_\_\_\_\_

Litherland \_\_\_\_\_, seconded by Swindle \_\_\_\_\_ by roll  
call vote on the 3rd day of June, 1996, as follows:

Aldermen elected 6 Aldermen present 6

VOTING AYE:

Ron Litherland, Lois Parkin, Fred Dodson, Dawn Thompson, Bill Swindle, Dave McClelland  
(full names)

VOTING NAY:

none


.....  
(full names)

ABSENT, ABSTAIN, OTHER:

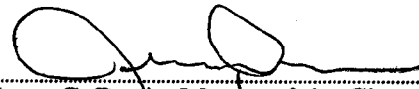
None

.....  
(full names)


and deposited and filed in the office of the City Clerk in said municipality on the 3rd day of  
June, 1996.

  
.....  
Sue Marcum, Acting City Clerk of the City of  
LeRoy, McLean County, Illinois

APPROVED BY the Mayor of the City of LeRoy, Illinois, this 3rd day of  
June, 1996.

  
.....  
Jerry C. Davis, Mayor of the City of LeRoy,  
McLean County, Illinois

ATTEST: (SEAL)

  
.....  
Sue Marcum, Acting City Clerk,  
City of LeRoy, McLean County, Illinois

## AGREEMENT

This AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 1996 by and between The City of LeRoy, hereinafter called "OWNER" and Caldwell Tanks, Inc. doing business as (an individual, a Corporation or a partnership,) 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 LeRoy Water Tower Installation.
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 ten (10) calendar days after the date of the NOTICE TO PROCEED and will complete the same within 270 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 \$ 367,600.00, or as shown in the BID schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
  - (A) Information for BIDDERS
  - (B) BID
  - (D) BID BOND
  - (C) AGREEMENT
  - (E) PERFORMANCE BOND
  - (F) PAYMENT BOND
  - (G) General Conditions
  - (H) DRAWINGS prepared by Lewis, Yockey & Brown, Inc. numbered and dated January, 1996.
  - (I) SPECIFICATIONS prepared or issued by Lewis, Yockey & Brown, Inc. dated January, 1996
  - (J) Addenda 1, dated 2-27-96 and Addenda 2, dated 3-5-96.
6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

7. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assign.

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

OWNER:

By \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

(SEAL)

ATTEST:

Name \_\_\_\_\_

Title \_\_\_\_\_

CONTRACTOR:

By \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

(SEAL)

ATTEST:

Name \_\_\_\_\_

Title \_\_\_\_\_

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

I further certify that on June 3, 1996, the Corporate Authorities of such municipality passed and approved Ordinance No. 673, entitled:

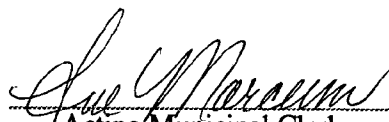
AN ORDINANCE APPROVING A CONTRACT  
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FOR THE LEROY WATER TOWER INSTALLATION,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 673, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on June 3, 1996, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 3rd day of June, 1996.

(SEAL)

  
Acting Municipal Clerk

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF McLEAN        )

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such acting City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE APPROVING A CONTRACT  
WITH CALDWELL TANKS, INC.  
FOR THE LEROY WATER TOWER INSTALLATION.

I do further certify said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 3rd day of June, 1996, and prior to the making of this certificate the said ordinance was spread at length upon the permanent records of said City where it now appears and remains as a faithful record of said ordinance in the record books.

Dated this 3rd day of June, 1996.

  
\_\_\_\_\_  
Acting City Clerk

(SEAL)