

**RESOLUTION NO. R-2021-01**

**A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF  
A RELEASE AND HOLD HARMLESS AGREEMENT BETWEEN THE VILLAGE OF MAYWOOD AND  
PACE SUBURBAN BUS (SUBURBAN BUS DIVISION OF REGIONAL TRANSPORTATION AUTHORITY)  
RELATIVE TO THE PROVISION OF EMERGENCY EVACUATION TRANSPORTATION SERVICES  
BY PACE DURING TIMES OF EMERGENCY**

**WHEREAS**, the President and Board of Trustees of the Village of Maywood (the "Village") agree to enter into a document entitled "RELEASE AND HOLD HARMLESS AGREEMENT" (the "Agreement") with Pace Suburban Bus ("Pace"), the suburban bus division of the Regional Transportation Agency ("RTA"), for the purpose of Pace providing emergency evacuation transportation services ("Services") to the Village during times of emergency, subject to the availability of Pace personnel and equipment and on the condition that the Village agrees to hold harmless and indemnify Pace for any liability claims that arise from the provision of the Services. A copy of the Agreement is attached to this Resolution as Exhibit "A" and made a part hereof; and

**WHEREAS**, Pace offers the Services to participating units of government who sign the Agreement. Pace agrees to waive the costs of the Services under most circumstances, but reserves the right to charge the Village for the provision of such Services if the emergency event is of a long duration; and

**WHEREAS**, as a home rule Illinois municipal corporation, the President and Board of Trustees of the Village of Maywood have the authority to approve and authorize execution of the Agreement pursuant to their home rule powers and contracting authority provided by Article VII, Sections 6 and 10(a) of the Illinois Constitution of 1970, as well as the Illinois Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*), and finds that approving the Agreement is in the best interests of the Village, its residents, businesses and the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** Each recital above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Resolution.

**SECTION 2:** The President and Board of Trustees of the Village of Maywood approve and authorize the execution of a document entitled "RELEASE AND HOLD HARMLESS AGREEMENT" (the "Agreement") with Pace Suburban Bus ("Pace"), the suburban bus division of the Regional Transportation Agency ("RTA"), for the purpose of Pace providing emergency evacuation transportation services ("Services") to the Village during times of emergency, subject to the availability of Pace personnel and equipment, and on the condition that the Village agrees to hold harmless and indemnify Pace for any liability claims that arise from the provision of the Services. The President and Board of Trustees of the Village of Maywood further authorize and direct the Village President and the Village Clerk, or their designees, or the Village Manager, or his/her designee, to execute and deliver the final version of the attached Agreement, which may contain certain non-substantive and non-financial modifications that are approved by the Village Attorney, and all other instruments and documents that are necessary to fulfill Maywood's obligations under the Agreement.

**SECTION 3:** The President and Board of Trustees of the Village of Maywood further authorize and direct that the Village President, the Village Clerk, the Village Manager, the Village Engineer and the Village Attorney, or their designees, transmit executed originals or certified copies of all documents, including an executed, certified copy of this Resolution and the Agreement, to all parties and agencies that are entitled to receive such documents, including Pace and any other governmental agencies with jurisdiction over the Agreement, as required and directed by any other governmental oversight regulatory agency, in order to comply with the terms of the Agreement. The Board of Trustees further authorize and direct the President and Clerk, or their designees, to execute such other documents as are necessary to fulfill the Village's obligations under the Agreement, and to pay all budgeted and appropriated costs that are necessary to fulfill the Village's obligations under the Agreement.

**ADOPTED** this 2<sup>nd</sup> day of February, 2021, pursuant to a roll call vote as follows:

**AYES:** Mayor Perkins, Trustee(s) I. Brandon, M. Jones, A. Sanchez, K. Wellington,  
M. Lightford and N. Booker

**NAYS:** None

**ABSENT:** None

**APPROVED** this 2<sup>nd</sup> day of February, 2021, by the Village President of the Village of Maywood, and attested by the Village Clerk on the same day.

\_\_\_\_\_  
Edwenna Perkins, Village President

**ATTEST:**

\_\_\_\_\_  
Viola Mims, Village Clerk

**Exhibit "A"**

**Release and Hold Harmless Agreement**

**(Pace - Suburban Bus Division of Regional Transportation Authority  
and the Village of Maywood)**

(attached)



STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

**CLERK'S CERTIFICATE**

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached is a true and correct copy of that certain Resolution now on file in my office, entitled:

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which Resolution was passed by a roll call vote of the Board of Trustees of the Village of Maywood at a Village Board Meeting on the 2<sup>nd</sup> day of February, 2021, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 2<sup>nd</sup> day of February, 2021.

I further certify that the vote on the question of the passage of said Resolution by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Perkins, Trustee(s) I. Brandon, M. Jones, A. Sanchez, K. Wellington,  
M. Lightford and N. Booker  
NAYS: None  
ABSENT: None

I do further certify that the original Resolution, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 3<sup>rd</sup> day of February, 2021.

\_\_\_\_\_  
Viola Mims, Village Clerk

[SEAL]