ORDINANCE NO. 2024-4391

AN ORDINANCE APPROVING A SECOND AMENDMENT TO
AN EXISTING SERVICE AGREEMENT
BETWEEN THE VILLAGE OF BARRINGTON AND
ANDY FRAIN SERVICES, INC.

WHEREAS, the Village of Barrington, Cook and Lake Counties, Illinois ("the Village") previously approved a Service Agreement with Andy Frain Services, Inc. ("Andy Frain") and a first Amendment thereto, for the purpose of authorizing Andy Frain to provide its personnel to serve the Village as either crossing guards or rail crossing monitors at certain locations within the Village (collectively, the "Existing Service Agreement"); and

WHEREAS, the Village has received an update to the Existing Service Agreement with Andy Frain in the form of a second Amendment to such Existing Service Agreement, effective April 2, 2024, which increases the rate the Village will be charged for Andy Frain service personnel and extends the term of the Agreement to July 31, 2025; and

WHEREAS, the Corporate Authorities of the Village find that it is in the best interests of the Village and its residents to amend the Existing Service Agreement with Andy Frain Services, Inc. and for that purpose wish to approve a certain second Amendment to Service Agreement, in substantially the form attached hereto as Exhibit A and thereby made a part hereof:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, in exercise of the Village's authority as a Home Rule unit, as follows:

SECTION 1: The recitals set forth in the preamble to this Ordinance are true and correct and the same are incorporated into this Ordinance by reference as the findings of fact of the Corporate Authorities of the Village to the same extent as if each had been set forth herein in its entirety.

SECTION 2: The Corporate Authorities hereby approve the terms and conditions of the second Amendment to Service Agreement with Andy Frain Services, Inc., effective April 2, 2024, a copy of which second Amendment is attached hereto as Exhibit A and thereby made a part hereof.

SECTION 3: That the execution by the Village President and attestation by the Village Clerk of such second Amendment to Service Agreement substantially in the form attached hereto as Exhibit A is authorized, ratified and approved. The Village Clerk is hereby authorized and directed to provide to Andy Frain Services, Inc. an executed copy of the Second Amendment to Service Agreement.

SECTION 4: This Ordinance shall take effect immediately from and after its passage and approval.

PASSED THIS 8 DAY OF April, 2024 BY ROLL CALL VOTE AS FOLLOWS:

AYES: Trustees Johnson Green Wondrasek Duncan Moran Rissi President Darch

NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED THIS 8 DAY OF April, 2024

Karen Y. Darch

Karen Y. Darch, Village President

ATTESTED AND FILED THIS 8TH DAY OF APRIL, 2024.

Tony Ciganek

Tony Ciganek, Village Clerk

Published in Pamphlet Form the 9 day of April, 2024.

Village of Barrington CORPORATE SEAL Cook & Lake Counties, IL

EXHIBIT A

SECOND AMENDMENT TO3 SERVICE AGREEMENT
(Effective April 2, 2024)

ANDY FRAIN SERVICES

AMENDMENT TO SERVICE AGREEMENT

Effective April 2, 2024 ("Effective Date"), this Amendment ("Amendment") to Service Agreement amends that certain Service Agreement made by and between Andy Frain Services, Inc. ("Contractor") and **Village of Barrington** ("Customer"), as follows:

WHEREAS, Customer and Contractor entered into that Crossing Guard Service Agreement effective May 17, 2023 (the "**Agreement**") setting forth the terms and conditions under which Contractor provides Customer certain security services personnel for the purpose of performing certain security services (as defined in the Agreement);

WHEREAS, Customer and Contractor now wish to amend the Agreement by entering into this Amendment with such amended terms to commence as of the Effective Date; and

WHEREAS, any term not defined in this Amendment shall have the same meaning ascribed thereto in the Agreement.

NOW, THEREFORE, in consideration of the mutual agreements and promises contained herein, Customer and Contractor hereby agree to amend the Agreement as delineated below commencing as of the Effective Date:

1. **Term.** The Parties agree that Section 2 of the Agreement and Section 2 of Schedule 1 shall be amended to extend the Term of the Agreement to July 31, 2025.

2. **Rates.** The Parties agree that Section 7(a) and Schedule 1 shall be modified, effective April 2, 2024, as follows:

Service Personnel	**Regular**	**OT/Holiday**
Crossing Guard	$29.41	$44.12
Supervisor	$29.41	$44.12

The Parties further explicitly agree that all personnel will be invoiced a minimum of two (2) hours per day, per crossing.

3. All other terms and conditions of the Agreement shall remain in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto as of the day and year first written above have duly executed this Agreement.

ANDY FRAIN SERVICES, INC., an Illinois Corporation

By: _____
Laura Grund
Executive Vice President
Date: _____

VILLAGE OF BARRINGTON

By: Karen Y Darch
Name: Karen Darch
Title: Village President
Date: April 8, 2024