

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
_____ Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: January 2, 2014 (BOT) Date: January 16, 2014
SUBJECT: Second Amendment to the Intergovernmental Agreement with York Township regarding Route 53 and Madison Street
SUBMITTED BY: Carl S. Goldsmith, Director of Public Works *g*

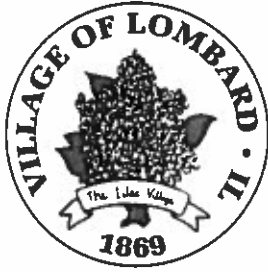
BACKGROUND/POLICY IMPLICATIONS:

A Resolution authorizing the signature of the President and Clerk on the Second Amendment to the Intergovernmental Agreement with York Township regarding Route 53 and Madison Street. The amended IGA reflects changes in the estimated costs for the project and the completion date of the project.

Fiscal Impact/Funding Source:

Review (as necessary):
Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



January 2, 2014

TO: Village President and Board of Trustees

THROUGH: Timothy Sexton, Acting Village Manager

FROM: Carl Goldsmith, Director of Public Works *CG*

SUBJECT: Second Amendment to the Intergovernmental Agreement with York Township regarding Route 53 and Madison Street

Background

In June 2010, the Village Board of Trustees approved the execution of an intergovernmental agreement (IGA) with the York Township Highway Commissioner relative to improvements to the intersection of IL Route 53 and Madison Street. The agreement provided for the Village to make improvements to the unincorporated portions of Madison Street as part of the project. The estimated cost of the improvements in the unincorporated segment of the project was \$402,049, which will be paid for by the York Township Highway Commissioner.

In June 2012, the Village and the York Township Highway Commissioner executed the First Amendment to the IGA. The First Amendment to the IGA provided that the Commissioner would pave portions of School Street and 14th Street within Lombard's corporate limits as part of the Township's grind and overlay of the asphalt roadways in the former York Co-op. Under the First Amendment, the York Township Highway Commissioner paved 14th Street from Meyers Road to a point 750 feet west of the western right-of-way line of Westmore and a portion of School Street from Roosevelt Road to 14th Street. These roadways were annexed by the Village of Lombard in 2008 during the construction of the South Booster Station.

The portion of the improvement within the Village's right-of-way was estimated at \$208,935.75. As no funding source for the Village's contribution towards the York Co-op grind & overlay project was available at the time, the Village discussed the possibility of the York Township Highway Commissioner paying the full cost of the York Co-op improvements and have that amount deducted from the York Township Highway Commissioner's contribution towards the Route 53 and Madison Project. The First Amendment was approved by the Village Board on June 21, 2012.

The Illinois Route 53 and Madison Intersection Improvements are largely funded through IDOT. Due to the revised construction schedule based upon IDOT funding, the Village staff and Commissioner has revised several sections of the IGA to reflect the estimated costs and estimated completion dates. These changes are summarized below and incorporated into the Second Amendment to the IGA. The following changes are contained in the IGA:

- Section 5 of the agreement has been amended to reflect the revised estimated cost of the project. The total has been amended from \$3,577,893 to \$3,314,503.
- Section 6 of the agreement has been amended to reflect the revised estimate of the cost of the work being conducted in the unincorporated portions of Madison Street. The costs have been reduced from \$402,049 to \$307,497. The reduced cost of the project is due to the scope of the project being amended. Based upon survey data collected from property owners in the project area, the Village has eliminated the installation of watermain and sanitary sewer as part of this project.
- Section 9 of the agreement has been amended to modify the estimated completion date from December 31, 2013 to December 31, 2017.
- Exhibit "B" to the agreement contains the breakdown of estimated costs for the project and has been amended to reflect the revised estimates.

The Village Attorney has reviewed the agreement and the York Township Highway Commissioner has executed the agreement. I would request that this matter be placed on the Village Board agenda for the January 16, 2014 meeting. Should you have any questions, please feel free to contact me. I thank you for your time and consideration of this matter.

Recommendation

Staff recommends that the Village Board of Trustees approve the Second Amendment to the Intergovernmental Agreement with York Township regarding Route 53 and Madison Street.

RESOLUTION
R ____-14

A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON AN AGREEMENT

WHEREAS, the Corporate Authorities of the Village of Lombard have received The Second Amendment to an Agreement between the Village of Lombard and the York Township Highway Commissioner regarding the reconstruction of Madison Street between IL Route 53 and Finley Road.

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said agreement as attached hereto.

Adopted this _____ day of January, 2014.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of January, 2014.

Keith Giagnorio
Village President

ATTEST:

Janet Downer
Deputy Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

**SECOND AMENDMENT TO
AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE VILLAGE OF LOMBARD AND
THE YORK TOWNSHIP HIGHWAY COMMISSIONER
REGARDING IMPROVEMENTS TO MADISON STREET**

This SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (the "SECOND AMENDMENT") is entered into this ____ day of _____, 201__, by and between the VILLAGE OF LOMBARD (the "VILLAGE") and the YORK TOWNSHIP HIGHWAY COMMISSIONER (the "COMMISSIONER"). The VILLAGE and the COMMISSIONER are hereinafter sometimes referred to collectively as the "Parties."

WITNESSETH

WHEREAS, the VILLAGE and the COMMISSIONER entered into AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE YORK CENTER HIGHWAY COMMISSIONER REGARDING IMPROVEMENTS TO MADISON STREET, dated June 17, 2010 (the "ORIGINAL AGREEMENT"); and

WHEREAS, the VILLAGE and the COMMISSIONER entered into a FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE YORK TOWNSHIP HIGHWAY COMMISSIONER REGARDING IMPROVEMENTS TO MADISON STREET, dated June 21, 2012 (the "FIRST AMENDMENT" – the ORIGINAL AGREEMENT as amended by the FIRST AMENDMENT being hereinafter referred to as the "AMENDED AGREEMENT"); and

WHEREAS, the VILLAGE and the COMMISSIONER desire to amend certain provisions of the ORIGINAL AGREEMENT, in light of the delays in the VILLAGE'S construction of the PROJECT (as defined in the AMENDED AGREEMENT), through no fault of the VILLAGE; and

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution and 5 ILCS 220/1 through 220/9 provide authority for intergovernmental cooperation; and

WHEREAS, it is in the best interests of the VILLAGE and the COMMISSIONER to enter into this **SECOND AMENDMENT**;

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements hereinafter contained, the Parties hereto agree as follows:

1. That Section 5 of the **AMENDED AGREEMENT** is hereby amended by revising the reference therein to, "\$3,577,893," to read, "\$3,314,503."

2. That Section 6 of the **AMENDED AGREEMENT** is hereby amended by revising the reference therein to, "\$402,049," to read, "\$307,497."

3. That Section 9 of the **AMENDED AGREEMENT** is hereby amended by revising the reference therein to, "12-31-13," to read, "December 31, 2017."

4. That Exhibit "B" to the **AMENDED AGREEMENT** is hereby amended to read in its entirety as set forth in Exhibit "B" attached hereto and made part hereof.

5. That all portions of the **AMENDED AGREEMENT**, not amended hereby, shall remain in full force and effect.

6. This **SECOND AMENDMENT** shall be executed simultaneously in two (2) counterparts, each of which shall be deemed an original, but both of which shall constitute one and the same **SECOND AMENDMENT**.

7. This **SECOND AMENDMENT** shall be deemed dated and become effective on the date the last of the Parties executes this **SECOND AMENDMENT**, as set forth below.

IN WITNESS WHEREOF, the VILLAGE and the COMMISSIONER, pursuant to the authority duly granted, have caused this **FIRST AMENDMENT** to be signed by their respective authorized corporate authorities.

VILLAGE OF LOMBARD

Keith Giagnorio, Village President

**YORK TOWNSHIP
HIGHWAY COMMISSIONER**



Dick Schroeder, Highway Commissioner

ATTEST:

Dated: _____

Janet Downer, Deputy Village Clerk

Dated: _____

ACKNOWLEDGMENT

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Keith Giagnorio and Janet Downer, personally known to me to be the Village President and Deputy Village Clerk of the Village of Lombard, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that, as such Village President and Deputy Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Village Board of Trustees of said municipal corporation, as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____,
201__.

Notary Public

ACKNOWLEDGMENT

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Dick Schroeder, personally known to me to be the York Township Highway Commissioner, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as such York Township Highway Commissioner, he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of said York Township Highway Commissioner, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 30 day of December, 2013.



Sharon Kuderna
Notary Public

Exhibit "B"
COST ESTIMATES
(attached)

**Engineer's Estimate of Probable Costs
Illinois Route 53 at Madison Street Intersection Improvement**

	Unit	Unit Cost	Intersection Improvements		Village Improvements		Non-Village Improvements	
			Quantity	Cost	Quantity	Cost	Quantity	Cost
Earthwork Items								
Earth Excavation	CY	\$25.0	8313	\$207,825	0	\$0	205	\$5,125
Furnish and Place Embankment	CY	\$25.0	2493	\$62,325	0	\$0	661	\$16,525
Topsoil 4"	SY	\$2.5	6400	\$16,000	0	\$0	1625	\$4,063
Seeding	SY	\$8.0	8400	\$67,200	0	\$0	1625	\$13,000
Maintenance of Traffic Items								
Temporary Pavement	BY	\$42.5	2100	\$89,250	0	\$0	0	\$0
Furnish Excavation (for temp. pavement)	CY	\$25.0	2240	\$56,000	0	\$0	0	\$0
Earth Excavation (for temp. pavement)	CY	\$25.0	2240	\$56,000	0	\$0	0	\$0
Temporary Pavement Removal	SY	\$7.0	2100	\$14,700	0	\$0	0	\$0
Temporary Pavement Markings	L SUM	\$7,500.0	1	\$7,500	0	\$0	0	\$0
Removal Items								
Pavement Removal	SY	\$12.5	5045	\$63,063	430	\$5,375	385	\$4,813
CCAG Removal	FOOT	\$3.5	750	\$2,625	0	\$0	0	\$0
Driveway Pavement Removal	SY	\$16.0	1117	\$17,872	178	\$2,848	184	\$2,944
Removing Catch Basins	EACH	\$475.0	0	\$0	1	\$475	1	\$475
End Sections to be Removed	EACH	\$300.0	2	\$600	0	\$0	0	\$0
Storm Sewer Removal	FOOT	\$18.0	235	\$4,230	0	\$0	59	\$1,062
Pipe Culvert Removal	FOOT	\$12.0	244	\$2,928	87	\$1,044	0	\$0
Roadway Items								
HMA Surface Course (1.5" (Madison Street) - 2" (Illinois Route 53))	TON	\$185.0	860	\$141,850	35	\$5,775	48	\$7,560
HMA Binder Course (1.5" (Madison Street) - 1.1" (Illinois Route 53))	TON	\$53.5	2985	\$159,698	35	\$1,875	48	\$2,458
HMA Base Course (6")	SY	\$28.0	2497	\$70,016	430	\$12,010	534	\$15,474
Aggregate Sub Base Course (4")	SY	\$5.5	2497	\$13,734	430	\$2,365	534	\$2,935
Aggregate Subgrade (12")	SY	\$14.0	4322	\$60,508	0	\$0	0	\$0
Type B-6.12 CCAG	FOOT	\$18.0	2293	\$41,274	390	\$7,020	490	\$8,820
5" PPC Sidewalk	SF	\$4.5	0	\$0	1650	\$7,425	7781	\$35,050
Bit. Shoulders	SY	\$32.0	1723	\$55,136	0	\$0	0	\$0
Driveway Pavement	SY	\$35.0	960	\$33,450	178	\$6,264	99	\$3,465
Traffic Signal Items								
Traffic Signal	EACH	\$275,000.0	1	\$275,000	0	\$0	0	\$0
Drainage Items								
Trench Backfill	CY	\$35.0	105	\$3,675	80	\$2,800	115	\$4,025
Pipe Culverts, Class A, Type 1 12"	FOOT	\$40.0	75	\$3,000	0	\$0	0	\$0
Pipe Culverts, Class A, Type 1 15"	FOOT	\$150.0	20	\$3,000	0	\$0	0	\$0
Precast Reinforced Concrete Flared End Sections 12"	EACH	\$350.0	8	\$2,800	0	\$0	0	\$0
Precast Reinforced Concrete Flared End Sections 15"	EACH	\$450.0	2	\$900	0	\$0	0	\$0
Precast Reinforced Concrete Flared End Sections 30"	EACH	\$1,000.0	1	\$1,000	0	\$0	0	\$0
Grating for Concrete Flared End Section 30"	EACH	\$875.0	1	\$875	0	\$0	0	\$0
Storm Sewers, Class A, Type 1 12"	FOOT	\$50.0	940	\$47,000	37	\$1,850	85	\$4,250
Storm Sewers, Class A, Type 2 15"	FOOT	\$50.0	845	\$42,250	48	\$2,400	112	\$5,600
Storm Sewers, Class A, Type 2 18"	FOOT	\$35.0	5	\$175	66	\$2,310	154	\$5,370
Storm Sewers, Class A, Type 2 24"	FOOT	\$80.0	143	\$11,360	0	\$0	0	\$0
Storm Sewers, Class A, Type 2 30"	FOOT	\$75.0	68	\$5,100	0	\$0	0	\$0
Catch Basins, Type A, 4-Diameter, Type 8 Grate	EACH	\$2,000.0	7	\$14,000	2	\$4,000	2	\$4,000
Catch Basins, Type A, 4-Diameter, Type 11 Frame and Grate	EACH	\$1,850.0	11	\$20,350	1	\$1,850	1	\$1,850
Catch Basins, Type A, 5-Diameter, Type 8 Grate	EACH	\$2,500.0	1	\$2,500	0	\$0	1	\$2,500
Catch Basins, Type A, 5-Diameter, Type 11 Frame and Grate	EACH	\$2,500.0	1	\$2,500	0	\$0	0	\$0
Manholes, Type A, 4-Diameter, Type 1 Frame, Open Lid	EACH	\$2,000.0	1	\$2,000	0	\$0	0	\$0
Manholes, Type A, 5-Diameter, Type 1 Frame, Closed Lid	EACH	\$2,800.0	9	\$25,200	0	\$0	2	\$5,600
Manholes to be Reconstructed with New Type 1 Frame, Closed Lid	EACH	\$1,700.0	0	\$0	0	\$0	1	\$1,700
			Sub-Total:	\$1,651,387		\$88,848		\$157,435
Erosion Control (3% of Sub-Total)				\$30,078		\$1,377		\$3,149
Traffic Control and Protection (4% of Sub-Total)				\$66,055		\$2,754		\$6,297
Construction Layout (1.5% of Sub-Total)				\$24,771		\$1,035		\$2,362
Miscellaneous Items (25% of Sub-Total)				\$412,847		\$17,212		\$39,359
			Construction Totals	\$2,188,088		\$117,233		\$208,601
Utility Relocation (Estimated)	L SUM			\$250,000		\$25,000		\$25,000
Proposed Right-of-Way Acquisition/Temporary Construction Easements (Estimated)	SF	\$27	11271	\$304,317	0	\$0	286	\$7,715
Phase 2 Engineering (10% of Construction Total)				\$218,809		\$9,122		\$20,860
Phase 3 Engineering (10% of Construction Total)				\$218,809		\$9,122		\$20,860
Project Totals:				\$3,180,036		\$134,468		\$307,467
Total:				\$3,622,000				