

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: Tim Sexton, Acting Village Manager
DATE: September 10, 2013 (COW) (B of T) **Date:** September 19, 2013
TITLE: Great Western Trail Bridges Project - Amendment #1 Local Agency Agreement
SUBMITTED BY: David A. Dratnol, P.E., Village Engineer *Dratnol*

BACKGROUND/POLICY IMPLICATIONS:

Attached is a draft Amendment #1 Local Agency Agreement amending the financial agreement between IDOT and the Village of Lombard for the Great Western Trail Bridges Project.

FISCAL IMPACT/FUNDING SOURCE:

Contract Amount: \$6,126,314
Surface Transportation Program \$4,400,000
Grade Crossing Protection Fund \$1,898,179
DuPage County \$100,000
TIF 1 & 2 Capital Projects Funds \$1,000,935
Project Number: FM 06 03
PW Project Number: M-06-03

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X *Timothy Sexton* _____ Date 9/11/13
Village Manager X *Dratnol* _____ Date 9/10/13

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.

Interoffice Memo



To: Tim Sexton, Acting Village Manager
Through: Carl Goldsmith, Public Works Director *CG*
From: David A. Dratnol, P.E., Village Engineer *DAD*
Date: September 10, 2013
Subject: Great Western Trail Bridges – draft Amendment #1 to the IDOT Local Agency Agreement

Please find attached a draft Amendment #1 Local Agency Agreement (LAA) and resolution for the Great Western Trail Bridges project.

The Illinois Department of Transportation awarded the Great Western Trail Bridges Project on December 13, 2011 at a cost of \$4,418,291.78. The estimate was \$5,800,000. Based on the actual contract amount the Illinois Commerce Commission revised the apportioning of the Grade Crossing Protection Fund in February 2012. In order to reapportion the funding through IDOT it is necessary to submit a revised LAA. The Amendment includes the change to the construction engineering which has already been submitted to the Board of Trustees and is eligible to be reimbursed by Grade Crossing Protection Funds (STATE funds on the agreement) at 90% of the cost of engineering for the railroad portion of the project. The Local Agency (LA) cost on the LAA is \$1,100,935. DuPage County has provided \$100,000 of the LA cost; therefore, the Village share would be \$1,000,935. This project was budgeted in the CIP for \$2,160,975 (\$208,100 in FY09 and \$1,952,875 in FY12).

Attached is a draft Amendment #1 LAA for review. The original for execution will be delivered to the Village by IDOT.

Engineering Staff is requesting that the Board authorize the Village President to sign the Amendment #1 LAA with the Illinois Department of Transportation for the Great Western Trail Bridges project substantially in the form attached hereto at the September 19, 2013 Board Meeting.

DAD/pk

File: M-06-03

RESOLUTION

R _____ 13

**A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON AN AGREEMENT**

WHEREAS, the Corporate Authorities of the Village of Lombard have received an Amendment #1 Agreement between the Village of Lombard, and the Illinois Department of Transportation regarding finances for the Great Western Trail Bridges project as attached hereto and marked Exhibit "A"; and

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 19th day of September, 2013.

Ayes; _____

Nays: _____

Absent: _____

Approved this 19th day of September, 2013.

Keith Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

 Illinois Department of Transportation Local Agency Amendment # 1 for Federal Participation	Local Agency Village of Lombard	State Contract <input checked="" type="checkbox"/>	Day Labor <input type="checkbox"/>	Local Contract <input type="checkbox"/>	RR Force Account <input type="checkbox"/>
	Section: 06-00151-00-BR	Fund Type: STU /GCPF	ITEP and/or SRTS Number		
Construction		Engineering		Right-of-Way	
Job Number	Project Number	Job Number	Project Number	Job Number	Project Number
C-91-289-10	M-9003 (548)				

This Amendment is made and entered into between the above local agency hereinafter referred to as the "LA" and the state of Illinois, acting by and through its Department of Transportation, hereinafter referred to as "STATE". The STATE and LA jointly propose to improve the designated location as described below. The improvement shall be constructed in accordance with plans approved by the STATE and the STATE's policies and procedures approved and/or required by the Federal Highway Administration hereinafter referred to as "FHWA".

BE IT MUTUALLY AGREED that all remaining provisions of the original agreement not altered by this Amendment shall remain in full force and effect and the Amendment shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

Amended Division of Cost

Type of Work	FHWA	%	STATE	%	LA	%	Total
Participating Construction	3,313,719	(*)	675,000	(**)	429,573	(BAL)	4,418,292
Non-Participating Construction	()	()	()	()	()	()	()
Preliminary Engineering	()	()	()	()	()	()	()
Construction Engineering	()	()	600,990	(**)	623,662	(BAL)	1,224,652
Right of Way	()	()	()	()	()	()	()
Railroads	()	()	49,500	()	5,500	(BAL)	55,000
Utilities	()	()	379,800	(**)	42,200	(BAL)	422,000
Materials	()	()	()	()	()	()	()
TOTAL	\$ 3,313,719		\$ 1,705,290		\$ 1,100,935		\$ 6,119,944

*Maximum FHWA(STU) participation 75% not to exceed \$4,400,000

**Maximum State(GCPF) participation 90% Grade Separation not to exceed 1,895,067

NOTE: The costs shown in the Division of Cost table are approximate and subject to change. The final LA share is dependent on the final Federal and State participation. The actual costs will be used in the final division of cost for billing and reimbursement.

If funding is not a percentage of the total, place an asterisk in the space provided for the percentage and explain above.

The LA further agrees, as a condition of payment, that it accepts and will comply with the applicable provisions set forth in this Agreement and all exhibits indicated above.

APPROVED

Local Agency

APPROVED

State of Illinois
Department of Transportation

Keith Giagnorio

Name of Official (Print or Type Name)

Ann L. Schneider, Secretary of Transportation

Date

Village President

Title (County Board Chairperson/Mayor/Village President/etc.)

By:

Aaron A. Weatherholt, Deputy Director of Highways

Date

Omer Osman, Director of Highways/Chief Engineer

Date

(Signature)

Date

Michael A. Forti, Chief Counsel

Date

Matthew R. Hughes, Director of Finance and Administration

Date

The above signature certifies the agency's TIN number is
36-6005975 conducting business as a Governmental
Entity.

DUNS Number 160992199

NOTE: If signature is by an APPOINTED official, a resolution authorizing said appointed official to execute this agreement is required.