

AGREEMENT

THIS AGREEMENT entered into this 21st day of Feb. 2013 A.D., by and between the STATE OF ILLINOIS, acting by and through its Department of Transportation, hereinafter called the STATE, and the Village of Lombard, of the State of Illinois, hereinafter called the VILLAGE.

WITNESSETH

WHEREAS, the STATE is proposing to upgrade the traffic signals on the state highways with Light-Emitting-Diode (LED) modules, Uninterruptible Power Supply (UPS) and Countdown Pedestrian Signals (CD Ped) at the intersection of IL 38 at Meyers/Westmore Av (to be known as STATE Section 2012-082TS and Contract No. 60W00-Job No. C-91-136-13). This LED upgrade project will require cost participation similar to the federal Highway Safety Improvement Program (HSIP). State funds will be used for 90% of the traffic signal upgrade costs with the remaining 10% split based on the proportionate share of approach leg jurisdiction.

WHEREAS, the VILLAGE is desirous of said improvement in that same will be of immediate benefit to the VILLAGE, and permanent in nature; and,

WHEREAS, the intersection of IL 38 at Meyers/Westmore Av., lies within the corporate limits of the VILLAGE.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. The STATE agrees to prepare plans and specifications, receive bids, award the contract, furnish engineering inspection during construction, and cause the improvement to be built in accordance with the plans, specifications, and contract. The STATE also agrees to pay all construction and engineering costs subject to reimbursement by the VILLAGE as hereinafter stipulated.
2. The VILLAGE agrees to approve the plans and specifications by letter or resolution prior to the STATE advertising for the work to be performed hereunder.
3. It is mutually agreed that the proportional participation for the estimated construction costs and engineering costs of this improvement shall be as follows:

	Improvement Cost	State Cost	Lombard Cost	County Cost
IL 38 at Meyers/ Westmore Av	\$15,000.00 (Signal upgrades)	\$14,250.00 (90% + 5%)	\$375.00 (2.5%)	\$375.00 (2.5%)
Engineering (15%)		\$2,137.50	\$56.25	\$56.25
TOTAL		\$16,387.50	\$431.25	\$431.25

4. It is mutually agreed that the VILLAGE will reimburse the STATE in an amount equal to the VILLAGE'S share of the actual cost as determined in accordance with Item #3 above. It is mutually agreed that upon award of the contract for this improvement, the VILLAGE will pay to the Department of Transportation of the State of Illinois, in a lump sum from any funds allotted to the VILLAGE, an amount equal to 80% of its obligation incurred under this Agreement, and will pay to the said Department the remainder of its obligation (including any non-participating costs for FA projects) in a lump sum, upon completion of the project based upon final costs.
5. Upon acceptance by the Department of Transportation of the traffic signal improvement included herein, the financial responsibility for maintenance and electrical energy for the operation of the traffic signals shall remain as outlined in the Master Agreement executed between the Village of Lombard and the Department of Transportation on July 01, 2011.

6. The agency performing actual traffic signal maintenance will remain as listed in the Exhibit A of the previous Master Agreement.
7. Payment by the STATE of any or all of its share of maintenance and energy costs is contingent upon the STATE receiving adequate funds in its annual appropriation.
8. The STATE retains the right to control the sequence of timing on the traffic signals.
9. This agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

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VILLAGE OF LOMBARD

By: Wm P. White
President

Date: 2/21/13

ATTEST:

Bridgette O'Brien
CLERK

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: J. Fortmann
(Signature)

By: John Fortmann
(Print)

Title: Acting Deputy Director of Highways,
Region One Engineer

Date: 3 - 5 - 13

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement at the intersection of IL 38 at Meyers/Westmore Av., VILLAGE OF LOMBARD hereby approves the plans and specifications for the proposed traffic signal improvements at the said intersection above.

APPROVED:

By: *David A. [Signature]*
VILLAGE ENGINEER

Date: 2/28/13

ATTEST:

Brigitte O'Brien
Clerk

SEAL