

**RESOLUTION
R 78-13**

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

WHEREAS, the Corporate Authorities of the Village of Lombard have received an Agreement between the Village of Lombard, and Illinois Department of Transportation regarding the engineering and installation of Light-Emitting Diode traffic signal modules and battery back-up equipment at ten (10) intersections maintained and operated by the Illinois Department of Transportation that service the Village of Lombard 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 request and 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 and request as attached hereto.

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

Adopted this 17th day of January, 2013, pursuant to a roll call vote as follows:

Ayes: None

Nays: None

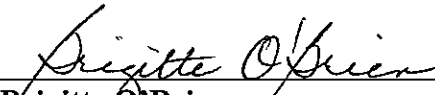
Absent: None

Approved by me this 17th day of January, 2013.



William Ware, Acting Village President

ATTEST:



Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT

THIS AGREEMENT entered into this _____ day of _____ 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 intersections of IL 38 (Roosevelt Rd) at Finley Rd; at Main St; at Highland Av; at Lombard Shopping Ctr; at Fairfield Rd; and IL 53 (Rohwing Rd) at IL 64 (North Av); IL 56 (Butterfield Rd) at Technology/Maxant Dr; IL 56 (Butterfield Rd) at Foundation Square Dr; IL 64 (North Av) at Lombard Rd; at Main St and at Grace St (to be known as STATE Section 2012-070 I and Contract No. 60V80-Job No. D-91-079-13). 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 intersections of IL 38 (Roosevelt Rd) at Finley Rd; at Main St; at Highland Av; at Lombard Shopping Ctr; at Fairfield Rd; IL 56 (Butterfield Rd) at Technology/Maxant Dr; IL 56 (Butterfield Rd) at Foundation Square Dr; IL 64 (North Av) at Lombard Rd; at Main St and at Grace St., 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 construction costs and engineering costs of this improvement shall be as follows:

	Improvement Cost	State Cost	Lombard Cost	County Cost
IL 38 (Roosevelt Rd) at Finley Rd	\$18,000.00	\$17,100.00	\$900.00	\$0
	(Signal upgrades)	(90% + 5%)	(5%)	(-%)
Engineering (15%)		\$2,565.00	\$135.00	\$0
IL 38 (Roosevelt Rd) at Main St	\$15,000.00	\$14,250.00	\$375.00	\$375.00
	(Signal upgrades)	(90% + 5%)	(2.5%)	(2.5%)
Engineering (15%)		\$2,137.50	\$56.25	\$56.25
IL 38 (Roosevelt Rd) at Highland Av	\$18,000.00	\$17,550.00	\$450.00	\$0
	(Signal upgrades)	(90% + 7.5%)	(2.5%)	(-%)
Engineering (15%)		\$2,632.50	\$67.50	\$0

	Improvement Cost	State Cost	Lombard Cost	County Cost
IL 38 (Roosevelt Rd) at Lombard Shopping Ctr	\$15,000.00 (Signal upgrades)	\$14,250.00 (90% + 5%)	\$750.00 (5%)	\$0 (-%)
Engineering (15%)		\$2,137.50	\$112.50	\$0
IL 38 (Roosevelt Rd) at Fairfield Rd	\$15,000.00 (Signal upgrades)	\$14,250.00 (90% + 5%)	\$750.00 (5%)	\$0 (-%)
Engineering (15%)		\$2,137.50	\$112.50	\$0
IL 56 (Butterfield Rd) at Technology/Maxant Dr	\$38,000.00 (Signal upgrades)	\$36,100.00 (90% + 5%)	\$1,900.00 (5%)	\$0 (-%)
Engineering (15%)		\$5,415.00	\$285.00	\$0
IL 56 (Butterfield Rd) at Foundation Square Dr	\$28,000.00 (Signal upgrades)	\$26,600.00 (90% + 5%)	\$1,400.00 (5%)	\$0 (-%)
Engineering (15%)		\$3,990.00	\$210.00	\$0
IL 64 (North Av) at Lombard Rd	\$18,000.00 (Signal upgrades)	\$17,406.00 (90% + 6.7%)	\$594.00 (3.3%)	\$0 (-%)
Engineering (15%)		\$2,610.90	\$89.10	\$0
IL 64 (North Av) at Main St	\$20,000.00 (Signal upgrades)	\$19,000.00 (90% + 5%)	\$1,000.00 (5%)	\$0 (-%)
Engineering (15%)		\$2,850.00	\$150.00	\$0
IL 64 (North Av) at Grace St	\$20,000.00 (Signal upgrades)	\$19,000.00 (90% + 5%)	\$1,000.00 (5%)	\$0 (-%)
Engineering (15%)		\$2,850.00	\$150.00	\$0
IL 53 (Rohwing Rd) at IL 64 (North Av)	\$15,000.00 (Signal upgrades)	\$5,000.00 (90% + 10%)	\$0 (-%)	\$0 (-%)
Engineering (15%)		\$2,250.00	\$0	\$0
TOTAL		\$232,081.90	\$10,486.85	\$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 current Master Agreement executed between the Village of Lombard and the Department of Transportation on July 1, 2011.
6. The actual maintenance will be performed by the STATE with its own forces or through an ongoing contractual 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.

VILLAGE OF LOMBARD

By: 
Village President

Date: 11/17/13

ATTEST:


CLERK

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: _____
(Signature)

By: John Fortmann
(Print)

Title: Acting Deputy Director of Highways,
Region One Engineer

Date: _____

PLAN APPROVAL

WHEREAS, in order to facilitate the improvement at the intersections of IL 38 (Roosevelt Rd) at Finley Rd; at Main St; at Highland Av; at Lombard Shopping Ctr; at Fairfield Rd; IL 56 (Butterfield Rd) at Technology/Maxant Dr; IL 56 (Butterfield Rd) at Foundation Square Dr; IL 64 (North Av) at Lombard Rd; at Main St and at Grace St., VILLAGE OF LOMBARD hereby approves the plans and specifications for the proposed traffic signal improvements at the said intersections above.

APPROVED:

By: _____
VILLAGE ENGINEER

Date: _____

ATTEST:



Clerk

SEAL