AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE YORK TOWNSHIP HIGHWAY COMMISSIONER REGARDING IMPROVEMENTS TO SCHOOL AVENUE, 16th STREET AND 13th STREET

This Agreement (hereinafter referred to as the "AGREEMENT") is entered into this 20th day of March, 2008, by and between the York Township Highway Commissioner (hereinafter referred to as "COMMISSIONER") and the Village of Lombard (hereinafter referred to as the "VILLAGE").

RECITALS

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 and 5 ILCS 220/1 et seq. authorize units of local government to contract or otherwise associate among themselves to obtain or share services, to exercise, combine or transfer any power or function, in any manner not prohibited by law, to use their credit, revenues and other reserves to pay costs and to service debt related to intergovernmental activities; and

WHEREAS, the VILLAGE and COMMISSIONER each have jurisdiction over a portion of School Avenue, 16th Street and 13th Street; and

WHEREAS, Said roadways are in disrepair and the VILLAGE and COMMISSIONER desire to make improvements including grinding and overlaying the road and installation of gutter as more fully described on Exhibit "A" attached hereto and made part hereof (hereinafter referred to as the "PROJECT"); and

WHEREAS, the COMMISSIONER has prepared engineering plans, specifications, and estimates for the Project under the supervision of a registered engineer in the State of Illinois; and

WHEREAS, it is in the best interest of the citizens of the VILLAGE and COMMISSIONER to enter into an agreement to undertake the PROJECT; and

WHEREAS, the VILLAGE and COMMISSIONER agree to share the costs for the PROJECT as specified in Exhibit B attached hereto and made part hereof; and

WHEREAS, the parties to this AGREEMENT desire to set forth their respective rights and duties concerning the costs and expenses for the construction of the PROJECT;

NOW, THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both the parties hereto, the parties hereby agree as follows:

- 1. The COMMISSIONER will act as the lead party for the bidding, award of the contract and construction of the PROJECT.
- 2. The COMMISSIONER, as lead party, will prepare sufficient documentation to easily determine the extent of services, improvements, labor and material quantities placed in each VILLAGE portion of the PROJECT and all amounts shown in Exhibit "B" will be adjusted according to the actual final quantities.

- 3. The COMMISSIONER will invoice the VILLAGE monthly for its respective share of the costs of the PROJECT on an actual cost progress payment basis. The VILLAGE will remit payment to the COMMISSIONER directly according to the Local Government Prompt Payment Act; however, it is agreed that payment extensions will be granted due to disputed invoices or other legitimate reasons.
- 4. The COMMISSIONER will take over maintenance duties of the PROJECT during the construction phase; that is, the COMMISSIONER will be responsible for maintenance, signage, access to properties and emergency services access. Upon completion and written acceptance of the PROJECT by the VILLAGE, the COMMISSIONER shall transfer maintenance duties for the VILLAGE's portion of the PROJECT areas back to the VILLAGE.
- 5. The COMMISSIONER will require all contractors to name the VILLAGE, and its officers, agents and employees as additional insureds on insurance policies, with certificates of insurance to evidence same, plus indemnification from said contractors relative to claims against the VILLAGE as a result of the construction of the PROJECT. The COMMISSIONER will require the contractor to meet or exceed minimum levels of insurance, based on either the VILLAGE or the COMMISSIONER's requirements, whichever is more stringent.
- 6. The VILLAGE will provide \$2,000.00 to the COMMISSIONER as its share of the cost for any design work, construction materials testing and resident engineering costs. The COMMISSIONER will inspect, at his sole cost and expense, the work that is paid for at 100% COMMISSIONER cost.
- 7. The VILLAGE agrees to pay 100% of the PROJECT costs based on the Exhibit B unit costs for those portions of the PROJECT that are within the VILLAGE limits as of December 31, 2008.
- 8. Except as noted in Section 7 above, the VILLAGE's share of construction costs is not to exceed the total cost as stated in Exhibit B without prior written approval from the VILLAGE's Director of Public Works.
- 9. The COMMISSIONER will provide sufficient assistance throughout the PROJECT to successfully coordinate utility shut downs, relocations, detours, haul routes, newsletters, and customer relations in the PROJECT area.
- 10. The COMMISSIONER shall complete or cause the completion of the construction of the PROJECT under this AGREEMENT on or before December 31, 2008, absent force majeure.
- 11. The COMMISSIONER will supply one (1) set of reproducible record drawings to the VILLAGE within six (6) months of completion of construction of the PROJECT.

Lombard – York Township Highway Commissioner IGA Page 3 of 3

12. Notice or other writings which either party is required to, or may wish to, serve upon the other party in connection with this AGREEMENT shall be in writing and shall be delivered personally or sent by registered or certified mail, return receipt requested, postage prepaid and addressed as follows:

A. If to the VILLAGE:

Director of Public Works Village of Lombard 255 East Wilson Avenue Lombard, IL 60148

B. If to the COMMISSIONER:

Highway Commissioner York Township Highway Department 1502 S. Meyers Road Lombard, IL 60148

IN WITNESS WHEREOF, the VILLAGE and the COMMISSIONER have caused this AGREEMENT to be duly executed by their respective authorized corporate authorities.

VILLAGE OF LOMBARD

Date:

By:

President

ATTEST:

YORK TOWNSHIP HIGHWAY COMMISSIONER

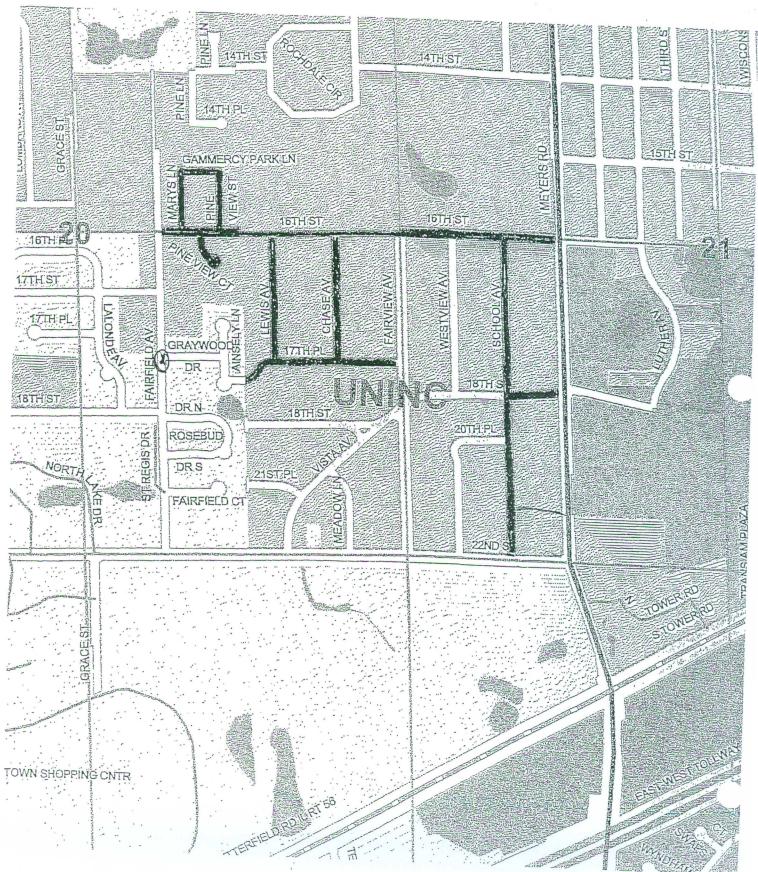
Date:

By:

Highway Commissioner

EXHIBIT A, 1/2

YORK TOWNS MIP ROADWAY WORK PLANNES FOR 2008.



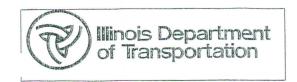


York Township Road Work in Lombard ROW



1 in. = 750.0 feet

EXHIBIT B, 1/4



Route	
County	DuPage
Local Agency	York Road Dist.
Section	

(Construction) Estimate of Cost for Lombard's Portion of the Work

Location and brief description (Sta. and land description of beginning; Sta. only for end for county and road districts; street limits for municipality.)

SCHOOL AVENUE,	16TH STREET	& 13TH	STREET	

Total Project Length	1,758 feet
Net Length	

Surface Type Bituminous
Width varies

Shoulder Type	Curb & Gutter
Width	18"

Briage or C	Juivert
Length	
Width	

Item Number	Items	Unit	Quantity	L	Init Price	T	otal Cost
1	Topsoil Furnish and Place 4"	C.Y.	171	\$	25.00	\$	4,275.00
2	Seeding Class 1	AC.	0.32	\$	5,500.00	\$	1,760.00
3	Erosion Control Blanket	S.Y.	1,536		1.50	\$	2,304.00
4	Hot-Mix Asphalt Surface Removal - Butt Joint	S.Y.	83	\$	10.00	\$	830.00
5	Hot-Mix Asphalt Surface Removal - Driveway Butt Joint	S.Y.	61	\$	10.00	\$	610.00
6	Bituminous Materials (Prime Coat)	GAL.	529	\$	1.50	\$	793.50
7	Aggregate (Prime Coat)	TON	5	\$	25.00	\$	125.00
8	Polymerized Leveling Binder (Machine Method),	1014		Ψ	20.00	\$	120.00
	IL-4.75, N50	TON	216	\$	90.00	\$	19,440.00
9	Hot-Mix Asphalt Surface Course, Mix "C", N50	TON	445	\$	70.00	\$	31,150.00
10	Bituminous Driveway Resurfacing 2"	TON	19	\$	80.00	\$	1,520.00
11	PCC Driveway Pavement 6"	S.Y.	19	\$	35.00	\$	665.00
12	PCC Sidewalk 4"	S.F.	148	\$	4.00	\$	592.00
13	Detectable Warnings	S.F.	74	\$	10.00	\$	740.00
14	Bituminous Driveway Removal & Replacement	S.Y.	0	\$	35.00	\$	-
15	Hot-Mix Asphalt Surface Removal 0" - 1-1/2"	S.Y.	1,991	\$	2.50	\$	4,977.50
16	PCC Driveway Pavement Removal	S.Y.	19	\$	10.00	\$	190.00
17	Sidewalk Removal	S.F.	222		1.50	\$	333.00
18	Class D Patches 6"	S.Y.	103	-	35.00	\$	3,605.00
19	Frames and Grates to be Adjusted	EACH	4	\$	250.00	\$	1,000.00
20	Concrete Gutter 18"	FOOT	2,755		15.00	\$	41,325.00
21	Concrete Wedge for Gutter	FOOT	3,549		2.25	\$	7,985.25
22	Combination Concrete Curb & Gutter, Type M-6.12	FOOT	75	\$	15.00	\$	1,125.00
23	Combination Concrete Curb & Gutter, Type M-6.18	FOOT	626	\$	16.00	\$	10,016.00
24	Traffic Control and Protection	L.S.	0.1	\$	18,000.00	\$	1,800.00
25	Thermoplastic Pavement Marking - Line 4"	FOOT	3,579	\$	0.65	\$	2,326.35
26	Thermoplastic Pavement Marking - Line 6"	FOOT	707	-	1.00	\$	707.00
27	Thermoplastic Pavement Marking - Line 24"	FOOT	0	-	5.00	\$	-
28	Thermoplastic Pavement Marking - Letters & Symbols	S.F.	0	-	5.00	\$	The Control of the Co
29	Detector Loop, Type 1	FOOT	0	\$	20.00	\$	
						\$	-
						\$	-
	Page Total	stimated Cost		\$#\\ #\\\$\		\$	140,194.60

Made by	Tom Dixon	Date	December 10, 2007
Checked by		Date	

EXMBIT B, 7/4



	Route			
	County		DuPag	ge
Local	Agency	York	Road	Dist.
	Section			

(Construction) Estimate of Cost for Lombard's Portion of the Work

Location and brief description (Sta. and land description of beginning; Sta. only for end for county and road districts; street limits for municipality.)

				SCHOOL AVENU	JE					
				3 -1						
			Total P	roject Length	360) feet				
			Ne	et Length						
			7							or Culvert
Surface	Type	Bituminous		Shoulder Type	-	& Gutter		-	ength	
Width		21 feet		Width		8"		V	/idth	1
Item		Iter	ms		Unit	Quantity	L	Init Price		Total Cost
Number										
1	Topso	il Furnish and Place 4"			C.Y.	36	\$	25.00	\$	900.00
2	Seedi	ng Class 1			AC.	0.07	\$	5,500.00	\$	385.00
3		on Control Blanket			S.Y.		\$	1.50	\$	480.00
4		ix Asphalt Surface Rem			S.Y.	27	\$	10.00	\$	270.00
5		lix Asphalt Surface Rem		ay Butt Joint	S.Y.	26		10.00	\$	260.00
6		inous Materials (Prime C	coat)		GAL.	84	\$	1.50	\$	126.00
7	00	gate (Prime Coat)		(1 1)	TON	1	\$	25.00	\$	25.00
8		nerized Leveling Binder (Machine Me	thod),	TON	25	Φ.	00.00	\$	
		.75, N50 lix Asphalt Surface Cour	no Mix "C"	NEO	TON	35 70	\$	90.00	\$	3,150. 4,900.00
9		inous Driveway Resurfa		1130	TON	9	\$	80.00	\$	720.00
11		Driveway Pavement 6"	cirig Z		S.Y.	19		35.00	\$	665.00
12		Sidewalk 4"			S.F.	0	\$	4.00	\$	-
13		ctable Warnings			S.F.	0	\$	10.00	\$	_
14		ninous Driveway Remova	al & Replace	ment	S.Y.	0	\$	35.00	\$	-
15		Mix Asphalt Surface Rem			S.Y.	480	\$	2.50	\$	1,200.00
16	PCC	Driveway Pavement Rer	moval		S.Y.	19	\$	10.00	\$	190.00
17		valk Removal			S.F.	0	1	1.50	\$	-
18		D Patches 6"			S.Y.	17	-	35.00	\$	595.00
19		es and Grates to be Adj	usted		EACH	0	1	250.00	\$	
20		crete Gutter 18"			FOOT	720	-	15.00	-	10,800.00
21		crete Wedge for Gutter	P. Cutton Tun	M C 10	FOOT	767	-	2.25	_	1,725.75
22		bination Concrete Curb of bination Curb of binati			FOOT	0	1	15.00 16.00		-
24		ic Control and Protection		DE IVI-0.10	L.S.	0	+	18,000.00	-	_
25	_	moplastic Pavement Ma	The same of the sa	1"	FOOT	0	-	0.65	-	
26		moplastic Pavement Ma			FOOT	0	+	1.00	-	
27		moplastic Pavement Ma			FOOT	0	+	5.00	-	
28		moplastic Pavement Ma			S.F.	0	-	5.00	_	
29		ctor Loop, Type 1			FOOT	0	-	20.00	_	-
									\$	-
									\$	-
		Page Total		✓ Total Es	timated Cost				\$	26,391
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Date

Checked by

EXMIBIT 8,3/4

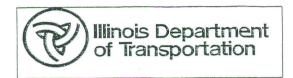


Route	
County	DuPage
Local Agency	York Road Dist.
Section	

		16TH STREET						

		Total Project Length	1.33	35 feet				
		Net Length						
	- D::	C'le and de a Toma	01	0.0.41				or Culvert
Surface		Shoulder Type Width		& Gutter 18"			ength Vidth	The second laboratory of the second laboratory
Width	29 feet	VVIdti		10		V	vidin	
Item	Item	1S	Unit	Quantity	l	Jnit Price	Т	otal Cost
lumber								
1	Topsoil Furnish and Place 4"		C.Y.	131	\$	25.00	\$	3,275.00
2	Seeding Class 1		AC.		\$	5,500.00	\$	1,320.00
3	Erosion Control Blanket		S.Y.			1.50	\$	1,774.50
4	Hot-Mix Asphalt Surface Remo		S.Y.	56		10.00	\$	560.00
5	Hot-Mix Asphalt Surface Remo		S.Y.			10.00	\$	100.00
6	Bituminous Materials (Prime Co	pat)	GAL.	430		1.50	\$	645.00
7	Aggregate (Prime Coat)		TON	4	\$	25.00	\$	100.00
8	Polymerized Leveling Binder (N	Machine Method),					\$	-
	IL-4.75, N50		TON	181	\$	90.00	\$	16,290.00
9	Hot-Mix Asphalt Surface Cours		TON	362	-	70.00	\$	25,340.00
10	Bituminous Driveway Resurfac	ing 2"	TON	5		80.00	\$	400.00
11	PCC Driveway Pavement 6"		S.Y.	0	\$	35.00	\$	-
12	PCC Sidewalk 4"		S.F.	148	-	4.00	\$	592.00
13	Detectable Warnings	0 D	S.F.	74	-	10.00	\$	740.00
14	Bituminous Driveway Removal		S.Y.	0	1	35.00	\$	-
15	Hot-Mix Asphalt Surface Remo		S.Y.	1,357		2.50	\$	3,392.50
16	PCC Driveway Pavement Rem	ovai	S.Y.	0	4"	10.00	\$	-
17	Sidewalk Removal		S.F.	222	-	1.50	\$	333.00
18	Class D Patches 6"	at a d	S.Y.	86	-	35.00	\$	3,010.00
19	Frames and Grates to be Adju Concrete Gutter 18"	sied	EACH	4		250.00	\$	1,000.00
20			FOOT	2,035		15.00	\$	30,525.00
21	Concrete Wedge for Gutter Combination Concrete Curb &	Cuttor Type M 6 12	FOOT	2,661	\$	2.25		5,987.25
23	Combination Concrete Curb &		FOOT	626	_		_	10.016.00
24	Traffic Control and Protection	Gutter, Type IVI-0.16	L.S.	0.1	-		-	10,016.00
25	Thermoplastic Pavement Mark	ing Line 4"	FOOT		-		_	1,800.00
26	Thermoplastic Pavement Mark		FOOT	3,579	_	THE RESIDENCE IN COLUMN 2 IS NOT	_	2,326.35
27	Thermoplastic Pavement Mark		FOOT	0	-		_	707.00
28	Thermoplastic Pavement Mark		S.F.	0	-		-	_
29	Detector Loop, Type 1	ing - Letters & Symbols	FOOT	0	_			-
20	Detector Loop, Type T	· · · · · · · · · · · · · · · · · · ·	1001	1	Ψ	20.00	\$	
					+		\$	
-	Page Total	✓ Total Es	imated Cost		LS D. T.		\$	110,233.60
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EXHIBIT B, 4/4



	Route	
	County	DuPage
Local	Agency	York Road Dist
	Section	

(Construction) Estimate of Cost for Lombard's Portion of the Work

				13TH STREET						
	,									
	Total Project Length				63 feet					
Net Length										
								_		or Culvert
Surface			Shoulder Type		Curb & Gutter			The state of the s	ength	
Width		22 feet		Width	18"				Vidth	
Item	1	lt lt	ems		Unit	Quantity	1	Jnit Price	T	otal Cost
Number					Orne	Quantity		JIIII I HOC		otal Oost
1	1 Topsoil Furnish and Place 4"				C.Y.	4	\$	25.00	\$	100.00
2		Seeding Class 1				0.01	\$	5,500.00	\$	55.00
3	Erosion Control Blanket				S.Y.	33	\$	1.50	\$	49.50
4	Hot-Mix Asphalt Surface Removal - Butt Joint				S.Y.	0	\$	10.00	\$	-
5	Hot-Mix Asphalt Surface Removal - Driveway Butt Joint				S.Y.	25	\$	10.00	\$	250.00
6	Bituminous Materials (Prime Coat)				GAL.	15	\$	1.50	\$	22.50
7	Aggregate (Prime Coat)				TON	0	\$	25.00	\$	_
8									\$	-
	IL-4.75, N50				TON	0	\$	90.00	\$	-
9	Hot-Mix Asphalt Surface Course, Mix "C", N50				TON	13		70.00	\$	910.00
10	Bituminous Driveway Resurfacing 2"				TON	5	-	80.00	\$	400.00
11	PCC Driveway Pavement 6"				S.Y.	0	-	35.00	\$	
12	PCC Sidewalk 4" Detectable Warnings				S.F.	0	-	4.00	\$	
14	Bituminous Driveway Removal & Replacement				S.Y.	0	-	35.00	\$	
15	Hot-Mix Asphalt Surface Removal 0" - 1-1/2"				S.Y.	154	-	2.50	\$	385.00
16	PCC Driveway Pavement Removal				S.Y.	104	-	10.00	\$	- 300.00
17	Sidewalk Removal				S.F.		-	1.50	\$	
18	Class D Patches 6"				S.Y.	1	_	35.00	\$	
19	Frames and Grates to be Adjusted			EACH		_	250.00	\$	-	
20	Concrete Gutter 18"			FOOT	C	_	15.00	\$	-	
21	Concrete Wedge for Gutter			FOOT	121		2.25	\$	272.25	
22	Combination Concrete Curb & Gutter, Type M-6.12			FOOT	75	\$	15.00	\$	1,125.00	
23 .	Combination Concrete Curb & Gutter, Type M-6.18			FOOT	(\$	16.00	\$	-	
24	Traffic Control and Protection			L.S.	() \$	18,000.00	\$	-	
25	Thermoplastic Pavement Marking - Line 4"			FOOT	(-		\$	-	
26		Thermoplastic Pavement Marking - Line 6"			FOOT	(1		-	-
27		Thermoplastic Pavement Marking - Line 24"			FOOT		-		_	-
28		olastic Pavement M	arking - Letter	s & Symbols	S.F.	(-		_	
29	Detector Loop, Type 1				FOOT	() \$	20,00	_	-
							+		\$	-
									\$	

Date

4 - 4 4

Checked by