

DISTRICT #4 & 5

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 Hulseberg, Village Manager

DATE: August 1, 2011 (COW) (B of T) **Date:** August 18, 2011

TITLE: Great Western Trail Bridges
ComEd Pole Relocation – construction.

SUBMITTED BY: David A. Dratnol, P.E., Village Engineer

BACKGROUND/POLICY IMPLICATIONS:

As part of the Great Western Trail Bridges project, ComEd will need to relocate electric lines in the Great Western Trail right-of-way including electric lines crossing the UP Railroad. ComEd has estimated that the cost of relocation will be \$401,260. They require 50% construction deposit with a final invoicing at completion. The cost of relocating the utilities is an eligible reimbursable item for Grade Crossing Protection Funding at 90%.

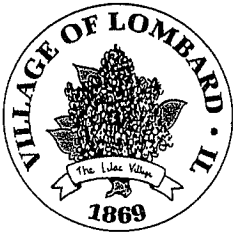
FISCAL IMPACT/FUNDING SOURCE:

Construction Cost: \$401,260.00
Funding Source: \$40,126.00 TIF Capital Projects Fund, \$361,134 GCPF
HTE Project Number: 0603
Account: 7406.809425
PW Project Number: M-06-03

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ 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.



To: David Hulseberg, Village Manager
 Through: Carl Goldsmith, Director of Public Works
 From: David A. Dratnol, P.E., Village Engineer
 Date: August 1, 2011
 Subject: Great Western Trail Bridges
 ComEd Pole Relocation

Attached please find the construction agreement from Commonwealth Edison (ComEd) to relocate the power lines in the Great Western Trail and UP Railroad right-of-ways.

ComEd has completed the preliminary design and has estimated the project cost at \$401,260. This includes both engineering and construction costs. ComEd now requires a deposit in the amount of \$179,530. The \$179,530 is 50% of the estimated cost minus the previously issued engineering deposit ($0.5(\$401,200 - \$42,000) = \$179,530$). Once the project is complete ComEd will invoice for the balance of the actual cost.

Utility relocation associated with the railroad grade separation will be funded at by both the Grade Crossing Protection Fund Village TIF Capital Projects Fund

Funding Source	Amount	Percentage
Grade Crossing Protection	\$361,134	90%
TIF Capital	\$40,126	10%
Total	\$401,260	100%

Staff recommends approving ComEd funding in the amount of \$401,260 for relocation of power poles within the respective rights-of-way. The Village will be reimbursed by the GCPF as it submits paid invoices to IDOT for the project.

Engineering Staff is requesting that the Board authorize the Village President to sign the Construction Agreement with Commonwealth Edison and approve the necessary funds for construction. Please present this construction agreement and resolution to the President and Board of Trustees for their review and approval by phone poll and ratification at the next meeting, August 18, 2011. If approved, please return one signed original to Public Works-Engineering for further processing.

DAD/pfk

c: File: M-06-03

R E S O L U T I O N
R _____ 12

A RESOLUTION AUTHORIZING AN ADVANCE DEPOSIT AGREEMENT FOR
ENGINEERING
Great Western Trail Bridges – ComEd Pole Relocation

WHEREAS, the Corporate Authorities of the Village of Lombard have received a Construction Agreement between the Village of Lombard and Commonwealth Edison Company regarding the Great Western Trail Bridges – ComEd Pole Relocation as attached hereto, marked Exhibit "A" and made part hereof (the "Agreement"); and

WHEREAS, the Corporate Authorities deem it to be in the best interests of the Village of Lombard to approve said 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 Agreement attached hereto as Exhibit "A" is hereby approved.

SECTION 2: That the Village President and Village Clerk are hereby are authorized and directed to execute the Agreement, as well as any and all other documents necessary to carry out the provisions of said Agreement.

Adopted this 18th day of August, 2011, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this 18th day of August, 2011.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

Commonwealth Edison Company
Public Relocation Department
Two Lincoln Centre
Oak Brook Terrace, IL 60181

www.ComEd.com

An Exelon Company

07/29/11

Paul Kuehnlenz
Village of Lombard
255 E. Wilson
Lombard, IL 60148

Project:
Work Order: 7204175
EPS Project:

Re: Relocation of overhead electric facilities along the Great Western Trail, as occupied.

Dear Paul,

This letter is in reply to an inquiry regarding the Village of Lombard's request to relocate ComEd's overhead electric lines along the Great Western Trail. More specifically, the subject electric lines are currently situated along the Great Western Trail from Grace St. to St. Charles Rd.

The engineered estimate of cost to relocate the existing overhead facilities is approximately **\$401,260**. The cost represents an engineered design cost estimate only and is not a final cost for ComEd to provide any work to relocate the subject facilities. The final construction costs may differ depending on the mutual agreement of facilities relocated, final construction, difficulty of work area and what the accepted contract bid is for performing some or all of the work. The Village should take note that final costs will be based off the total actual charges that ComEd incurs to complete this project.

The Village will have two payment options available to them. Check one of boxes below, sign and return with check and/or copy of the executed ordinance.

The first would be a progressive payment schedule requiring a 50% first partial payment of **\$179,530** ("design cost estimate" minus "engineering deposit" times 0.5) with the potential for multiple payments as construction progresses. The 50% deposit and all required easements must be in place before ComEd work can be performed. This can be a minimum of 6-12 weeks from that date contingent upon ComEd's scheduled work load. Final payment invoicing will occur upon completion of the work.

The second option would be under Rider LGC, Local Government Compliance Clause, where ComEd applies an additional "per kilowatt-hour charge onto the monthly bills of all customers within the municipal boundaries of the Village of Lombard. As costs for this project are incurred each month, the appropriate share of those costs will be reflected as a separate line item charge on the monthly bills of the customers. The "per kilowatt-hour" charges will continue until the project is completed and all costs for the project are reflected on ComEd's books of account.

As an Illinois public utility, ComEd is subject to the terms and conditions of the Illinois Public Utilities Act (220 ILCS) and is obligated to provide reliable service at least cost. The relevant section of the Illinois Public Utilities Act (PUA) is Section 5/8-401, which states:

'Every public utility subject to this Act shall provide service and facilities which are in all respects adequate, efficient, reliable and environmentally safe and which, consistent with these obligations, constitute the least-cost means of meeting the utility's service obligations.'

The village should take special note of the fact that ComEd must meet our "Service" obligations at least cost to our "Ratepayers." Should replacement or additional distribution lines be required, ComEd must install facilities at least cost, which may require the facilities to include an overhead pole line. Should the village desire to keep the overhead distribution lines off of the Great Western Trail, the Village will be obligated to pay for the incremental costs of undergrounding or rerouting the line(s). In summation, the Village will pay the cost of the underground line, less the estimated cost of the avoided overhead installation.

