

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: Carl S. Goldsmith, Director of Public Works *CS*

DATE: April 5, 2012 (BOT) Date: April 19, 2012

TITLE: **A RESOLUTION ENABLING VILLAGE EMPLOYEES TO
PERFORM MAINTENANCE WORK WITHIN STATE OWNED
RIGHTS-OF-WAY**

BACKGROUND/POLICY IMPLICATIONS:

Chapter 121 of the Illinois Revised Statutes requires any person, including a Municipality, obtain a permit from the Illinois Department of Transportation for working within the State rights-of-way. This includes emergency repairs to broken watermains.

The State also requires a surety bond with each permit application. The bond is required to insure that work is completed in accordance with State specifications and the right-of-way is properly restored. However, the State does allow Municipalities to adopt a Resolution in lieu of the surety bond. The Resolution is valid for a period of 2 years.

Fiscal Impact/Funding Source:

No fiscal impact

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.



April 5, 2012

TO: Village President and Board of Trustees
THROUGH: David A. Hulseberg, Village Manager
FROM: Carl S. Goldsmith, Village Manager *CSG*
SUBJECT: IDOT Permit Requirements

BACKGROUND

The Illinois Department of Transportation, in accordance with State Statute, requires that any person, firm or agency working in the state maintained rights-of-way must obtain written authorization from IDOT. Additionally, any person working in the R-O-W must also post a surety bond to insure that the work and restoration is completed according to state specifications. The Village of Lombard and all municipalities are exempt from posting the surety bond, but in lieu of said bond are required to place on file the attached resolution. The resolution must be updated every two years. The attached resolution will cover the calendar years 2012 and 2013.

RECOMMENDATION

The Staff recommends that the Village President and Board of Trustees adopt the resolution enabling Village employees to perform maintenance within the State owned rights-of-way.

RESOLUTION

R - 12

**A RESOLUTION REGARDING CONSTRUCTION ON
STATE-MAINTAINED RIGHTS-OF-WAY**

WHEREAS, the Village of Lombard, hereinafter referred to as Municipality, located in the County of DuPage, State of Illinois, desires to undertake, in the years 2012 and 2013, the location, construction, operation and maintenance of driveways, street returns, water mains, sanitary and storm sewers, street lights, traffic signals, sidewalk, landscaping, etc., on State highways, within said Municipality, which by law and/or agreement come under the jurisdiction and control of the Department of Transportation of the State of Illinois hereinafter referred to as Department; and

WHEREAS, an individual working permit must be obtained from the Department prior to any of the aforesaid installations being constructed either by the Municipality or by a private person or firm under the contact and supervision of the Municipality.

NOW, THEREFORE, BE IT RESOLVED that the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois:

SECTION1: That the Municipality hereby pledges its good faith and guarantees that all work shall be performed in accordance with conditions of the permit to be granted by the Department, and to hold the State of Illinois harmless during the prosecution of such work, and assume all liability for the damages to a person or property due to accident or otherwise by reason of the work which is to be performed under the provision of said permit.

SECTION 2: That all authorized officials of the Municipality are hereby instructed and authorized to sign said working permit on behalf of the Municipality.

Adopted this _____ day of April, 2012.

AYES: _____

NAYS: _____

ABSENT: _____

Approved this _____ day of April, 2012.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk