

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: Scott Niehaus, Village Manager

DATE: November 8, 2016 (B of T) Date: December 1, 2016

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

SUBMITTED BY: Carl Goldsmith, Director of Public Works 

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 from January 1, 2017 through December 31, 2018.

Fiscal Impact/Funding Source:

No fiscal impact

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



November 8, 2016

TO: Village President and Board of Trustees

THROUGH: Scot Niehaus, Village Manager

FROM: Carl S. Goldsmith, Director of Public Works

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 2017 and 2018.

**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 \_\_\_\_\_

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

**WHEREAS**, The Village of Lombard, hereinafter referred to as the Municipality, located in the County of DuPage, State of Illinois, desires to undertake in years 2017 and 2018, the location, construction, operation and maintenance of driveways, street returns, water mains, sanitary and storm sewers, street lights, traffic signals, sidewalk and 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 aforesaid installations being constructed by either the Municipality or a private person or firm under contract and supervision of the Municipality.

**NOW, THEREFORE**, be it resolved by the Municipality:

**FIRST**: 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 person or property due to accidents or otherwise by reason of work which is to be performed under the provisions of said permit.

**SECOND**: 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 December, 2016.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_\_ day of December, 2016.

\_\_\_\_\_  
**Keith T. Giagnorio**  
**Village President**

ATTEST:

\_\_\_\_\_  
**Sharon Kuderna**  
**Village Clerk**

I, Sharon Kuderna, hereby certify the  
Above to be a true copy of the resolution passed by the  
Municipality, dated this \_\_\_\_\_ day of December A.D. 2016

Corporate Seal

BY: \_\_\_\_\_