

**SECOND AMENDMENT TO
AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE VILLAGE OF LOMBARD AND
THE YORK TOWNSHIP HIGHWAY COMMISSIONER
REGARDING IMPROVEMENTS TO MADISON STREET**

This SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (the "SECOND AMENDMENT") is entered into this 16th day of January, 2014, by and between the VILLAGE OF LOMBARD (the "VILLAGE") and the YORK TOWNSHIP HIGHWAY COMMISSIONER (the "COMMISSIONER"). The VILLAGE and the COMMISSIONER are hereinafter sometimes referred to collectively as the "Parties."

WITNESSETH

WHEREAS, the VILLAGE and the COMMISSIONER entered into AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE YORK CENTER HIGHWAY COMMISSIONER REGARDING IMPROVEMENTS TO MADISON STREET, dated June 17, 2010 (the "ORIGINAL AGREEMENT"); and

WHEREAS, the VILLAGE and the COMMISSIONER entered into a FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF LOMBARD AND THE YORK TOWNSHIP HIGHWAY COMMISSIONER REGARDING IMPROVEMENTS TO MADISON STREET, dated June 21, 2012 (the "FIRST AMENDMENT" – the ORIGINAL AGREEMENT as amended by the FIRST AMENDMENT being hereinafter referred to as the "AMENDED AGREEMENT"); and

WHEREAS, the VILLAGE and the COMMISSIONER desire to amend certain provisions of the ORIGINAL AGREEMENT, in light of the delays in the VILLAGE'S construction of the PROJECT (as defined in the AMENDED AGREEMENT), through no fault of the VILLAGE; and

WHEREAS, Article VII, Section 10 of the 1970 Illinois Constitution and 5 ILCS 220/1 through 220/9 provide authority for intergovernmental cooperation; and

WHEREAS, it is in the best interests of the VILLAGE and the COMMISSIONER to enter into this SECOND AMENDMENT;

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants and agreements hereinafter contained, the Parties hereto agree as follows:

1. That Section 5 of the AMENDED AGREEMENT is hereby amended by revising the reference therein to, "\$3,577,893," to read, "\$3,314,503."
2. That Section 6 of the AMENDED AGREEMENT is hereby amended by revising the reference therein to, "\$402,049," to read, "\$307,497."
3. That Section 9 of the AMENDED AGREEMENT is hereby amended by revising the reference therein to, "12-31-13," to read, "December 31, 2017."
4. That Exhibit "B" to the AMENDED AGREEMENT is hereby amended to read in its entirety as set forth in Exhibit "B" attached hereto and made part hereof.
5. That all portions of the AMENDED AGREEMENT, not amended hereby, shall remain in full force and effect.
6. This SECOND AMENDMENT shall be executed simultaneously in two (2) counterparts, each of which shall be deemed an original, but both of which shall constitute one and the same SECOND AMENDMENT.
7. This SECOND AMENDMENT shall be deemed dated and become effective on the date the last of the Parties executes this SECOND AMENDMENT, as set forth below.

IN WITNESS WHEREOF, the VILLAGE and the COMMISSIONER, pursuant to the authority duly granted, have caused this FIRST AMENDMENT to be signed by their respective authorized corporate authorities.


VILLAGE OF LOMBARD


Keith Giagnorio, Village President

**YORK TOWNSHIP
HIGHWAY COMMISSIONER**


Dick Schroeder, Highway Commissioner

ATTEST:



Janet Downer, Deputy Village Clerk

Dated: January 16, 2014

Dated: January 16, 2014

ACKNOWLEDGMENT

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Dick Schroeder, personally known to me to be the York Township Highway Commissioner, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as such York Township Highway Commissioner, he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act and deed of said York Township Highway Commissioner, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 30 day of December, 2013.



Sharon Kuderna
Notary Public

ACKNOWLEDGMENT

State of Illinois)
) SS
County of DuPage)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Keith Giagnorio and Janet Downer, personally known to me to be the Village President and Deputy Village Clerk of the Village of Lombard, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that, as such Village President and Deputy Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Village Board of Trustees of said municipal corporation, as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this 16th day of January,
2014.

Diane M. Jantelezio

Notary Public

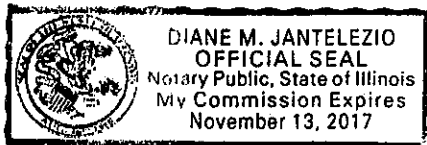


Exhibit "B"
COST ESTIMATES
(attached)

**Engineer's Estimate of Probable Costs
Illinois Route 53 at Madison Street Intersection Improvement**

	Unit	Unit Cost	Intersection Improvement		Village Improvements		Non-Village Improvements			
			Quantity	Cost	Quantity	Cost	Quantity	Cost		
Earthwork Items										
Earth Excavation	CY	\$25.0	8313	\$207,825	0	\$0	205	\$5,130		
Furnish and Place Embankment	CY	\$25.0	2493	\$62,314	0	\$0	661	\$16,522		
Topsoil 4"	SY	\$2.5	6400	\$16,000	0	\$0	1625	\$4,063		
Sodding	SY	\$3.0	6400	\$19,200	0	\$0	1625	\$4,875		
Maintenance of Traffic Items										
Temporary Pavement	SY	\$42.5	2100	\$89,250	0	\$0	0	\$0		
Furnish Excavation (for temp. pavement)	CY	\$25.0	2240	\$56,000	0	\$0	0	\$0		
Earth Excavation (for temp. pavement)	CY	\$25.0	2240	\$56,000	0	\$0	0	\$0		
Temporary Pavement Removal	SY	\$7.0	2100	\$14,700	0	\$0	0	\$0		
Temporary Pavement Markings	L.SUM	\$7,500.0	1	\$7,500	0	\$0	0	\$0		
Removal Items										
Pavement Removal	SY	\$12.5	5045	\$63,063	430	\$5,375	385	\$4,813		
CC&G Removal	FOOT	\$3.5	750	\$2,625	0	\$0	0	\$0		
On-ramp Pavement Removal	SY	\$16.0	1117	\$17,872	176	\$2,816	184	\$2,948		
Removing Catch Basins	EACH	\$475.0	0	\$0	1	\$475	1	\$475		
End Sections to be Removed	EACH	\$300.0	2	\$600	0	\$0	0	\$0		
Storm Sewer Removal	FOOT	\$18.0	235	\$4,230	0	\$0	59	\$1,062		
Pipe Culvert Removal	FOOT	\$12.0	244	\$2,928	87	\$1,044	0	\$0		
Roadway Items										
HMA Surface Course (1.5" (Madison Street) - 2" (Illinois Route 53))	TON	\$185.0	860	\$141,855	35	\$5,775	46	\$7,590		
HMA Binder Course (1.5" (Madison Street) - 1.1" (Illinois Route 53))	TON	\$93.5	2985	\$199,650	35	\$1,875	46	\$2,458		
HMA Base Course (6")	SY	\$29.0	2497	\$72,420	430	\$12,470	534	\$15,474		
Aggregate Sub Base Course (4")	SY	\$5.5	2497	\$13,734	430	\$2,365	534	\$2,935		
Aggregate Subgrade (12")	SY	\$14.0	4122	\$57,708	0	\$0	0	\$0		
Type B-6.12 CC&G	FOOT	\$18.0	2285	\$41,130	390	\$6,930	490	\$7,840		
5" PPC Sidewalk	SF	\$4.5	0	\$0	1950	\$8,775	7761	\$34,828		
Ba. Shoulders	SY	\$32.0	1723	\$55,136	0	\$0	0	\$0		
Driveway Pavement	SY	\$35.0	960	\$33,650	176	\$6,160	99	\$3,465		
Traffic Signal Items										
Traffic Signal	EACH	\$275,000.0	1	\$275,000	0	\$0	0	\$0		
Drainage Items										
Trench Backfill	CY	\$35.0	109	\$3,815	50	\$1,750	115	\$4,025		
Pipe Culverts, Class A, Type 1 12"	FOOT	\$40.0	75	\$3,000	0	\$0	0	\$0		
Pipe Culverts, Class A, Type 1 15"	FOOT	\$50.0	20	\$1,000	0	\$0	0	\$0		
Precast Reinforced Concrete Flared End Sections 12"	EACH	\$550.0	6	\$3,300	0	\$0	0	\$0		
Precast Reinforced Concrete Flared End Sections 15"	EACH	\$850.0	2	\$1,700	0	\$0	0	\$0		
Precast Reinforced Concrete Flared End Sections 30"	EACH	\$1,000.0	1	\$1,000	0	\$0	0	\$0		
Grating for Concrete Flared End Section 30"	EACH	\$875.0	1	\$875	0	\$0	0	\$0		
Storm Sewers, Class A, Type 2 12"	FOOT	\$50.0	640	\$32,000	37	\$1,850	85	\$4,250		
Storm Sewers, Class A, Type 2 15"	FOOT	\$30.0	645	\$19,350	48	\$1,440	112	\$3,360		
Storm Sewers, Class A, Type 2 18"	FOOT	\$35.0	5	\$175	68	\$2,380	154	\$5,370		
Storm Sewers, Class A, Type 2 24"	FOOT	\$80.0	143	\$11,440	0	\$0	0	\$0		
Storm Sewers, Class A, Type 2 30"	FOOT	\$75.0	88	\$6,600	0	\$0	0	\$0		
Catch Basins, Type A, 4'-Diameter, Type 8 Grate	EACH	\$2,000.0	7	\$14,000	2	\$4,000	2	\$4,000		
Catch Basins, Type A, 4'-Diameter, Type 11 Frame and Grate	EACH	\$1,850.0	11	\$20,350	1	\$1,850	1	\$1,850		
Catch Basins, Type A, 5'-Diameter, Type 8 Grate	EACH	\$2,500.0	1	\$2,500	0	\$0	1	\$2,500		
Catch Basins, Type A, 5'-Diameter, Type 11 Frame and Grate	EACH	\$2,300.0	1	\$2,300	0	\$0	0	\$0		
Manholes, Type A, 4'-Diameter, Type 1 Frame, Open Lid	EACH	\$2,000.0	1	\$2,000	0	\$0	0	\$0		
Manholes, Type A, 5'-Diameter, Type 1 Frame, Closed Lid	EACH	\$2,800.0	5	\$14,000	0	\$0	2	\$5,600		
Manholes to be Reconstructed with New Type 1 Frame, Closed Lid	EACH	\$1,700.0	0	\$0	0	\$0	1	\$1,700		
			Sub-Total:	\$1,651,387		\$68,648		\$157,435		
Erosion Control (2% of Sub-Total)				\$33,028		\$1,377		\$3,149		
Traffic Control and Protection (4% of Sub-Total)				\$66,055		\$2,754		\$6,297		
Construction Layout (1.5% of Sub-Total)				\$24,771		\$1,033		\$2,362		
Miscellaneous Items (25% of Sub-Total)				\$412,847		\$17,212		\$39,359		
			Construction Totals	\$2,188,068		\$91,223		\$208,501		
Utility Relocation (Estimated)			L.SUM	\$250,000		\$25,000		\$50,000		
Proposed Right-of-Way Acquisition/ Temporary Construction Easements (Estimated)			SF	\$27	11271	\$304,330	0	\$0	268	\$7,125
Phase 2 Engineering (10% of Construction Total)				\$218,806		\$9,122		\$20,850		
Phase 3 Engineering (10% of Construction Total)				\$218,806		\$9,122		\$20,850		
Project Totals:				\$3,180,036		\$134,469		\$307,497		
Total:				\$3,622,000						